



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **11TH DAY OF APRIL, 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; Karen Moynahan, Chief Deputy City Attorney; and Nicholas Livingston and John Paolazzi, Sergeants at Arms.

Item No. 337 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

		Disposition:
COMMUNICATIONS		
330	Request of Norm Santana to address Council regarding a municipal broadband district in Portland (Communication)	PLACED ON FILE
331	Request of Michael O'Callaghan to address Council regarding Council treatment of humans (Communication)	PLACED ON FILE
332	Request of JoAnn Herrigel to address Council regarding Elders in Action Civics 101 training (Communication)	PLACED ON FILE
333	Request of Injured and Pissedoff to address Council regarding wasting tax payers dollars--two publications of City Council meetings (Communication)	PLACED ON FILE
334	Request of Gloria Ngezaho to address Council regarding Community Forum on Participatory Budgeting (Communication)	PLACED ON FILE
TIMES CERTAIN		
335	TIME CERTAIN: 9:45 AM – Report on recent work from the City Auditor: Recreation Scholarships; Street Improvement Projects; Police Gang Enforcement Team (Report introduced by Auditor Hull Caballero) 45 minutes requested Motion to accept report: Moved by Fish and seconded by Saltzman. (Y-5)	ACCEPTED

CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
336	Reappoint Kerrie Standlee to the Noise Review Board for term to expire April 1, 2021 (Report) (Y-5)	CONFIRMED
Bureau of Emergency Management		
*337	Accept and appropriate the FY 2017 Urban Areas Security Initiative Grant in the amount of \$2,496,835 from the Oregon Office of Emergency Management to enhance emergency preparedness through planning, training and equipping emergency responders in the Portland Urban Area (Ordinance) (Y-5)	188893
Office of Management and Finance		
*338	Pay bodily injury claim of James Shaw in the sum of \$50,000 involving the Portland Water Bureau (Ordinance) (Y-5)	188887
*339	Pay property damage claim of United Way of the Columbia Willamette in the sum of \$42,485 involving the Bureau of Environmental Services (Ordinance) (Y-5)	188888
Commissioner Dan Saltzman		
Bureau of Transportation		
340	Authorize a contract with the lowest responsible bidder for the 2018 Heavy Vehicle Use Tax Paving Projects (Ordinance)	PASSED TO SECOND READING APRIL 18, 2018 AT 9:30 A.M.
REGULAR AGENDA		
*341	Establish emergency speed for SE Stark St from SE 109th to SE 162nd at the city limits to support safe travel (Ordinance introduced by Mayor Wheeler and Commissioner Saltzman) 30 minutes requested (Y-5)	188889
*342	Grant revocable permits to the Portland Rose Festival Foundation to perform activities relating to Portland Rose Festival annual celebration from May 25 through June 10, 2018 (Ordinance introduced by Commissioners Saltzman and Fish) 10 minutes requested Motion to add emergency clause because it is in the public interest that there be no delay in the permitting process: Moved by Fish and seconded by Wheeler. (Y-4; Eudaly absent) (Y-4; Eudaly absent)	188890 AS AMENDED

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Mayor Ted Wheeler		
343	Appoint Leah Sykes and Jessica Greenlee to the Rental Services Commission for terms to expire April 2020 (Report) Motion to accept the report: Moved by Fish and seconded by Saltzman. (Y-5)	CONFIRMED
Commissioner Dan Saltzman		
Bureau of Transportation		
344	Assess benefited properties for street, sidewalk and stormwater improvements in the NE Couch Ct Local Improvement District (Hearing; Ordinance; C-10046)	PASSED TO SECOND READING APRIL 18, 2018 AT 9:30 A.M.
345	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 (Second Reading Agenda 322; amend Code Section 17.88.090; amend Policy TRN-1.26) (Y-4; N-1 Fritz)	188891 AS AMENDED
346	Vacate portions of NE Weidler St and NE Halsey St subject to certain conditions and reservations (Second Reading Agenda 323; VAC-10118) (Y-5)	188892
FOUR-FIFTHS AGENDA		
346-1	Recognize April 10, 2018 as Equal Pay Day (Resolution introduced by Mayor Wheeler and Commissioners Saltzman, Eudaly, Fish and Fritz) 10 minutes requested (Y-5)	37350

At 12:10 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **11TH DAY OF APRIL, 2018** AT 2:00 P.M.

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

Commissioner Saltzman arrived at 2:12 p.m.
Commissioner Eudaly left at 4:00 p.m.

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

The meeting recessed at 3:17 p.m. and reconvened at 3:36 p.m.
The meeting recessed at 4:12 p.m. and reconvened at 4:33 p.m.

<p>347 TIME CERTAIN: 2:00 PM – Proclaim April 2018 to be Fair Housing Month (Proclamation introduced by Mayor Wheeler) 1.5 hours requested</p>	<p>Disposition: PLACED ON FILE</p>
<p>348 TIME CERTAIN: 3:30 PM – Amend the Transportation System Plan consistent with the 2035 Comprehensive Plan and in compliance with the Regional Transportation Plan; amend River District Master Street Plan; add policies for Automated Vehicles; adopt findings of compliance; adopt corrections; amend Transportation and Parking Demand Management code to clarify requirements (Previous Agenda 284; Ordinance introduced by Commissioner Saltzman; amend Ordinance Nos. 187832, 188177; amend Code Chapter 17.107) 1 hour requested for items 348-351</p> <p>1. Motion to amend Section 8, Connected and Automated Vehicles Policy 9.XA.a to add “commercial” to proposed second sentence: Moved by Fritz and seconded by Fish. (Y-5)</p> <p>2. Motion to adopt Section 8, Connected and Automated Vehicles Policy amendment package:</p> <p>a. amend Policy 9.XA.a to add second sentence: Require adequate insurance coverage for operators, customers, and the public-at-large by providers of commercial connected and autonomous vehicles</p> <p>(continued next page)</p>	<p>CONTINUED TO MAY 24, 2018 AT 2:00 PM TIME CERTAIN AS AMENDED</p>
<p>348 continued.</p> <p>b. amend Policy 9.XA.b to add #4 Supporting and encouraging use of public transportation</p> <p>c. amend Policy 9.XA.d to add final sentence, “This includes people with disabilities, as well as communities of color, women, and geographically underserved communities.”</p> <p>Moved by Fritz and seconded by Fish. (Y-5)</p>	

<p>349 Amend the Transportation System Plan to update Introduction, Modal Plans, Implementation Strategies, and Glossary (Previous Agenda 285; Resolution introduced by Commissioner Saltzman)</p>	<p>CONTINUED TO MAY 24, 2018 AT 2:00 PM TIME CERTAIN</p>
<p>350 Amend Zoning regulations to implement the 2035 Comprehensive Plan through the Code Reconciliation Project (Previous Agenda 286; Ordinance introduced by Mayor Wheeler; amend Title 33)</p> <p>1. Motion to adopt items 1 & 2 in staff April 10, 2018 memo: (1) 33.410 amend the recommendation to remove the deletion of 33.410 and retain the Buffer overlay zone in the zoning code. (2) 32.34.020A amend the recommendation to remove the deletion and retain the related Buffer overlay regulations in Title 32 and renumber the section. Moved by Fritz and seconded by Fish. Vote not called.</p> <p>2. Motion to adopt proposed amendments 3-6 and 8-13 in staff April 10, 2018 memo: Moved by Fish and seconded by Fritz. Vote not called.</p> <p>3. Motion to adopt proposed amendment 7 regarding Affordable Commercial Space Administrative Rule in staff April 10, 2018 memo: Moved by Fritz and seconded by Fish. Vote not called.</p>	<p>CONTINUED TO APRIL 25, 2018 AT 2:00 PM TIME CERTAIN</p>
<p>351 Amend Tree, Noise and Sign regulations to effectively implement Portland City Code through the Code Reconciliation Project (Previous Agenda 287; Ordinance introduced by Mayor Wheeler; amend Title 11, 18 and 32) See Motion 1, Item 350.</p>	<p>CONTINUED TO APRIL 25, 2018 AT 2:00 PM TIME CERTAIN</p>
<p>352-355 TIME CERTAIN: 4:30 PM – Central City 2035 Plan. 15 minutes requested Central City 2035 Plan items are continued from April 4 for Council discussion and vote on amendments. For more information see project website www.portlandoregon.gov/bps/cc2035</p>	
<p>352 Adopt the Central City 2035 Plan Volume 2A, Part 3, Environmental and Scenic: amend the Portland Zoning Map and Portland Zoning Codes for Environmental Overlay Zones and Scenic Resource Zones (Previous Agenda 325; Ordinance introduced by Mayor Wheeler; amend Code Chapters 33.430 and 480)</p>	<p>CONTINUED TO MAY 24, 2018 AT 2:30 PM TIME CERTAIN</p>

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<p>353 Adopt the Central City 2035 Plan; amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, Willamette Greenway Plan, Willamette River Greenway Inventory, Scenic Resources Protection Plan, Zoning Map and Title 33; repeal and replace prior Central City plans and documents (Previous Agenda 326; Ordinance introduced by Mayor Wheeler)</p> <p>1. Motion to add ordinance directive “The Portland Bureau of Transportation to work with the Portland Public School District on a Memorandum of Understanding for the redevelopment of the Lincoln High School property to ensure that specific programming and security needs for the facility are appropriately balanced with a north-south public access connection through the site that serves the pedestrian and bicycle connectivity needs of Goose Hollow consistent with the directives of the Central City 2035 Plan”: Moved by Saltzman and seconded by Fritz. (Y-4; Eudaly absent)</p> <p>2. Vote on Amendment B, moved on 3/22, to exempt sites with a public-school use from the superblock regulations to allow them to design spaces and accessways that meet the needs of the school and address safety and security concerns: (Y-4; Eudaly absent)</p> <p>3. Vote on three amendments moved on April 4: North Pearl Height, Bird Safe Glazing, Transfer of Floor Area from a Historic Resource: (Y-4; Eudaly absent)</p>	<p>CONTINUED TO MAY 24, 2018 AT 2:30 PM TIME CERTAIN AS AMENDED</p>
<p>354 Adopt the Central City 2035 Plan Action Charts, Performance Targets and Urban Design Diagrams (Previous Agenda 327; Resolution introduced by Mayor Wheeler)</p>	<p>CONTINUED TO MAY 24, 2018 AT 2:30 PM TIME CERTAIN</p>
<p>355 Adopt the Central City 2035 Plan Green Loop Concept Report (Previous Agenda 328; Resolution introduced by Mayor Wheeler)</p>	<p>CONTINUED TO MAY 24, 2018 AT 2:30 PM TIME CERTAIN</p>
<p>DUE TO LACK OF AGENDA THERE WAS NO 2:00 PM MEETING THURSDAY, APRIL 12, 2018.</p>	

At 4:45 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By **Karla Moore-Love**
Clerk of the Council

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

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.**

April 11, 2018 9:30am

Wheeler: Good morning everyone, this is the Wednesday April 11th, 2018, morning session of the Portland city council. Karla, could you please call the roll?

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

Wheeler: Here, good morning.

Karen Moynahan, Deputy City Attorney: Good morning. Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during city council meetings so everyone can feel welcome, comfortable, respected and safe. To participate in council meetings you may sign up in advance with the council clerk's office for communications to briefly speak on any subject. You may also sign up for public testimony on resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. When testifying please state your name for the record, your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left, a yellow light goes on. When your time is done, a red light goes on. If you are in the audience and you would like to show your support for something that is said, please feel free to do a thumbs up. If you want to express you do not support something, please feel free to do a thumbs down. Disruptive conduct, such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruptions, a warning will be given that further disruption may result in the person be sure ejected for the remainder of the meeting. After being ejected a person who fails to leave the meeting is subject to arrest for trespass. Thank you for helping you fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Thank you, let's start with communications. Excuse me, this is a disruption -- [audience disruption]

Mimi German: Can we have an emergency session talking about the executions of our police force --

Wheeler: I'm going to have to ask you to leave. [audience disruption]

Item 330.

Wheeler: Is norm here today? I do not see Mr. Santana. Next individual, please.

Item 331.

Wheeler: Mr. O'Callaghan, good morning and welcome.

Michael O'Callaghan: Name is Michael O'Callaghan. First thing I would like to offer everybody here and on television the opportunity to make the earth a better place. Pick up a piece of litter. Okay? We can all do it. It's everywhere. Okay. First. Second, friend of mine Facebooked me, Jay Hammond he was ex governor of Alaska that he did on me in the mid'80s. Number five, if you want to find out a little bit about my history, go there, check it out, it's really pretty fun. Me, like in my 30s. Anyway, so I like to do the fun things first. Mayor, you've supported the law prohibiting the discard of passible late food. Nathan was your point man on it so need another point, man. Should I just call your office later on?

Wheeler: That would be great.

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O'Callaghan: Tok, good, take care of that. Now, this other is a little heavy. As you know, I get into this kind of stuff because I slept out last night, okay, and this is directly to you for the police and to you, Amanda for the park service, okay? When we are solving problems, we all know this, you define the problem as clearly, as you can. You apply a manipulative to produce an outcome. This question is directly to you, Mr. Wheeler. What is the desired outcome of the sweeps?

Wheeler: I will answer when you're done with your time. You finish your time, and then I will respond to that.

O'Callaghan: Well, I know what happens because of the sweeps. With the sweep last year Springwater trail corridor, my next door neighbor died. The average age of people dying on the streets in Portland is 46 years. The same thing in Vancouver, British Columbia. Same age in san francisco. This is economic genocide. Okay? This is -- here's the definition of genocide on the u.n. conditions of life may include deliberate deprivation of resources indispensable for survival, such as food, medical services, or systemic expulsion from homes. Okay? You are not killing people, hitler didn't go around shooting people. You are creating an atmosphere that causes the death of your subjects. I find that behavior inappropriate, but I understand that you're just carrying on past policies. You really haven't examined these policies. Please examine this policy. Thank you.

Wheeler: Thank you, sir. So I will respond. First of all, we invest heavily and as I will say in my speech tomorrow, record amounts in homeless prevention. Last year, the city and the county combined kept 6,500 people off the streets through intervention services. We invested heavily in additional shelters space because I and many others in this community do not think it is humane to let people sleep outside in the snow and the rain. We want to give them access to water, to bathrooms, to laundry facilities, and most importantly, connect them with whatever services they need to get off and stay off the streets. We made record investments last year in housing and lower income housing, I will say tomorrow and I will show the facts on the screen behind me, we actually delivered record affordable housing last year and we're on track this year to do it again. With regard to sweeps specifically, it is a very rare circumstance during my administration where we actually moved somebody out of a campsite. We have a priority list based on either environmental issues, public health issues, or public safety issues. We always -- and we have a legal agreement that requires this, but I also happen to think it's the right thing to do. We intervene with social service providers well in advance because we post in advance and we send people in to try to get people better accommodations and the vast, vast majority, I think virtually everybody accepts that offer as a viable and desirable opportunity. We don't just simply randomly go around the city, shaking people down or moving them out. That is not the current policy and I don't believe that has ever been the policy during my administration. So that is the best answer I can give you and I appreciate seeing you today, as always.

O'Callaghan: May I respond?

Wheeler: No, you've had your three minutes and there's a lot of people waiting. You've made your point very clear.

O'Callaghan: 12,000 people on the streets and I appreciate the efforts that you're making --

Wheeler: Thank you.

O'Callaghan: They're woefully inadequate.

Wheeler: I don't disagree that -- [overlapping speakers]

Wheeler: There are 60,000 people in I.a. and they're investing \$1.5 billion. I didn't say the problem is solved. It is a growing and very serious problem. It is a humanitarian crisis, but what I want you to know is we are doing our part to address it and we're doing so very well, in my opinion. Thank you, sir. Next individual please.

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Item 332.

Wheeler: Good morning.

JoAnn Herrigel: Good morning mayor and members of the council, my name is joanne herrigel, I'm the deputy director at elders in action. I'm here today to thank you for your support and participation in the civics 101 training that elders in action conducted in January and February of this year. The training series consisted of five sessions and attracted over 35 participants from across the county. A few of them are with me today. We focused on the basic operation and structure of city, county, neighborhood and state governments. We visited and learned about both the city of Portland and the city of Gresham and compared the government structures of the two. In the city of Gresham, we met with the mayor and a city councilor and in Portland we met with staff and commissioner eudaly's office and staff from the bureau of transportation. We met with county commissioner Vega Pederson and toured the county offices and the hearing room and we met with oni and east Portland neighborhood staff and neighborhood leaders from the city of Gresham. Finally, we took 20 people to the capitol in Salem to tour the building, meet our legislators and hear from the governor's human services staff. A few weeks after the session ended, a few participants joined me here at city council to see the council in action. Among other things, we learned how to sign up to give testimony, where to sit, places not to sit, and then also first-hand how to see the timer go from green to yellow to red. Participants reflected after the series was over that it helped demystify the government structures and processes and left participants feeling empowered to participate in advocacy from a place of knowledge. Thank you to you and to commissioner Eudaly for her office's participation and thank you all for allowing me to show people how the city works up close and personal. We appreciate your long-term support and we feel that civics 101 is a great example of how we can all work together. Thanks very much.

Wheeler: Well, thank you and I'll speak on behalf of all of us I'm sure. We really appreciate the work that elders in action does in the community, and I think the civics 101 training is just one more example of how you are being a very effective partner in helping us be an age-friendly city for everyone and I'm not going to get ahead of the council in the budget process, but I can tell you that there's a lot more to come and I want to thank you all for your active participation in helping us realize the vision of an age-friendly community.

Herrigel: Thank you.

Wheeler: Thanks for being here today. Next individual, please.

Item 333.

Wheeler: Good morning.

Injured and Pissedoff: Morning. My name is injured and pissed off and, of course, I've addressed this issue before with the two publications. Joe Walsh of all things came to your defense, Mr. Mayor, and he said that the daily journal of commerce printing the Portland city council is doing that for free and I was in disbelief when he said that, but I guess maybe he's getting a little old.

Wheeler: Aren't we all?

Injured and Pissedoff: Well, your excuse, Mr. Mayor, was saying that the two publications that some people don't have internet. I think that equally applies even to the mayor getting old.

Wheeler: Yes, sir.

Injured and Pissedoff: Now, the "Portland tribune" is only publishing the city hall -- the city council record in their business section of the tribune, and it's only printed in separate - it's a separate storage container. They used to put it in Tuesday's and Thursday's paper, and now, they should be printing a lot less papers, maybe the city's getting a discount for that. They should be. If they're not getting it. After all, that is the taxpayers' money, technically. So I hope that it doesn't cut into the newspaper's profits too much, but there

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still is two publications that's being published. It seems to be absurd with the internet, you saying that some people don't have it, but the meeting's also on there, as well. And next time when I speak here, request of injured and pissed off, this is for May 23rd of this year, injured and pissed off to address council regarding civil conspiracy and conflict of interest in seven service animal attacks in less than six years by the same dog. I'll be addressing that, May 23rd, 2 thirds of the nation has a dog or cat, but have they been attacked seven times? Just because I live on the city property, Hamilton west apartments is owned by the city of Portland and they allowed the seven dog attacks to happen to me and of course, I got injured severely. Thank you.

Wheeler: Thank you, sir. Appreciate your being here. Next individual, please Karla.

Item 334.

Wheeler: Good morning.

Gloria Ngezaho: Good morning. My name is Gloria ngezaho I'm here to draw your attention to and invite you to a community forum that we have on participatory budgeting. It's a concept that was introduced to me that I think is really an interesting concept, an important one, as it relates to democracy and participation into resource allocations by citizens of this great city and so I would like to invite you to attend the community forum that we have this Saturday from 9:00 in the morning to 3:30. We've got information on healthydemocracy.org. That's where registration is at. As of this morning we have about 115 people that have already registered and so just would like to encourage you and your staff to register and to participate. The goal of it is really just trying to bring participatory budgeting into the Portland metro area and what we're trying to do is connect communities with elected officials and staff to start discussing what that looks like in practice and how important it is and if that's something that the people of the city of Portland would like to be part of or to bring to the city, again because it's important that people are part of the decision-making process where it's not just a budget, here you go and we're going to tell you -- the council decides on everything budget, but participatory budgeting, what you're doing is inviting citizens to decide where and how they want to allocate resources. It doesn't have to be everything, but you set aside an amount of money and you let them decide on that, and I think that's really great again. So mayor wheeler, I think during your campaign, you promised to bring p.b. to Portland and I would like to kind of like ask if you would like to give a shout-out in your state of the city address about the forum, that would be really great and also would like to ask if there's an opportunity for us to meet with either one of you to talk further about participatory budgeting. Again the point is to make sure that people are participating in resource allocation in the city of Portland because that's really important. It's empowering, it gives people voices to participate and draw on tax dollars. Thank you so much for having me this morning.

Wheeler: Thank you Gloria and before you leave, if people in the community are interested in attending, could you give the website one more time?

Ngezaho: Sure. It's www.healthydemocracy.org.

Wheeler: And Gloria I know I cannot attend on Saturday and I apologize for that. I am, however, very interested in what results from that conversation and I would love to have the opportunity to chat with you about that after the fact. I will definitely put this out on my social media. If you could be kind enough, you see Michelle waving right there, if you can give her the information, we'll put it out.

Ngezaho: Sounds great.

Wheeler: And we'll put it out broadly. Commissioner Fritz.

Fritz: I have the grand reopening of venture park on Saturday so I also cannot come, but I'll have staff there.

Ngezaho: Well, thank you so much.

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Wheeler: Thank you. And that gets us to the consent agenda. Have any items been pulled from the consent agenda?

Moore: Yes, 337.

Wheeler: 337. Please call the roll on the remainder.

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

Eudaly: I have a couple of comments to make. I am generally supportive of putting our reappointments on the consent agenda, but since we have our reappointee in the audience today, Mr. Standlee I just want to thank him for his over 30 years of service to the city of Portland. He's been a driving force in helping the city draft our city noise code, which has stood the test of time in court appeals and challenges, to the good work of our nation's leading agencies for addressing the issue of urban noise pollution. He has contributed probably thousands of hours for free to the city. Mary Sipe is a fan, clearly and he's a state of Oregon licensed acoustical engineer who can be found grading state engineer exams for new acoustical engineers. That sounds thrilling, Mr. Standlee thank you. He's past president of the national council of acoustical consultants and is active with acoustical society of america, an institute of noise control engineering. We are privileged to have a national expert help serve our community. Thank you, and congratulations on your reappointment. Aye.

Fritz: Aye.

Wheeler: The consent agenda is adopted. Mr. Standlee since you made the effort to be here, did you want to come up and say a few words? I don't want to put you on the spot, but if you would like we would love to hear from you.

Eudaly: Thank you, mayor.

Wheeler: Thank you, sir.

Kerrie Standlee: Thank you for inviting me back. I would like to say that I look forward to another three years on the board. As commissioner Eudaly was mentioning, I have been on the board for quite some time, and then I took a period off, back on the board now. So I look forward to seeing if we can make some improvements in north Portland, the whole city in terms of some of the issues that have come up with noise. So I'm looking forward to that.

Wheeler: Thank you. We really appreciate your service. Thank you, sir. Next item, time certain number 335, please.

Item 335.

Wheeler: Colleagues, last year, I clearly stated my position in opposition to the gang enforcement list. I was asked if it would continue to exist or be replaced by some other list and I was assured that it would not. I was deeply disappointed by what the auditor's report revealed. I have serious questions about the list, about how it is used, how it is managed, and what policies govern the list. Those were all key questions raised by the audit report. A key question is whether the existence of the list is in conflict with my direct direction. Chief outlaw and I shared the same concerns and last week she directly the bureau to immediate cease use of the list until a further evaluation could be conducted. I want to be very clear. I support chief outlaw's decision –

Joe Walsh: Not to hold an emergency session when there's a murder on Saturday night.

Wheeler: Excuse me, Mr. Walsh. This is a violation of council policy. You'll have to leave.

Walsh: You are a disgrace.

Wheeler: Mr. Walsh, please leave.

Walsh: [audience disruption]

Wheeler: That's the third death threat I've had this week. So I support chief outlaw's decision and I trust the chief to come to a positive resolution.

Walsh: You're a fraud.

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Wheeler: Anyway, good morning madam auditor. Thank you for being here. We appreciate it.

Mary Hull Caballero, City Auditor: Good morning mayor and commissioners. I am city auditor Mary hull caballero and I am here today to show results of our latest audits and introduce brief presentations by the staff who led them. As always, my hope is that the commissioners in charge of bureaus that are the subject of our audits take our results in the spirit in which we intend them which is for the city to become more effective, efficient and equitable. We also hope to use these opportunities to speak to you as a group to highlight themes across audits that can apply to operations and programs whether they are the subject of any particular audit we are presenting. The three topics for today are recreation center scholarships, street improvement projects and the gang enforcement team. And we are going to begin with the recreation center scholarships.

Kristine Adams-Wannberg, City Auditors Office: Good morning mayor and commissioners, for the record my name is Kristine Adams-Wannberg and I am the senior management auditor in the auditor's office and I led the recreation scholarships audit which was released in march. So this particular audit we looked at the alignment between Portland parks and recreation's current scholarship policy and the city's budget direction. We also looked at barriers that the public experiences when they're trying to access scholarships. We found that there were clarifications that were needed on the scholarship policy, as well as inclusion of scholarships in the formal budget process and that the bureau needs a strategic outreach plan for scholarship information. Parks uses recreation scholarships really is a tool for equity and access and those amounts for scholarships have been increasing over the past few years from \$260,000 in 2008 to \$290,000 in 2017. That's about 127% increase in those years. Parks is very sensitive to the affordability of its prices and the city policies that make access to that recreation a priority. The goals for access, however, are very difficult to reconcile with the city's -- with the bureau's need to generate that revenue for the community centers. So when scholarships were provided, the community centers lose funds they need to operate and each center has a different goal for recovering those costs. The result of that tug between access and revenue generation is that a resident's ability to obtain a scholarship actually varies from center to center. So, for example, a center that needs higher revenue from fees or is behind in generating its revenue may be less able to provide a scholarship to somebody compared to a center that needs less fee revenue or has met its revenue goal. So effective government programs make this deliberate and clear connection between the policies and the budget. Both council and parks have very clear policies on supporting access to recreation services, but the policies in this case don't necessarily carry through to the budget allocation. We looked at other jurisdictions and most others support a budget for scholarships and they have multiple revenue sources that support that so not necessarily just general fund moneys support those scholarships in the other jurisdictions we reviewed. Some restrict what the scholarships can be used for or who they can be given to, as well. So evaluating these program goals is a best practice in determining how well progress is being made towards improved access and we noted that the city budget office recommended to retain the current decentralized and unfunded system. Information is difficult to find on the website and information in program catalogs is also difficult and the blasts are not equally distributed to the city. In the graphic that you'll see is the information in the back of the program catalogs, it's in the very back and you'll notice that it is incredibly tiny and basically tells folks to go to the community centers for more information. Information we wanted to note was also rarely provided in a language other than English. In terms of recommendations we had four of them. We recommend clarifying and updating the scholarship policy and implement it consistently throughout the centers and this update we are hoping that parks would have a work session with the council to get direction on

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whether those scholarships could cover a prioritized list of services or if the services should be more flexible and at the discretion of the customer. Second the budget for scholarship and establish a funding source or sources to report to the council periodically on the cost and performance of the program and to develop can a strategic outreach plan for scholarship information that overcomes the language and other barriers and really is consistent with the budget and revised scholarship policies. With that I would be happy to open it up for questions.

Wheeler: Commissioner Fritz.

Fritz: Yeah, well first thank you so much for your audit. Auditor hull caballero, I really appreciate the daylighting of this issue, which I've been trying to get the council's attention for, for several years, so I agree with everything in the audit. It's really very helpful and I would like to read not only the beginning of that paragraph that you read, but the rest of it. Effective government programs make a deliberate and clear connection between policies and the budget, both city council and parks and recreation have clear policies to support access to recreation services. These policies however do not carry through to the city's budget. The city does not set aside an amount in the budget to pay for scholarships. By not providing clear budget support for scholarships, each center is left to balance these competing needs to the extent possible. The bureau cannot track scholarship costs accurately or provide transparent accounting to the public. So that I think is one of the important things and colleagues if you haven't had a chance to read this audit it doesn't take very long, it's really clear and concise. As was noted, the amount of scholarships we're currently getting out is \$590,000. Not coincidentally we have a budget request for \$600,000 in this year's budget. Once again it's not recommended for funding. The audit really calls out how it was director Charles Jordan, commissioner Charles Jordan who set the policy of everybody should have access to services. Now, we did have the work session that started the discussion on cost recovery, I will anticipate there will be another one where we address that recommendation you just made as to how to prioritize it, should the council agree to fund the scholarships. We not only have the recreation-wide scholarships of \$600,000 in the budget but also an \$80,000 request for cost recovery for preschool. I think Eileen Argentina the recreation manager who is here today, it's something that weighs heavily on all of our hearts because people don't know about the scholarships, you have to read all the way to the back into the tiny print, you have to be able to read English so it's not open even the system that we have and what ends up happening is that people get the leftovers. So we can't give scholarships until the class has already got enough paying participants and there are a few spots left over. If we were really being equitable we would be funding equal choice so that people who really need the services would be able to choose which class they want first rather than waiting to see if there's anything left over so I think this is really helpful and I do encourage council to read it because it lays out much more clearly, than I have ever been able to do why we need this specific line item in the budget.

Adams-Wannberg: Thank you, commissioner.

Alexandra Fercak, City Auditors Office: Good morning mayor and commissioners. My name is Alexandra Fercak, I'm the senior management auditor and I lead the street improvements projects which was released in march and this was an audit of the Portland transportation bureau. By reviewing selected transportation projects, the objective was to assess the planning, purpose, and evaluation process for street improvements. We found the bureau of transportation met expectations for the planning phase, but its evaluation of project effectiveness needs improvement. The city's transportation system plan includes goals, such as safety, equitable transportation, and prioritizing certain modes of transportation, such as public transit and bicycling. The plans also include livability and prosperity goals, such as access to jobs, schools, and grocery stores and supporting

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economic development. We found the projects included goals that supported the transportation system plan strategies and the bureau used an extensive public outreach process to communicate with residents and stakeholders and to obtain feedback on proposed street designs. Once projects are completed, the transportation bureau evaluates traffic data. For example, the number of cars or bicyclists using the improved streets or the number of car-related crashes. However, for livability goals, such as supporting local businesses or community development, it is not always clear whether the goals were accomplished or even how the street project changed the neighborhood. This includes any unintended consequences, such as traffic diversion to adjacent streets or changes to residents' commuting. A full project goal assessment may require management to commit resources to a broader evaluation. To better achieve its goals through street improvement projects, we recommend that the bureau of transportation develop and fund a consistent evaluation process that includes livability and neighborhood impact assessments and use the results to inform the city's transportation plans. Thank you, and I'm open to any questions you may have.

Wheeler: Thank you. Colleagues, questions? Thank you.

Minh Dan Vuong, City Auditors Office: Good morning mayor and members of the council. My name is Minh Dan Vuong I'm a senior management auditor and with my colleague, Elizabeth Pape, we worked on the audit of the police bureau's gang enforcement team. The gang enforcement team sends officers on patrol and also investigates shootings with a gang connection and we audited both these aspects of gang enforcement. Our big question was what are the results of their work? Let's start with patrol. The key takeaway is that Portland police must show that traffic stops for gang enforcement are effective. Officers pulled over drivers 1,300 times in 2016 and their goals were to deter gang violence and to seize guns. This map here shows the gang enforcement team spends a lot of time in north, northeast, and east Portland and where the traffic stops happened. Officers usually use a minor traffic violation like driver is not signaling a turn to pull people over and that's called a pre-text stop because the traffic violation is a pre-text for another investigative reason. We analyzed the stops data from the police bureau and found racial disparities. 59% of people stopped by the gang enforcement team were african-americans and that is an overrepresentation compared to many other measures. For example, if you compare this to the driving population, less than 10% of the driving population is african-american here in Portland. And I want to be clear this does not allow you to conclude that officers have racial bias or the opposite that they do not have racial bias, but this analysis shows that officers are not randomly pulling people over and that explanations like, police are focused on those areas with high crime or high gang crime are also not sufficient. When we talk with community members during our audit we heard concerns. For example, people worried that gang enforcement officers pull people over for minimal reasons and that they do not accurately target gang suspects. So to explain these disparities and to justify these frequent traffic stops the police bureau needs to record the investigative reason for these traffic stops. Officers are not required to do that right now and on this slide we show some examples of investigative reasons. We also looked at what happens after the stops. Police have not evaluated the results of these stops, but we found that 2% of encounters led to a weapons seizure and 10% led to an arrest, but the remainder were so-called no enforcement stops. The police bureau also cannot show if they stopped a gang suspect or someone with no connection to gangs. This needs to be tracked and explained to the community and let me also discuss now investigations by the gang enforcement team. Here we are concerned about accountability and transparency. Even though the police bureau announced a few months ago that it would no longer designate people as criminal gang affiliates in police records we found that the gang enforcement team has been and still was collecting information at the end of

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our audit about people's gang associations. Specifically the team created lists of most active gang members and associates and that an example of that list is pictured here. The police bureau used a points system to rank people based on gang incidence and interactions with police and these included shootings and gun seizures but also non-criminal events. Now, what concerned us was that the police bureau did not have a policy that guided this information collection or had set up safeguards. The police hadn't told the public about this most active list so community members did not have a chance to give input. This, of course, is against the backdrop of past community concerns and also potential legal questions. And finally, we made recommendations to improve case management at the gang enforcement team. The team opened 159 new investigations in the year 2016 and we estimated that it sent 31 cases that year to prosecutors. The police need to keep track of the clearance status of these cases and report reliable information, such as the clearance rate to the public and to council. Previously the police bureau had reported a 25% clearance rate to council, but we didn't receive backup documentation for that figure so we carried out our own analysis and arrived at this 19% estimate here. We encourage anyone interested in these issues to go to the Portland city auditor website where we have posted this audit report on gang enforcement as well as all of our other audit reports and that concludes our presentation and we are available to respond to questions.

Wheeler: Very good. Let me respond with a statement because we have plenty of opportunities to go through this in detail, and I think you well know my opinion about this, but let me state a couple of truths. Truth number one is that this is a policy that derives from a culture that has been around for many, many years, if not decades. And I hope you have heard my forceful determination to change both the culture and the policies that are associated with the findings of audits like this. I would like to read just a few paragraphs of my response because I would like them on the record. The skewed demographics of gang-related shootings demand a heightened understanding of the activities of the gang enforcement team. Accordingly, the get must be able to justify its practices through accurate and thorough data collection, as you've recommended. The audit correctly notes that it's difficult to demonstrate to the community that the get is not engaging in racial profiling if there's inadequate data collection and analysis of stops, including so-called mere conversations. I'm pleased to share that several recommendations are currently either in practice or in process by the Portland police bureau. The police bureau has been collecting stops data since at least 2002 and has been issuing annual stops data collection reports since 2014. Data specific to the gang enforcement team will be published in the police bureau's annual stops data collection reports going forward. Outside of the report's recommendations it's also important to highlight that the relationship-driven work -- it's important to highlight the relationship-driven work of the gang enforcement team. The unit's efforts to build relationships have been instrumental in its collection of needed intelligence, its ability to intercede at critical points, and ultimately, its ability to have a positive impact within the community. I applaud and wholeheartedly supported the recent anti-profiling bill which was signed into law by the governor. It lays the groundwork for a new standard for the Portland police bureau to follow. No later than July 1st, 2018, the Oregon criminal justice commissioner in consultation with the state police and department of justice must develop and must implement a standardized method for all law enforcement agencies to record officer-initiated traffic and pedestrian stops data. Notably, this data must include the race, ethnicity, age, and sex of the pedestrian or driver and the results of the stop. This will apply to the gang enforcement team and it reinforces the work currently under way by the police bureau. One more paragraph. I fully support the recommendations outlined in this report. These recommendations raise critical questions that strike at the heart of the gang enforcement team's practices and I intend to conduct a

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full review and analysis of the practices at issue. A particular concern to me is the treatment of so-called mere conversations and the apparent lack of unanimity between the bureau of emergency communications and the police bureau. Though they may not fit the legal definition of a stop, there is community-wide recognition, and you heard this in many of your interviews, that mere conversations are more than community engagement. The get's high rate of mere conversations certainly raises questions for my office and I would like for data collection for mere conversations to be included alongside annual stops data to provide a more holistic view of the get's interactions with the community. Along with recording of investigative reasons for stops, there are some recommendations that deserve deeper analysis with respect to the feasibility and potential legal limitations. I'm committed to working with the police bureau to determine what those limitations are, if any, and to find solutions that will address the gaps identified in your audit report. Auditor, I appreciate your team's thorough analysis and review of the gang enforcement team. Thank you for your work. Chief outlaw, I appreciate the fact that you wanted to be here today to hear this report and I know you are committed to the principles that I have just outlined and I look forward to working with you to address these issues amongst many others that we will be partnering on in years ahead so thank you chief, as well.
Commissioner Fritz.

Fritz: Thank you. I was really -- very interesting report, thank you for your thorough work and thank you for your response mayor. So, on page 20, you talk about the few stops resulted in weapons seizures and you cited that 2% stops and that there were no racial discrepancies between african-americans who were oversampled because of the more frequent stops and other races in terms of weapons carrying. Am I understanding that correctly?

Dan Vuong: Thank you, commissioner for your question. We are looking here -- we carried out two different analyses. The first one looked at who gets stopped and that's where we saw the racial disparities, that's where we saw 59% of people stopped were african-american. Now, a subset of people stopped can get searched by police officers and that's what we have here on page 20 you were referring to. We also tried to look for -- tried to analyze that data and this analysis here did not show statistically significant differences in the search results among people of different races.

Fritz: And you also mentioned I think 10% of the stops result in arrests? Did you look at the racial disparities if any in those?

Dan Vuong: No commissioner we did not.

Fritz: There's a mine of information here and, you know, if -- if the aim is to get the guns out of the community, especially out of the hands of people who are using them, the 2% is not a particularly high number, is it?

Dan Vuong: What we are asking the gang enforcement team and the police bureau to do here is to define goals for their gang enforcement patrol activities. Whether the 2% is high or low, I can't speak to that. I think the gang enforcement team would need to formulate expectations for its officers here.

Fritz: Thank you. And then mayor as part of the budget discussion, I'm going to be interested in more conversation about is having more capacity for officers to do self-initiated conversations, is that going to be helpful in improving safety in our community? Because I think some of these numbers kind of call that into question.

Wheeler: Very good. Thank you. Commissioner Eudaly.

Eudaly: Thank you, mayor. Good morning. So I have a short list of questions, which you may or may not be prepared to answer, but I want to put them out there, at least as concerns. First, can you tell me how many officers are assigned to gang enforcement?

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Dan Vuong: Thank you, commissioner. At the end of December, I think December 2016, there were 28 sworn personnel in the gang enforcement team. That about includes eight patrol officers, investigative, personnel, as well as managers.

Eudaly: Okay thank you. So I'm struggling to see the difference between some of the tactics described in the reports and kind of stop and frisk efforts, which we're not using anymore I believe, and are kind of associated with racial profiling. So do you have comments on I guess that potential of using -- of very minor infractions in order to engage with an individual?

Dan Vuong: Thank you, commissioner. As we point out in the report, a lot of the stops initiated by the gang enforcement team are for minor traffic violations, so the officers are driving around neighborhoods in Portland and pull people over for running a stop sign, not having their turning signal on, speeding, etc. And what we're asking the police bureau here to do is to explain the results of these traffic stops against goals for the gang enforcement team, such as contacting gang suspects, how many of these stops and encounters resulted in a contact with a gang suspect as opposed to someone with no connection to gangs or gun seizures or arrests or other goals that the police bureau might articulate.

Eudaly: I don't feel like I made that question very clear. It's that we've decided that certain practices are no longer acceptable, but it seems that these practices are very similar to those that we no longer employ so that's my concern there. The second question on the patrol audit is when can we begin seeing the data regarding the effectiveness of the tactics used by the get's patrol team? Is there like a plan or timeline?

Hull Caballero: I think that in the response, there are some deadlines that the chief has articulated that she wants some of the recommendations to be done by. I am not sure about that particular issue, if there's a date specific that she wants.

Eudaly: I don't have the response in my binder. And then as far as the investigations and gang designation audit. It's disappointing to hear that you weren't able to access the 2016 records, given that intelligence records were supposed to be maintained for five years. So what actions will be taken to hold staff accountable for that?

Hull Caballero: I would refer that question to the chief.

Eudaly: To the chief. Some of these questions are probably best for the chief. The get is unique because it's one of the few units within ppb that has its own crime analyst who's supposed to provide in-depth research and data analysis and I see in your recommendations that the data should be collected and analyzed. Can you give me a little more clarity on what is currently being gathered and how it's being utilized to further the efforts of get? This is of particular interest to me because we seem to be aggregating data, but not analyzing it and using it.

Hull Caballero: I think what the audit is pointing out is that the unit has the resource of a crime analyst and that crime analyst would be dependent on information being brought back from the field about what the officers are trying to accomplish, and what they are accomplishing and I think that that goes to the heart of the recommendations. If we understood the investigative reason that gang enforcement team officers are pulling people over, then you could do that back end analysis to see are we being effective? Was there a suspect in that car? Was there a gun in that car? And so I think that's the heart of the recommendations around that analysis.

Eudaly: And then my final question is probably also best answered by chief outlaw, but I would like to state it. So one of the intended outcomes of the gang designation system is to increase officer safety, so officers know in advance when they're interacting with a gang member, but there's a concern that this is priming officers to act in more hostile ways with community members who are on the list who may not be -- well since there's no proof that the designations are focused on the most dangerous offenders, they may not warrant that level of --

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Hull Caballero: And I think our concern about the list was that there were people who maybe should have been on the list who weren't on the list and people who are on the list that maybe shouldn't have been on the list and so I think that diminishes the effectiveness for officer safety. I believe that the officers were also concerned about the comprehensiveness of the list and whether it was useful for that purpose.

Eudaly: Okay. Well, I mean, obviously, many of us are troubled by the findings of this audit. Good relationships with the community members are essential to public safety and they're essential to the safety of our officers and the practices highlighted in the report I think demonstrate with only a third of our african-american community members express trust in our police force, which is something that we really need to remedy. But I do appreciate chief outlaw and the mayor's acceptance of the auditor's recommendations and I'm looking forward to seeing some action. Thank you.

Wheeler: If I could just respond quickly to that. You have my commitment to action. I will be also asking that the chief and I get the tools and the resources we need to implement that action and the auditor I think has done a great job of raising the questions and the issues and identifying the problems. It is our job to solve them. As I hope my comments made very clear, there are some long standing issues and policies and cultural aspects and training issues and data collection issues that will need to be addressed. None of this is going to come easy. None of it is going to come cheap so I hope I'll have that support. Commissioner Fish.

Fish: I want to turn to page 16 of the gang crime investigations audit and I thought it was interesting that you brought the Chicago experience into the conversation and that we appear to be loosely based on, although they have much more robust safeguards that you've urged us to review, you also cite two professional associations and then model policies done by third-party groups. But because you invoke Chicago, which is -- which just in some ways may not be the model that I would normally want to turn to as the path forward for us on this, what are the other cities that are in your view doing a better job than we are in terms of promulgating policies, collecting data, communicating with the public and following a number of the recommendations in your report other than Chicago?

Dan Vuong: Thank you, commissioner. In our audit, we did not look at other cities or other police agencies. We're mentioning the Chicago police department here because as we understand it, Portland's most active list has a methodology that tried to follow the Chicago model, but during our audit we did not look at other police agencies or cities in detail.

Fish: Okay thank you.

Wheeler: Commissioner Eudaly.

Eudaly: I just wanted to commend you on your budget pivot a moment ago.

Wheeler: I thought that was pretty good, too. I'm kind of proud of myself.

Eudaly: And make a pivot myself, which is that given the results of this audit, I am not convinced that this is the best use of these existing resources so while I am open and actively engaged in conversations around the police budget and staffing, I want to make sure that we're making the best of our existing resources and our existing sworn officers.

Wheeler: No disagreement there.

Eudaly: Great.

Wheeler: Commissioner Fish.

Fish: I think we're winding down here so I want to -- I think it's important to note that it was not that long ago that the auditor issued audits, issued a press release and we did not have the formal process of a transmittal like this with the auditor and the senior staff presenting the findings to council, having this conversation. I actually thought it was odd that we didn't do that, but it was also a different climate I would say, to put it politely, in terms of the relationship between a former mayor and the auditor's office so I want to compliment the auditor and the mayor for continuing this practice of having the auditor's

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office formally present to the council. I think it's very important that we hear this directly and not just have a audit delivered to our office. It also gives us each a chance to ask questions and on issues of this significance, you know, where we're likely to have follow-up work sessions and conversations, I think it's vitally important and madam auditor, you know, you have done a great job during your tenure in my view and one of the things that I think I'm most admiring of is the way you've defended the independence of your office, both as an advocate and at the ballot box. But we have six elected officials at the city and you are one of the six. And when you do audits, they should routinely come to council for presentation and conversation and again, because that was not the practice for a long time, I want to observe that I think this is a real plus for transparency and accountability and thank you and the mayor for continuing this policy.

Hull Caballero: Thank you, commissioner.

Wheeler: Thanks. Very good, I'll accept a motion.

Fish: So moved.

Saltzman: Second.

Wheeler: We have a motion from commissioner Fish, a second from commissioner Saltzman to accept the reports. Please call the roll.

Fish: I think I gave my closing speech so thanks to the auditor and the auditor's team.

Thanks to the mayor for his commitment to address this in a timely and aggressive way. I do appreciate the fact that the chief is here to hear this conversation and I would suggest because of the complexity of the issues and the follow up that's needed I would hope that in the early fall we could arrange a work session at council to have a chance to continue this conversation with the chief and see if we're heading in the right direction and to the extent you or the chief believe in the future that additional resources are needed at the bureau for some purpose I think we should have that conversation well in advance of the next budget cycle so that we can understand the thinking of the bureau more clearly. Aye.

Saltzman: Well, I also want to thank you, madam auditor, and your staff for coming to the council to present your audits in the quarter. I do think it's very healthy, dynamic for all of us to hear the audits and there's a tendency in the city to silo things and we tend to not dive into issues that relate to another commissioner's bureau or the mayor's bureau and similar to when we created the technology oversight committee the whole idea was to make sure these issues around technology and software were elevated beyond an individual commissioner to the whole council. And so the whole council has buy-in on these issues so thank you for doing this and I really appreciate it. Aye.

Eudaly: Well, thank you for the reports. I'm always excited to read them. It's an education and a way to get to know the city a little bit better. Aye.

Fritz: Thank you for bringing the reports to council. Thanks to Eileen Argentina from parks and chief outlaw from police. I particularly appreciate it's only one of the four titles with the word "but" in it. The titles are framed in a very positive way which says what we need to do, that the police bureau must show that traffic stops are affective and lack of accountability and transparency reduce the community's trust in police and I concur with commissioner Eudaly. Since we don't have many opportunities to discuss the budget in advance of the mayor's proposed, that I'm not entirely convinced based on these audits that we're using current resources effectively or that increasing the number of patrol officers is necessarily going to help solve some of the issues identified here and so that discussion needs to happen because we all agree that we want our police officers to be safe. We want our community members to be safe and we want people to be able to trust through a demonstration that there isn't a disparity in who gets stopped and what the outcomes are. So I hope that you will schedule another audit on this relatively soon because I think that this is a measurable way for us to see are we making progress on equity? Are we making progress on addressing racial disparities with the police bureau?

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And very much appreciate the analysis from an independent perspective. As I also said I definitely appreciate the recreation scholarships and even the graphic showing the burdens and the barriers and the tug of war between access and meeting fiscal responsibilities for the community center so thank you. Aye.

Wheeler: Thank you for the report. One of the great oddities of our form of government is that I am perhaps one of the only and maybe the only person in the United States who is both a mayor and the police commissioner and I will write a book on this subject some day because it's fraught with peril and contradictions. I also acknowledge as I read these audits and as I indicated a moment ago how much work there is to do with regard to building the effectiveness and the accountability of the Portland police bureau. That's why I hired chief outlaw to come in here and be my partner, to actually get it done. So not talk about it, not write reports about it, not whimsically wonder about what the future could be, but to actually do the hard work. And I am hearing my colleagues' admonitions. A quick vote tells me I don't as of this moment have support for increasing the police bureau budget at all. And so what I'm hearing is make the case. And I will rise to that challenge. I think that's an appropriate challenge, and it's the right one and the chief has heard that we need to come up with a strategy to address this long, long-standing issue in the Portland police bureau and we need to come up with it very, very expeditiously so thank you for the report, thanks for the challenge. I vote aye. Next item, 341.

Item 341.

Wheeler: Good morning everybody and thank you for being here from the transportation bureau. Many of our high-crash corridors are in east Portland. Pedestrians crossing the street are dramatically less likely to survive at higher speeds. Lowering the speed limit makes a lot of sense and that's why I support vision zero and I want to thank commissioner Saltzman in particular for bringing this forward today. Commissioner Saltzman.

Saltzman: Thank you, mayor. When it comes to speed, it's really a matter of life and death. Excessive speed contributes to more than half of the fatal and serious crashes on our streets. If we can get people to slow down, we can save lives. For example, by reducing the speed limit by just 10 miles per hour from 40 miles per hour to 30 miles per hour, the likelihood of fatality or severe injury for a person struck by a vehicle is cut in half. And that is why, along with the mayor, I have brought this proposal, this emergency ordinance to the city council today to use our authority to reduce the speed limit on outer southeast Stark Street from 35 miles per hour, which it is currently, to 30 miles per hour. Did I get that right? It is 35?

*****: Yes.

Saltzman: So already this year, two people have died in traffic crashes on outer southeast Stark. A 53-year-old woman died while walking on Stark at 148th Avenue. A 34-year-old man died while driving on Stark at 122nd Avenue. One of the fundamental principles of vision zero is that traffic deaths are not just inevitable. We can do something about them. We can reduce them and we can get them to zero and that is our goal. So today, we do have an opportunity to take a big step in that direction by taking an emergency ordinance for reducing the speed on southeast Stark to 30 miles per hour from southeast -- well from 109th Avenue to the Gresham city limit, 162nd Avenue. So I want to thank the community members, some of whom are here today, who have advanced their concerns about safety on Stark Street and have asked us to take this action. Today's ordinance, as I said, will allow us to immediately reduce the speed limit on outer southeast Stark, which I believe will help prevent more people from getting killed or seriously injured in crashes on this street. Director Leah Treat will give us a few remarks on this. Also, joined by Catherine Ciarlo who leads Pbot's active transportation and safety division and also, very pleased to have traffic

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division captain Mike Crebs here and they will talk and we will invite two invited testimony, and then turn it over to council for questions.

Leah Treat, Director, Portland Bureau of Transportation: Great thank you commissioner Saltzman, mayor, commissioners. As commissioner Saltzman noted, the ordinance before you today will allow us to reduce the speed limit on outer stark from 35 miles per hour to 30 miles per hour and the ordinance is necessary because we do not have the authority to reduce the speed limits on our streets in the city. It is under odot's purview so we can reduce speed limits through an emergency ordinance for up to 120 days. So that's what we're trying to do today and it will be at the same time submitting a speed reduction request to odot so we can have it permanently reduced. This is very similar to the process that we came to you last year, with outer division to reduce the speed limit and we're going to be doing the same thing we did on outer division in backing up this movement by installing speed safety cameras. Those will come online a little bit later, but we have found that when we reduce the speed limit, backed up by an enforcement effort, it's way more effective than posting signs alone. So this is also following along on our struck campaign that we just launched last week. I hope you have had a chance to see it, but we're very hopeful that the media outreach campaign is going to have an impact on drivers' behavior, as well. And as I've mentioned to you many times there's three things that we need to be effective in these efforts, and it's education, engineering, and enforcement. Those three things are the trifecta that help us get to the impact that we're trying to achieve so those are the approaches that we're taking and also, it's important to note that we're also going to be doing some crossing improvements on outer stark this summer that I think will help as well so three crossings at 146th, 151st, and 160th avenues. And finally, we have also started work on a safety redesign of outer stark. We'll begin that process with deep community engagement and feedback about what design and outcomes they want moving forward. So thank you all for your commitment to this effort and I'm going to turn it over to Catherine to walk you through some of the details.

Catherine Ciarlo, Portland Parks and Recreation: Great. Mayor, commissioners, thank you very much for having us here and commissioner Saltzman for bringing this. I just have a few slides to give a little more detail to what the director Treat talked about. Lets see if I can advance the slides. First, the proposed ordinance. It sets an emergency 30-mile-per-hour speed limit from 109th to 162nd. We will -- we will accompany that with the installation of signs, 15 signs showing the lower speed limit and we will also as director treat said, install speed cameras in two locations to help bring those speeds down and that's important because when we go back to odot at the end of the emergency period, we do want the speeds to be at a level that we can hopefully get a permanent reduction in the speed. And just you've seen this graphic before. Slowing people down saves lives. What this graphic shows is the dramatic difference in fatalities when a pedestrian is hit by a car moving at 20 miles per hour versus moving at 40 miles per hour, but as the commissioner mentioned earlier, even this 5-mile-per-hour differential has really significant impacts on the reduction in fatalities. Research that AAA did tells us that a pedestrian hit by a driver at 35 miles per hour is nearly 50% more likely to die than a pedestrian hit at 30 miles per hour. So, that's what we're up to, especially in light of a pattern of fatalities and recent fatalities on outer stark. Why now? I think we've heard from the community and we'll hear more and we've heard from the commissioner and the director that time is definitely ripe to address this and other major roadways in east Portland that are really presenting safety hazards in the community. Outer stark is one of our most dangerous streets for all modes. It's our sixth worst street for driving. It's our sixth worst street for walking. And it's our ninth worst street for bicycling in the city. And we've heard clearly from the community that they would like to see this addressed and this is an important step we can take to do that. Director treat talked about the multitude of tools that we can bring to bear to try to improve

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safety, but specific to speed, we are currently pursuing speed and red light cameras on stark at 127th or 148th avenue. This is in addition to four sets or in concert with four sets statewide and data shows us they're effective, we've been collecting data at each of these locations and we do see speed reductions as a result of these camera installations. You've seen this slide, too, the vision zero action plan, thank you all for your support of it over the last year. In relation to lowering speeds, there's three related actions we're going to talk about or we're working on here. One is the installation of the speed safety cameras. One is lowering posted speeds, both with this emergency and permanent hopefully lowering over time, and then as director treat talked about, we do need and intend to improve street design to support the lower speeds and improve safety. This is just a quick look at some of the challenges with design on stark street. There's no center medians. There's long gaps between crosswalks. There's no specially enhanced lighting and we're seeing a lot of fatalities so far this year happen in dark conditions. There's exposed bus stops without much protection from traffic and there's no bike lanes, so there's a lot to improve. In terms of tools that help actually reduce speed, we're looking as director Treat said at enhanced crossings this year at 146th, 151st, 155th and 160th and then we're in a planning process for more improvements in, which we'll engage the community to inform those improvements. That should be wrapped up by 2019 and hopefully, those improvements will go in, in 2020 and 2021. And we use this graphic here as kind of a conceptual graphic showing some of the ways you can improve streets to slow speeds. These aren't specific plans for outer stark at this point, but there's some ideas, there's street trees, there's improved crossings, there's medians, there can be ways to narrow the travel lanes and we'll be working with the community on those specifics. And then the last thing we wanted to do, hopefully, we can make this work, I may need a little tech support here, is share just our quick struck psa as director Treat explained this is in concert with our enforcement, our automated enforcement and our physical improvements. This concept of citywide education to really help change the culture in the city and help people understand how critical it is to slow down as a part of saving lives and really keeping the life of the driver from changing permanently, as well. Let's see if I can do this.

Fish: Don't take it personally.

Ciarlo: I was warned. I don't know. I think we'll have to just -- you can see this on the pbot website. If you just go to the front page of the website, we can -- you can click on it and you can see it. It's a 30-second spot. It's quite powerful and we've gotten quite a bit of response to it from the community. Mostly positive. With a few people, you know, having some questions for us.

Saltzman: Thanks Catherine, captain Crebs.

Mike Crebs, Portland Police Bureau: Good morning mayor and commissioners, I'm Mike Crebs I'm the captain of our traffic division and this is the absolute right thing to do. My job, my number one job at the traffic division is to help save lives and improve quality of life and this reduction in speed is going to have a big difference out on stark street. Right now, if you're traveling 35 miles an hour it takes you 96 feet to stop. From the time you see a hazard to the time you apply the brakes to the time you skid and come to a stop is 96 feet. At 30 miles per hour it's 74 feet. That's 22 feet where someone is possibly not going to get hit. I talked about this before so you see the insurance commercial, cars going down the street, they collide with somebody, and then you back it up and if you slow them down the crash will never occur. The brakes will be slammed on, the person will be scared, they'll take a deep breath and they'll walk away and no one's injured and this is -- I think it's essential for the city and for pbot and the police bureau to make this happen. One of the things I'll commit to is make sure we have photo radar during this 120 days. I'll make sure we do missions out there, we have vision zero missions we've run throughout the city and we'll make this a priority. One thing that I think is important, too, is that, you know, before I

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came to the traffic division, I had not known much about pbot, but since I've been here and worked with those folks they are some of the most committed public servants I've ever seen and they are truly committed to achieving the goals of vision zero and I look forward to maybe 50 years from now, we look back, we're going to see in this time, the vision zero was the right thing to do and so maybe one day my great-grandkids will see the vision zero and I'll know in that 2016, when this came forward, you're going to see that that's how this whole thing changed, and now isn't it wonderful kids that no one's dying on our streets? So we can actually walk downtown or walk out on stark and not be worried about getting hit by a car? And for me anyway, as a public servant, this is cool stuff and I'm hoping you folks will do the right thing and let us reduce this from 35 to 30 and potentially save a life or even the quality of life. One of the things we talk about is fatalities. We've had 10 so far this year, but there are numerous others who no longer can work. They can no longer take care of themselves because of these crashes. So that's probably one of the most important things to me is that we can change people's lives by doing this. You never know what it is, we'll never know 10 years from now, I wonder how many folks, you know, were not in a collision because we reduced it by five miles an hour. So I think you folks will do the right thing and I appreciate your support.

Wheeler: Commissioner Eudaly and then commissioner Fish.

Eudaly: Thank you. I definitely support this effort. I want to make a couple of comments, I've been following the public response to 20 is plenty in vision zero and I really I think we cannot underestimate the importance of community outreach because there's still a lot of confusion in the community about 20 is plenty and vision zero. 20 is plenty seems self-explanatory, but it's not, apparently. Vision zero is a little more obtuse and I don't think we can assume that the broader community is aware of or understands that vision zero is actually an international movement to reduce and eliminate traffic fatalities so I just want to encourage as much outreach as possible and I also really appreciated that slide that shows injuries and death at 20, 30, 40 because I think for a lot of people five miles per hour just sounds like no big deal. When I was taught how to drive at 17 by a driving instructor, he told me that I could drive five miles over the speed limit anywhere I go and not get pulled over and ticketed and so I think that's also an important aspect of this to explain. 20 may seem really slow to some people. Frankly, it feels very slow on Ainsworth, which has a dividing boulevard, but given that many people will be driving five miles over the speed limit, I think 20 is plenty so thank you.

Treat: Thank you for the feedback. We'll work on that.

Eudaly: I do my best one person education campaign.

Wheeler: Commissioner Fish.

Fish: I was at a forum the other day and they presented some data and 50% of the public doesn't get its information from traditional media anymore and only 25% read papers. So the challenges of getting information out including branding is enormous. I will say that I was at the montavilla neighborhood association the other night and they had the 20-mile-per-hour sign right at the dais. So they put it up in a very visible place and I thought that was great. You know, I'm a strong supporter of vision zero and since Catherine is here I have a few questions and could I just ask that you send me a follow-up e-mail? So can you give me the cheat sheet on your ask in the budget for vision zero and how much of that would benefit east Portland directly or indirectly?

Treat: Yes, we can.

Fish: Number two. I've learned a few things in some forums I've attended recently that were very sobering including 15 of our 30 high-crash corridors intersect east Portland and we've got three of the four deadliest intersections in the state just on Powell. So can I get an update on our efforts to get odot to bring Powell and 82nd to city standards and then transfer them to the city so that we can maintain them? I know we all sent a letter recently

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to the -- not to odot, but to the body that oversees odot, complaining vigorously that the improvements we're seeking on 82nd didn't make a five-year planning horizon, which is just totally unacceptable. So can I get a sense of what the timeline is, optimistically, for getting those roads transferred to us? Congratulations to your team and our friends in the legislature for getting the \$110 million for outer Powell improvements. I would like to know a little bit more about what those dollars will actually translate into, what kind of safety improvements and so I have a better sense in the next legislative session of, you know, what we're asking for and why. And then it's interesting. There's a debate in our community about enforcement and you know this. And it's where enforcement and equity intersect. I can tell you because I've been out at a lot of forums wearing another hat, candidate, there's a tremendous appetite in east Portland to see this law enforced, but we're also hearing from advocates that they're concerned about it not being enforced in a way that is discriminatory. We've had a discussion about that earlier today. There is obviously a lot of work to do to get people to slow down because frankly until people really feel the pain in their wallet or are pulled over or there's some shaming I think a lot of people are going to continue to speed and despite our best intentions. So I would like to see vigorous enforcement, but I guess my question is are you -- are you also collecting comprehensive data about who we're enforcing so that we can evaluate whether or not any disparate impacts are revealed from the data? Captain?

Crebs: I can respond if you like sir. It's a great question. It's something that's near and dear to my heart. I pay very close attention to the stops data. I just barely gave a presentation at the vision zero committee meeting on our stops data and traffic stops data is consistent with the crash injury rate. We measure the injury rate and the people involved in crashes. And work very closely. Our stops are very closely consistent with how people's driving behavior is. And it's -- each time I get the new quarterly updates on stops data, I look close at those kinds of things and my folks know that equity is important to me and so far, my officers are doing a really good job of we're stopping the people that are driving recklessly or dangerously. Usually, they're coming at us so we're not looking for the occupant per se. We're looking at the behavior of the car and the driver.

Fish: We have the benefit of knowing where the high crash corridors are, where the most dangerous intersections are and we can do blanket enforcement in those intersections, but I appreciate particularly in light of the presentation earlier today that people will be looking very closely at who we pull over and who we enforce the law against, but I'm also hearing from the community out in east Portland that they want this law enforced and they want people to slow down. And it's going to take time because a lot of people haven't gotten the message yet. Both on our residential streets now with the 20-mile-per-hour and certainly in places like Powell, Stark and 82nd, but I appreciate commissioner Saltzman bringing this forward. I will wholeheartedly support it and I hope we can get some further legislative approval down the road to have more authority to regulate these streets for longer 120 days so thank you.

Treat: Thank you.

Saltzman: Okay. That concludes our presentation. We invited Kem Marks and Youna Molina from the Rosewood. That's our one invited panel, and then we'll open it to any public testimony.

Wheeler: Good morning.

*****: Good morning.

Kem Marks: Good morning. I've prepared a few written remarks, and then I want to offer my remarks to address something that commissioner Fish just touched on. My name is Kem Marks and I am the director of transportation equity at Rosewood Initiative. I am here today to speak to you about the ordinance to reduce the speed limit on outer Stark Street from 35 to 30 miles per hour. I want to start by thanking you for bringing the ordinance

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forward and tell you how appreciative the community is. I also want to give special thanks to commissioner Saltzman, his staff, and the staff of pbot for their responsiveness when we brought this request to them. As you know, outer stark street is one of Portland's 30 plus high-crash corridors. In fact, it's one of the top 10. Since November 2016 when I started at rosewood initiative, two drivers of vehicles and four pedestrians have died from crashes between 122nd avenue and 162nd avenue. I myself have almost been hit on numerous occasions attempting to cross stark street. Outer stark is primarily a residential street with a large concentration of multi-family housing complexes and more on the way. Without this ordinance, the chance of more deaths is a near certainty, which will only become more so as the population along stark increases. I do want to point out this ordinance is the first step towards making stark a safer place to live. Another necessary step was the passage of the \$10 million for outer stark and the build Portland budget, but only if we make this an opportunity to redesign outer stark. I would also note that just paving it will actually invite more people to violate the speed limit and not let it be just another paving project. Another important step will be the proper funding of the outer stark safety project. We all can make outer stark a safer place, safer and inviting place for the community. The rosewood initiative and the rosewood community stand ready to work with you and pbot to make outer stark an example of how we get to vision zero. Now to address the questions that or points that commissioner Fish raised. Yes, we want enforcement. We're concerned about how that enforcement is conducted, which is one of the reasons we're very supportive of technologies like speed and red light cameras, which take potential for unknown bias or bias police officers are not necessarily aware of. The other thing that I would like to point out for too long we have relied on education and enforcement and that's one of the reasons why we believe that design needs to take a much bigger -- be a much bigger part of the discussion. People are going to speed. People are going to do stupid things. But those abilities or those -- that -- those behaviors would be reduced if the design of the street does not invite those behaviors. Wide streets with long intervals of no -- nothing to slow them down or to stop them. Those are the things that we're addressing. Those are the things that will actually be the biggest tool in the tool box as people like to say to reducing deaths and serious injuries. Thank you.

Wheeler: Thank you for being here.

Youna Molina: Buenos Dias, good morning everybody, thank you for the opportunity to be here and speak. I think you need to hear from somebody who lives in that neighborhood, and that's me. I really want to thank you, to thank everybody who is behind this emergency ordinance because with this ordinance you guys give the opportunity to mothers to go back to their sons at home. To sons to go back to their mothers at home. Five miles maybe is not a big deal for everybody, but it makes a huge difference on people's lives, the people that live there. Maybe a lot of people found ridiculous for me to drive my car to work. I live across from my job. Five minutes walking. But after almost being killed many, many times in 160, so I decide that I don't found ridiculous, I found safety to drive my car to work just five minutes' walk because I want to go back to my house with my kids. So I want you guys to keep that in mind at the time to put in place this emergency ordinance. The last time I was crossing 116th, it's that sign no crossing. I wait in the middle. And I almost get hit. The car touched my clothes and I stopped to check out that I was fine. I was scared, but I can bet you that the guy driving the car was scared too since he stopped just maybe 30, 40 feet's from. But again, five miles is not a big deal, but it will make a huge difference in my life and in the life of everybody who lives in that neighborhood. So thank you and I hope you guys think in all the places that have this issue has 129 and 162nd and take actions immediately. So thank you.

Wheeler: Thank you for your testimony. We appreciate you being here. Is there any further public testimony?

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Moore-Love: Yes, we have five people signed up.

Wheeler: Very good.

Wheeler: Good morning, Mr. Parker would you start us off please.

Terry Parker: Terry parker, northeast Portland. Bicycles not stopping at stop signs. Pedestrians ignoring walk don't walk signals. Bicycles not stopping for pedestrians in crosswalks. Pedestrians not looking both directions before stepping into streets. Bicycles ignoring traffic signals and other traffic control devices. Pedestrians crossing mid block just a few feet from a crosswalk. Bicycles riding against traffic on the wrong side of the street. These are a few of the bicyclist and pedestrian infractions I observe every time I'm out and about. Failing to look at the entire picture, all that comes from pbot is profiling drivers and making it more difficult for them to get around, road diet, slower speeds and increased densities all add up to more congestion. More congestion means engines are idling longer and running longer thereby increasing fuel consumption and emissions. With pbot creating more congestion linking up motor vehicles with air quality issues must be fake news. Similar to congestion being self-inflicted by reduced instead of increasing motor vehicle capacity many of the hazards of biking and walking are self-inflicted in part due to the culture the city has created. Some of it is defined in the comp plan which includes a discriminatory mode hierarchy. With more enforcement along with the city's obvious bias car hater mind set bicycles and pedestrians have been given cart blanche to ignore both the rules and common sense. Equity is absent. With the housing emergency the current policy is to build a way out of it with density. The reality is with more housing comes more cars and need for more room for cars which includes off-street parking to store them when not in use. Without more places for cars more conflicts will occur and more people will be hurt. One of the failures of the political oratory and agenda is not initiating a discussion connecting population growth with homelessness, poverty, climate change, sustainability and yes congestion and vision zero. For everybody's health and safety a continuing conversation needs to take place about how to start managing population growth preferably with the public voluntarily accepting smaller families. Yesterday I drove on east bound stark street from mall 205 to 162nd heading towards one of my out and about destinations watching my speedometer while keeping up with moderate traffic flow my average was about 32 miles an hour. I knew speed changes that for the most part fritters away transportation dollars that could increase cut through traffic on residential streets. Thank you.

Wheeler: Thank you. Good morning.

Robert West: Okay, one thing I want to take about is an experience I had last night. About 11:30 I was going down stark street by that park where there's like no lights. There's a situation where five people almost became bumper trash, and what happened was they decided to run across the street in dark clothes in front of traffic. I had to slam on my brakes and throw my brights on so the car next to me could see there's actually pedestrians crossing so they didn't run right over the pedestrians. I see continuously pedestrians violating the law up and down stark street. You're sitting there saying, well, let's hit the cars for the pedestrians not doing what they need to do. Okay, you learn when you're a kid you look both ways before you cross. Okay, when you get older you should know, I can't cross because this car is coming down the street. I'll wait until the car passes me then I can cross. Okay, pedestrians are not learning that. They are learning, hey, if I step out and get hit, someone's insurance company will pay me. This is wrong. Reducing the speed limit is wrong. It's just another way for the city to make money. We're talking we'll put up red light cameras. I hear continuously the city says we don't get any money for our tickets that we write. The state gets it. Okay, but we have a contract with this company to set up these red light cameras and speed cameras and stuff like that. Who is paying for this contract for this company to do this? Okay? If the city of Portland is not getting no

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money from its tickets, then where is that money coming from? The state's probably not paying for it. That means the city is paying for it. Why are we paying for something that we're not getting anything back on? It just boggles my mind. You guys want to throw money away. Here's the problem. We'll just throw money away, reduce speed. You have reduced speed on a number of places. I heard on the scanner the police didn't want to pursue a car that was going 100 miles an hour up airport way. I can't think of any more dangerous situation than a car going 100 miles an hour up airport way with all the shuttles and buses and people going to the airport and stuff like that. Makes the city look really good when we can't pursue those people. I have also heard several times that the police decided not to pursue a stolen car because it was going 35 miles an hour down side streets. Which made people in the car that I'm riding with laugh. You know? And as far as stark and division and stuff, I see cops speeding all the time up and down that street. Are we going to tell them they got to follow the 30 mile an hour rule unless they are going to emergencies? They crash too. So I want you to think about that.

Wheeler: Thank you. Good afternoon.

Nathan Clark (reading for Lori Stegmann): Good morning. Mayor wheeler, commissioners, thank you for the opportunity to be here today to read Multnomah county commissioner Lori Stegmann's testimony regarding the speed limit reduction on southeast stark. My name is Nathan Clark, I'm policy advisor for commissioner Stegmann. Unfortunately she's unable to be here today as she had a prior commitment she wanted to make sure you knew how much she appreciates the policy work you're doing to reduce traffic fatalities and improve safety on high crash corridors, the letter is as follows. Mayor wheeler and commissioners, thank you for considering this lifesaving ordinance and a special thank you to commissioner Saltzman for bringing forth this important issue. I represent district 4, east Multnomah county, which begins at approximately east 148th in Portland and extends all the way to bonnevillle dam. While I have just a small portion of east Portland in my district, this ordinance if passed will have a big impact on the safety of our community members. Since the beginning of 2016, there have been 99 traffic deaths in Portland, 11 in my district and three of those were on stark. One of the recent deaths on this section of the street was of a woman who was trying to cross safely in a designated crosswalk but was struck by a vehicle. As residents have been pushed east in an effort to find more affordable housing many folks are transit dependent and even though this area and our infrastructure is much more accessible by car. As you travel further east our arterials change to four lanes, marked crosswalks become less frequent and many residents walk along roadways to access transit, work and school. All of these community members deserve to safely travel to their jobs, theirs schools and their places of worship. Lowering the speed limit on Stark street from 35 miles per hour to 30 miles per hour will undoubtedly save lives. Thank you for the opportunity to submit my testimony. I look forward to our continued partnership with the city of Portland to ensure an active transportation plan that is safe for pedestrians, bicyclists and motorists. Commissioner Lori Stegmann district four Multnomah county chair of the east Multnomah county transportation committee and as someone who grew up near 162nd, since I was six, my family still lives there, I appreciate these efforts to make it safe for all of our community members. Thank you.

Wheeler: Thanks all three of you. Appreciate that.

Moore-Love: The last two are Dan Handelman and Mary Sipe.

Wheeler: Good morning.

Mary Sipe: Good morning, Dan go first.

Dan Handelman: Good morning, mayor, commissioners, I'm dan handelman with Portland cop watch. I don't have a position on speed limits themselves but as commissioner Fish pointed out and the Oregonian to our surprise reduction of speed limits can lead to racial

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profiling and there was not an answer from captain Crebs about whether or not there's going to be specific data kept on the enforcement in the new corridor which is the question commissioner Fish was trying to get at. There's been diaspora of the african-american community to that area of the city so it's possible there are more African Americans in that area but one can compare that population to the number of people being pulled over. Commissioner Fish also reference the report we heard earlier and in that report the gang enforcement team said the follow-up person until they commit a violation because they will do it if you follow them long enough, which is very serious violation of rights because that means they were not following them with reasonable suspicion in the first place. Certainly hope this won't be happening in this new corridor. There was discussion about the new stop data which again we're encouraging you to collect for this, but the stop data if it comes back from the state and it's inadequate for the needs of the city we certainly hope that the city will add things to that template that will meet the needs of the people of Portland. So we're not only depending on what the state says, we have to collect. Then in terms of conversations the report said that the g.e.t 1300 stops and 500 were keyed in as mere conversations and again in this corridor if you're having missions you might take a look at how many times people are let go with a verbal warning if your goal is to reduce traffic crashes and such. So I managed to make reference a few times the report you heard earlier. This is the second time in three months that a report came forward about police that the mayor refused to take oral testimony on during the presence of the report being presented in public. I can spend an hour trying to write up commentary or come up and talk for three minutes and respond to what I have heard in city council. I think the second is more effective because I don't think everyone reads it when I send in commentary from Portland copwatch. The mayor's staff I emailed Friday to see if there would be an exception to the report no report rule I did not hear back, I called yesterday afternoon to see and its just not getting a report back. So, I feel like when you're having these important discussions around police issues you know are important to the community it really would be a good idea if we're doing community policing to let the community speak and have input about them.

Wheeler: Very good. Thank you.

Sipe: Good morning. I'm Mary Sipe. I want to piggy back on your comments about not taking testimony on reports. I would encourage you to be more flexible in that regard. That said, I'm concerned about some of the comments I just heard. Five miles an hour, no big deal. A dead child is a big deal and to hear people put the onus on the pedestrian and how irresponsible the pedestrian is, it just blows my mind. I would like to ask mr. Parker and mr. West if a distracted child were to run out in front of their car and the chances of that child being seriously injured or killed was reduced greatly because you are now going only 30 miles an hour, wouldn't you support this reduction? When it says to me is my goodness, I just avoided killing somebody's child because I'm driving five miles less per hour. You know, it's just a no-brainer to me. I just had to say that. Thank you.

Wheeler: Thank you.

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

Wheeler: Very good, please call the roll.

Fish: Commissioner Saltzman, thank you for bringing this forward. Thanks to the community for advocating loudly for this change. I want to acknowledge that when Leah treat was hired, one of the credentials she brought with her is that she had been a national leader in this vision zero movement and has put us on the path of doing some important things, and as we debate the tough budget choices ahead I would like to make sure that we're prioritizing investments in street and sidewalk safety particularly in east Portland. It is going to take a culture change. I'm a candidate for reelection right now, so I'm going all over the city and I can tell you that on the residential streets that we're marking a as 20

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people are not doing 20 miles an hour. What people are doing is getting frustrated and gunning it to get to the stop sign five seconds ahead of me and putting people at risk. It's going to require culture change. I think the point is well taken that ultimately we have to invest in design changes because design is an important point, but enforcement has to be part of it as well. People have to know their consequences and they will be held accountable. I appreciate this action, and I hope at some point, dan, that we reclaim our authority as a local jurisdiction to regulate these streets without doing it on just an emergency basis. Aye.

Saltzman: I also want to thank director treat and the bureau of transportation for all of their work on making more balanced transportation system for the city of Portland, but with special emphasis on vision zero to really reduce the number of fatalities and severe injuries that are occurring in our city at too frequent of a rate these days. I want to thank the rosewood initiative for being here today and for coming to be with me a few months ago about this emergency speed reduction before us today. I want to thank captain Crebs in the traffic division for the great work they are doing to keep people safe and alive. And finally I want to thank Shaina Hobbs in my office who shepherded this process, brought this forward and brought it to culmination today. I do believe that we can really as I said in my opening remarks a small reduction of speed can produce dramatic increases in a person's safety if they are struck by an automobile. It's a step well worth taking in my opinion and I'm pleased to vote aye.

Eudaly: Thank you, commissioner Saltzman and director treat, for bringing this before us today. Thank you, Ms. Sipe for your remarks. I also share your disappointment in some of the testimony given today. We were asked why are we paying for something we're not getting anything back on. 50 people died in traffic fatalities in the city of Portland last year, and if we can reduce that number by one or more, I would say it's well worth the investment. Traffic fatalities have been declining since the 1970s until recently, and now we're seeing an increase. We're seeing an increase because there's more people on the road and there's more competition for a variety of uses of roads between vehicles, pedestrians and cyclists. It's a false assumption to say that these accidents are being caused by cyclists and pedestrians who are not obeying traffic laws. Sometimes they are, sometimes they are not. Sometimes neither party is at fault and it's a poorly designed road. Regardless, I don't think it's any consolation to families who lose loved ones or people who are grievously injured in traffic accidents that it was their fault. It's our job to preserve and improve public safety, and this is a step towards it. I would like to mention again that vision zero is an international movement to reduce and eliminate traffic fatalities. It's supported by the world health organization, Sweden I think was one of the first countries to implement these policies, and in fact have the safest roads in the world. So there you have it. I vote aye.

Fritz: Thank you, commissioner Saltzman, director treat, Catherine Ciarlo, for your work on this. I was struck by commissioner eudaly's comments about her driver ed class and I think many of us in the past have had the frame of I won't get caught if I'm going five miles an hour over the speed limit. As commissioner Fish said we need to create a new culture and I'm thinking back to 25 years ago when the culture was not to pick up after your dog. I live on a corner lot with a utility pole and I had to do a sweep before my children could play outside because there were so many dog deposits in the yard. I don't remember now the last time I have picked up something from my yard and we have changed the culture, owners proudly carry long their baggy and do their civic duty and that's what this gets down to, to me creating a new culture. We're never going to be to enforce enough to be able to make people behave. We are going to need to want people to behave and explain to them why. I have explained to my children that the reason that they are on speed limits particularly on neighborhood streets because that's the safe limit for how fast you should

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be going. Since being in office I mentioned if they get stopped and Willamette week gets hold of it that won't reflect well on me, so please keep that in mind as well. You try everything that might possibly register. I love the 20 is plenty campaign. Thank you, Mary Sipe for noticing that we each have a reader board within our car. I have been watching my speedometer on my neighborhood street and doing 20 instead of 25. I was previously watching it carefully and doing 25. I find I arrive at the arterial more relaxed. I find that I am more aware of my surroundings and it's generally a better way of doing things and so I encourage people to do this for the right reasons. Actually a rhyme to see what a good slogan for 30 would be, I'm hampered that I have a ty at the end rather than a dy, so I can't find anything that actually rhymes in both American and English, but certainly 20 is plenty is a good tag line that we need to help get out. I'm very, very satisfied that we were able to dedicate almost half of the cannabis tax money recreational tax money on vision zero and I will continue to support that allocation as an ongoing funding. We do have share responsibility I differ a little bit from some of the testimony. I gave my kids flashlights -- actually Mrs. Sensor gave them flashlights, they're in their 20's and 30's, but still they are wandering around by themselves in downtown Portland and elsewhere. I carry a flashlight in my bag and when I'm a pedestrian at night I have my flashlight going and I find cars stop for me to allow me to cross the street because I flash my flashlight in their faces and they know they're supposed to. So, again it's all about culture change and I hope we take this to heart both as pedestrians, as cyclists, as drivers we need to share the road and we need to figure out how to share the road in a safe manner. I did do a quick calculation. It's 2.7 miles from 109th to 162nd on Stark, and at 35 miles an hour versus 30 miles an hour the difference in travel time is less than a minute. So again, when you're feeling like you want to push it, that you're late whatever, you're going to get at the most a minute and as commissioner Fish said you may hit the lights wrong anyway. Many of the lights are set at the appropriate, so that when you go the appropriate speed you don't get stopped at every single one. These are all common sense things that we can take responsibility together for being safe. I am also would like to say I have never looked forward more to the Rose festival presentation, which is coming next, so we can move on to this topic which is dear to my heart, aye.

Wheeler: Thanks commissioner Saltzman for bringing this forward and you brought a companion package forward earlier in the year, I strongly support this, I think it's a great policy. I'm sorry we can only do it on a limited duration basis but I'm sure with Dan's great work and government relations this council will work together to have more permanent and resilient solutions. Education, enforcement and engineering are the three major categories of tools that we have at our disposal. This is obviously addressing one portion of those tools. I'm really energized by the community engagement piece. I'm looking at a larger engineering strategy as well. I think that's exciting. So I'm strongly supportive of this. I want to quickly respond to what Dan Handelman said with regard to reports. I have been on all sides of this question of public testimony on reports and I ultimately came down the way I did with regard to reports in that they are very specific, particularly with regard to audit reports. As you heard audit reports used to be published, they used to have a response attached. People could pick them up or not pick them up. Now of course people have the opportunity to hear the auditors who are actually engaged in the process. Council has the opportunity to ask questions of the auditors who conducted their audit and the opportunity exists for the bureaus to be able to respond to the audit. Audits have very specific scopes of investigation and the responses given by the bureaus are very specific responses to the issues and the findings of that audit. As such it's a very proscribed process and I think one of the most effective aspects of audit reports is they are so specific. They drill in like a laser beam on issues of great importance. I want audit reports to maintain that focus as they are brought forward and I want people to be in a position to respond very specifically to those

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issues. More generally speaking with regard to reports it's obviously at discretion of the council, but we typically ask a group or organization or an entity to go forth and by legislative requirement they do something and they come back and they report what they are required through legislative requirements to report. These are very, very different than people coming up and talking about police issues or talking about the police budget or alternative uses of resources. It's really supposed to focus on the issue at hand. That's the point of the audit report. I just Dan wanted to give you my perspective. I see you not agreeing, dan, and that's fair. I have no monopoly on the truth, but I wanted to give you my reasoning for the decisions that I make and I will not speak for the rest of the council. I vote aye. Well done. Next item, please. 342.

Item 342.

Wheeler: Commissioner Fish.

Fish: Thank you, mayor. It's my honor and commissioner Saltzman's honor to formally bring this ordinance before council. Each year the Portland rose festival foundation comes before us to seek permits so that it can put on the world's best festival of its kind. That's what's before us today. Jeff Curtis is going to walk us through the request, but the particular permits relate to the grand floral parade, junior parade, starlight parade and use of Tom McCall waterfront park and some street closures. I think we should acknowledge as we welcome our friends from the Portland rose festival foundation that not only is this an internationally recognized event that they plan and execute, but it also generates a lot of revenue for the city and by some estimates brings in about \$75 million a year, which is why I have felt so strongly about including in our annual budgets some contribution back recognizing the service that the foundation does as our official recognized festival. They are not just any festival. In 2010 we made them our official festival. Here to walk us through the request is Jeff Curtis, the executive director. Welcome.

Jeff Curtis: Thank you commissioner Fish, mayor Wheeler. It's my honor to be here today. Commissioner Saltzman, thank you for your leadership with pbot in support of this festival and as this ordinance came by, Allison Madsen at pbot, the staff for making this annual tradition of coming in front of council and getting this permit on board moving forward. I get the honor of being here to represent a great organization, not for profit organization that does the work for Portland in the context of producing a celebration for Portland as your official festival. Behind me is a core group of volunteers and staff that are the heavy lifters that make it happen. Most notably Brett Baker is with this morning. He's our current president of our board. And taking the reins in just a few months, in October, Terri Bowers Atherton is also joining us this morning. Volunteer leaders passionate about this organization and the mission that we serve. Then the details and ultimately the product of the street ends up on the streets led by Marilyn Clint and her staff producing world class parades as well as a waterfront presentation. Those are the people, the front lines of an organization some 3,000 volunteers. The nature of this presentation is ultimately is about the reality of making it happen. Actually, the course work making it happen. We'll be here in about a month with the court to tell you the details and share with you the ultimate experience of this year's festival. I just want to provide some context to the mean from the rose festival foundation of this ordinance. The theme this year is play happy. We're going to press the button on play in about six weeks, but this ordinance is the keys to rev up the engine. It allows us to finalize our planning and ultimately I think Allison can speak to this, cause she coordinates this, is it mobilizes the city in a unified front to put our best foot forward, to bring our citizens together under this theme of play happy this year and welcome the world to Portland for a three week period of time. This ordinance and your support of that is what makes that happen. It's not forgotten on me after 14 years of doing this that this is an important day for us, council, for you to take this item up. Prior councils

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for 111 years have had the same duty and responsibility and I really do appreciate it. Allison, from a pbot perspective I'll allow you to share.

Allison Madsen, Portland Bureau of Transportation: That's a little hard to follow, there's not much more I can add. We do have just about every bureau in the city touching on some aspect of rose festival and the activities and your support of this document does allow us to engage in the manner that we do. Happily to support this annual event. I have had the pleasure of sitting next to Jeff since 2008 up here with us. Happy to have my portion of this annual festival. If there's any questions for me I would be happy to answer.

Wheeler: Great. Thank you. Appreciate it. Is there any public testimony on this item?

Moore-Love: One person signed up. Robert west.

Robert West: My name is robert west and let me be frank and clear. I enjoy the rose festival and I like it. In fact I like to carry my signs at it. What I disagree with is the permit. It's like this. If I go out and I do a protest and I have a permit I got the police escorting me, not a problem, all that, right? If I do a protest march without a permit the police come out with the riot squads and beat me and my fellow marchers up or they pepper spray us or hit us with gas. So as far as I look at the permit it's legal extortion because you're charging these organizations, you're charging other people money for these permits, and yeah, I know you got to get money somehow, the streets in southeast Portland are falling apart and got big old potholes and stuff. There's been damage done to my car from those potholes and damage done to other people's cars, but I'm going to get back to what I'm getting to. I like the rose festival, I don't like the idea that the city makes the rose festival people get a permit. I think it's inappropriate. There's other people that say that the rose festival was started by the nazis, and the ku klux klan and stuff like that, but the rose festival brings people out, people enjoy it, have a good time. So I don't dislike the rose festival. I may not like how it came to be in, but that's how I look at it. It's a great thing for the city. And you get merchants that come out, want to sell things and stuff like that. You know. Capitalism at its best. If I was walking up the street and I was thirsty and I needed some water of course there's no one to give me water. If I had a \$1.50 I could buy some water, which in my opinion is pretty bad but that's the way capitalism and that's the way the city works. But yeah, that's basically what I wanted to say, I'm against the permit but I'm for the rose festival. That's what I got to say.

Wheeler: Very good. Please call the roll.

Moore-Love: Nonemergency.

Wheeler: I'm sorry.

Fish: I move to include an emergency clause so that we can give them a head start in getting their permits.

Wheeler: Good. Second because I was ready to call the roll anyway. Thank you, nick, for bailing me out on that one.

Fritz: This is for the purpose of it's in the public interest to get the permits going as quickly as possible.

Wheeler: Absolutely. Please call the roll.

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

Wheeler: Aye. Permits are approved. I'm sorry, that was the amendment. Please call the roll.

Fish: Well, this gives us an opportunity to say thank you while you're here, not next week. To Jeff Curtis and to the a-team he brought with him today, can't wait to meet the court. Then looking forward to all the festivities this summer. Thank you for every year making our city so proud. Aye.

Saltzman: Thank you to the rose festival for organizing all the events you do. Doing it appears so flawless and smooth from our point of view. I'm sure it's not from yours, but it does run and it's a big event for Portlanders. I wanted to thank Allison Madsen from pbot

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for her work making sure the city delivers on its deliverables to make this festival a tremendous success that it is. Aye.

Fritz: Thank you for all your work. This is not only a fun time and I think the theme play happy is delightful. It's a huge economic benefit to the city and brings people together in a very positive way. And there's always some exercise to be involved as well. That's always a good thing. Thank you. Aye.

Wheeler: I appreciate commissioner Saltzman and commissioner Fish bringing this forward. I always appreciate seeing our representatives from the rose festival here in council. You come a lot. I think this is one of the most positive things that we do together as a community at a time when frankly we need to do more together. So you provide us the platform to get together, to interact, to learn from each other, to break down barriers, but most importantly we just have a lot of fun. So thank you for being ambassadors. Thank you for being conveners. Thank you for being people who lift up our community and shine a light on all the really positive and terrific things that people are doing here. And I can't thank you enough. I always look forward to the rose festival. This year will be no exception. I vote aye. The permits are approved. Thank you. Next item, please.

Item 343.

Wheeler: Colleagues, the resignation of Mick Cook and Ron Garcia of the Rental Services Commission in February left the commission with two openings. I would like to invite Leah Sykes and Jessica Greenlee to join the commission and maintain the balance of landlord and tenant voices on the rental service commission. I know both to be very eloquent spokespersons for their respective points of view. I know them to be people who work really well with others to explore ideas and challenge each other and do so in a respectful manner. I know both to be very highly experienced at bringing a lot of good knowledge and information to this very important process, and both know how difficult and challenging these things can be. So I was really excited to hear that both of them would be interested in serving on this commission. Ms. Sykes brings to us her many years of experience in the legal profession, particularly the legal aspects of property management, working with market rate and affordable clients, and Ms. Greenlee was of course a dedicated member of our relocation assistance technical advisory committee and has over ten years in property management experience. I first heard her testifying here during our first relocation testimony was very impressed with the way she conveyed her information and knowledge and she turned out to be a very, very important member of our relocation technical advisory committee. Matt is Matt Tschabold is here to answer any questions we have. It would be great to hear a little bit from each of our prospective participants.

Leah Sykes: Hi. I'm Leah Sykes this is my first time in city hall. Really exciting. Thank you for allowing me to serve my community this way. I'm an attorney, been an attorney since 2002. The bulk of my practice has been focusing on representing property management companies as you mentioned in both affordable and for-profit genres, but the largest part of my practice over the last eight years has really focused on fair housing and it's a passion of mine. I have helped form and put on every year what we call a fair housing fair, which last year, this last year was attended by over 600 landlords and property managers. We had speakers from the fair housing council of Oregon, from BOLI, from HUD, from the community who had experienced housing discrimination firsthand, and it was -- it's always so rewarding to give back and to educate folks. I'm so excited to be a part of this commission because I feel like I have worked really well collaboratively with folks who I think the perception they are on the other side. When I go to court I represent the landlords and quite often legal aid is on the other side, who I work very well with. I have done joint presentations with legal aid, fair housing council of Oregon and I note how close together we actually are on a lot of issues. So I'm really excited to have the opportunity to join the commission and to maybe have a chance to bridge some gaps between the sort of

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landlord side of things and the tenant advocate side of things and work together to do things that really do benefit our community.

Wheeler: Thank you. I think it's auspicious that we picked today to appoint you. You're on the 50th anniversary of the fair housing act.

Sykes: Yes.

Wheeler: Good morning.

Jessica Greenlee: Thank you so much for the invitation to be part of the rental advisory committee I really appreciate that opportunity to share my voice. Leah, you're a tough act to follow. Through my experience on the relocation technical advisory committee it really showed me that it's important for everyone to sit at the table and share perspectives to formulate the best possible policy moving forward. I really appreciate the opportunity to participate again.

Wheeler: Glad to have you. Colleagues? Commissioner Fish.

Fish: I move the report.

Saltzman: Second.

Wheeler: We have a motion from commissioner Fish, we have a second from commissioner Saltzman. Any further discussion? Please call the roll.

Fish: Well, welcome on your first visit. I hope it was a satisfactory one.

******:** Yes.

Fish: Thank you both for stepping up to serve. We have I think over 100 boards and commissions at the city and each one helps us do our job better. This is particularly urgent work so to have people of your quality and your experience step up and say you'll serve really is very meaningful. So thank you for doing that. We look forward to the benefit of your guidance. Aye.

Saltzman: I also want to thank you for your willingness to serve. I think it's probably the city's newest commission. Got to be. So we look forward as you chart the direction of our policies and other things we should be doing to help renters and landlords alike. Thank you, aye.

Eudaly: Aye.

Fritz: Thank you both for your willingness to serve. It can be a very difficult job as you already know from your experience with the previous processes. I note in the impact statement and the mayor mentioned that the commission is required to have a balance between interests of renters and landlords. It's also required by code, which is unusual to have membership that takes into account the socioeconomic, gender, racial, ethnic, cultural and geographic diversity and various different perspectives. If I could possibly get a table as a follow up from this so you can tell me who it is and who is representing which part. I found in the boards and commissions that I have been responsible for that that can really add to the richness of the conversation and I know you have been paying attention to it since it's only recently this commission has been established and that direction was in the code.

Matthew Tschabold, Portland Housing Bureau: We'll get you that.

Fritz: Thank you for being willing to serve. Aye.

Wheeler: Thank you both very much. Thanks, matt. Aye. The report is adopted. The appointments are approved. Thank you. Welcome aboard.

******:** Thank you very much.

Wheeler: Next item, please. 344.

Item 344.

Wheeler: Commissioner Saltzman.

Saltzman: Turn it over to Andrew Aebi.

Andrew Aebi, Portland Bureau of Transportation: Thank you, commissioner Saltzman. Pleased to report that when we formed this lid in 2014 at the east end of the Burnside

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bridge we had 100% petition support for the lid. We did not receive any objection to final assessment and I just wanted to say that the lid funds that have been spent on this project, \$487,000, have been a very good return on investment. With property values increasing from \$7.1 million in 2014 to \$190.9 million this year, so the combination of both public and private investment has helped realize a 16-fold increase in property values and the work that the private investment that happened here would not have been possible without the ability for the public and private sector to partner and resolve some very intractable engineering and access issues with the type geometry of the Burnside bridge and the freeway, streetcar and trying to make everything fit and provide needed road access to the new development. We're very pleased with the outcome of the project and happy to answer any questions you might have.

Wheeler: Commissioner Fritz.

Fritz: I'm glad you mentioned increase in property taxes. I didn't think there were any ways to improve the local improvement district the way you have been doing them, but perhaps including in this report a summary of what have the benefits been and in particular in total what we heard earlier about the auditor's report, some findings on neighborhood improvements and neighborhood impacts, that would be a way to document and bring that into the record. I hope that you'll consider doing that. The second issue on that point, you had in the past suggested that the council basically allocate that increase in funding and then use it to target particular lids that would cause even more return. Is anything happening with that?

Aebi: Yes, I can, commissioner. After council approved the value capture resolution 37205, I think April 20th of last year if I remember correctly, we just haven't had any final assessments. We were busy in construction mode. This is as I recall the second lid that we have recently closed out. The short answer is commissioner I owe council a value capture report, the first one, and I'll be doing that. The mayor also had some questions about property values, and I owe him a memo on that as well. I have my work cut out for me and this certainly motivates me to provide that information on both front.

Fritz: Thank you.

Aebi: I also wanted to briefly add that we had a lot of problems with the bike lane, westbound bike lane on northeast couch approaching the Burnside bridge. We tried a variety of things over the years to make it work, we tried wands, solar reflectors, striping, rumble bars. One thing I was particularly pleased about this project is because we were building couch court it gave us the ability to put in a raised bike lane and have proper drainage. So, now when you ride your bike over the Burnside bridge you don't have the cars and buses quite wandering into the bike lanes that we used to have. We're hoping with the Burnside bridge having the second lowest number of bike crossings when we last did a count we hope that number will come up over time as a comfort of using that bike lane has increased we think since we did that final fix.

Wheeler: Commissioner Fish? Very good. Any public testimony on this item?

Moore-Love: No one signed up.

Wheeler: Let me just say before I move this along, thank you again, once again you're doing great work, commissioner Saltzman, thank you. This is a first reading of a nonemergency ordinance. It moves to second reading.

Aebi: Thank you.

Wheeler: Thank you, we have two second readings. 345.

Item 345.

Wheeler: Colleagues, this is a second reading of an ordinance. It's been previously heard and public testimony has previously been taken. Is there any further discussion? Please call the roll.

Fish: Aye.

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Saltzman: Well, it's a pleasure to bring this to conclusion. As I know staff and the public have been grappling with implementing the local transportation infrastructure charge and how best to use the resources garnered from it and I believe we have landed in a good spot and a reasonable spot. We're bringing in transportation infrastructure dollars that have been missed for decades and we have a solid plan to invest those dollars in needed neighborhood improvements. I'm also very excited about the gravel and grading program that adoption this item kicks off and I look forward to working with pbot in the months ahead to get this up and running. It's something that we need. We have needed it ever since the city annexed the east county and it's a great example of the bureau listening to the public during this outreach process. Now for a few thank yous, I want to thank commissioner Fish first of all and the bureau of environmental services for your partnership and steadfast support throughout this process. This has been another great example of two bureaus, bureau of environmental services and transportation, working together and working better together on behalf of the city. I want to thank Christine Leon in pbot for leading the team and developing this proposal. I want to thank Kurt Krueger for your efforts and assistance throughout this process. You are on the front lines with developers daily and I know you get an earful about the local improvement charge and many other things. So keep it up. I also want to thank matt grumm in my office for helping keep this proposal alive and moving. Finally, a huge shout out to Anne hill for bringing all of this together and truly listening to the public. It was a big lift and a challenging project, and I really appreciate Anne rising to the challenge, the occasion, and I'm pleased to vote aye.

Eudaly: Aye.

Fritz: Thank you, commissioner Saltzman, for your work on this. This has been a gnarly problem throughout the time you have been on council and finally it's moving it forward. Thank you also for addressing the ombudsmen and the office of equity and human rights is concerned. I agree the gravel and grading program has been desperately needed for a very long time. I do appreciate Anne hill and Kurt Krueger who spent a long time in my office going over the various options with me. I think this is a greatly improved proposal compared with what we had on the table a year or so ago. If I was the swing vote on this I would vote to support it, but since I'm not, I am going to vote against it because the one issue that I think is not clearly resolved yet is the issue of whether people who pay this fee are exempted if there's a future local improvement district on their street. While it's better than it was before, I think that if you pay into this you basically have done your duty and your home shouldn't be responsible for anything in a future local improvement district for your street. So for that reason it's just -- it's important sometimes for the community to know that there are some reservations still and I know commissioner Saltzman that moving forward although probably not in the next nine months I doubt you'll bring this back, but the bureau will be willing to take another look at it as things work out. Thank you so much for your work. No.

Wheeler: Commissioner Saltzman, thank you. One of the reasons I love being on the city council is we don't deal with the easy stuff. We deal with the hardest stuff and it's often thorny and complicated. We often have disagreements but we disagree agreeably and I know that you and the bureau and many people have worked very, very hard on this. I agree that the ball has been moved decisively forward, so thank you very much. There will be other issues as commissioner Fritz just rightly mentioned that we have to wrestle with in the future as well. Thank you so much for your work on this. I vote aye. The ordinance is adopted. Next item. 346, please.

Item 346.

Wheeler: This is also a second reading. Colleagues, any further comments, discussion? Please call the roll.

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

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Wheeler: Aye. The ordinance is adopted. And colleagues, we have a four-fifths agenda item 346-1.

Item 346-1.

Wheeler: Commissioner Saltzman.

Saltzman: Thank you, mayor. Today or actually yesterday we observed April 10th as equal pay day. To raise awareness on the growing pay inequities based on gender that exist in our country. Equal pay day usually always lands on a Tuesday because on average across America a woman must work a week and two days to receive the same pay a man does in one week. Equal pay day is the annual calculation that establishes the extra days each year a woman must work to make as much as a man in a year. So it's generally 100 plus days past the end of the year that a woman has to work to earn the same pay that a man in a comparable job earns. I'm unhappy to report this year's date is a week later than last year's. So unfortunately we have taken this step backwards as a nation but the city of Portland has done a good job as an employer. In 2016, council passed an ordinance that directed the bureau of human resources to study pay practices at the city of Portland. These findings have found that the city's pay practices are gender-neutral and for that we can all be proud of. So I'm pleased that we as a council are united in recognizing this inequality and continue to raise awareness and support efforts to address gender pay equity. Thank you.

Wheeler: Thank you, commissioner. Did you want to read the proclamation? I'll do it. Thank you. It's an honor. So whereas equal pay day was originally created by the national committee on pay equity otherwise known as npe, in 1996 as a public awareness event to illustrate the gap between men's and women's wages; And whereas women across the country earn on average 80% of what men earn for comparable work; And whereas in the state of Oregon, women can expect to earn only 79% of what their male counterparts make; And whereas women of color face wage discrimination at even higher rates with african-american women earning just 63% of all men's earnings and Latinas earning just 60.4% of all men's earnings; And whereas equal pay is both a human right and an economic development issue and studies have proven that parity in wages improves productivity potential and uplifts families and children which benefits the entire community; And whereas the city of Portland is an equal opportunity employer and maintains a comprehensive compensation policy that pays similarly situated employees at similar rates without regard to gender or race, ethnicity; And whereas, the city council believes pay equity is a foundational component of a prosperous and successful community and the internal actions of our local government affects the well-being of our employees, their families, and the entire Portland community; And whereas, the city council directs the bureau of human resources to evaluate existing work force data and determine whether and how gender impacts, types of appointments pay at appointment, progression through the pay range and promotional opportunities. Now therefore be it resolved the Portland city council recognizes April 10, 2018, as equal pay day and will continue to evaluate and promote equal pay policies, adopted by the council, mayor wheeler and commissioner Saltzman, Eudaly, Fish and Fritz.

Saltzman: Thank you.

Wheeler: Is there any public testimony on this item?

Moore-Love: No one signed up.

Wheeler: Please call the roll.

Fish: I'm very pleased to be part of this resolution and we obviously have a lot of work to do. I have got a 25-year-old daughter, and I hope sometime in her adult life she in any career of her choice gets paid the same as her male counterparts. Aye.

Saltzman: Aye.

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Eudaly: Well, as we know, women's pay equity is moving at a glacial pace. I think we can expect it by 2059 if it continues at the current rate. Achieving pay equity for women who make up roughly half of our work force would significantly contribute to decrease in poverty for children, which is a great reason to strive for it. Another great reason is because it's the right thing to do. I'm glad to say that we have pay equity on city council, and happy pay equity day, everybody. Aye.

Fritz: It is discouraging to see how sometimes we're taking a step backwards as on this. It isn't only the issue of the same job disparities, it's the disparities between jobs. So I was happy to see that the resolution included our direction to the bureau of human resources to look at the kinds of work that generally are done more often by women and more often done by men within the city government and start moving towards pay equity on that. Of course it's also who gets the jobs and with commissioner Eudaly and I being number 7 and number 8, it's a matter of how open are we to encouraging women and people who identify as women in our work force. So I have to say as I look back over my career, reflecting I'm now in a dead end job with no career advancement opportunities at least in this particular seat, which I'm fine with, it's an honor to be here and in a privileged position to do the final votes and to say the things that need to be said. I look back on my career as a nurse and the 56 days I spent on strike with ohsu in 2001 and 2002, which increased my pay by 40% in the subsequent six years since I worked at ohsu and that now nursing is a career that both women and men aspire to go into and does pay a family wage where you don't have to choose between looking after your patients and looking after your family and your roof over your head. It takes time. It takes a lot of effort. It can be very painful at times and we have to keep trying. Aye.

Wheeler: I really appreciate your bringing this forward, commissioner Saltzman and I have appreciated hearing my colleagues' statements. It is disappointing to me, commissioner Eudaly, that we are making such glacial progress on this issue. What was coming to my mind as I was reading this, I was thinking about a letter my mom wrote. She's almost 88. She's been committing a lot of her memories to writing, which I really appreciate. She graduated from Stanford university in 1952 and took a job as a stenographer. That was pretty much her career path even being highly educated and she is much, much more intelligent than I am. She's a very, very intelligent woman. It always made me wonder had she wanted to, and I don't want to make that presumption on her behalf, had those barriers not been there, how might things have been different for her. What's in this resolution that I so much appreciate is the acknowledgment that it is not only a human rights issue that has held women back from what they deserve because they have earned it, it also holds the entire community back from an economic development and economic prosperity perspective when women get short changed, our society gets shortchanged. That's why we all have this collective interest in making sure that these issues are addressed. I'm glad -- I didn't know how that audit for the city of Portland was going to come out. I'm glad that we're setting an example as a public institution that others in the community can follow. So thank you all. Thank you, dan, thank you, colleagues. I vote aye. The resolution is adopted. We're adjourned.

Moore-Love: We have a pulled item from consent.

Wheeler: Oh, sorry. Totally forgot about that. Item 337. Please read it.

Item 337.

Wheeler: Colleagues, the city of Portland has been recipient of so-called uasi funding since fiscal year 2003. The department of homeland security has designated Portland, Oregon, as the core urban area in the state of Oregon. No other cities in the state receive uasi funding. The funds will be used to enhance the region's partners Trimet, the Port of Portland, Multnomah, Clackamas, Washington and Columbia counties of Oregon and

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Clark county Washington, emergency preparedness through planning, training and equipping of emergency responders. Did I get that largely right?

Amy Cole: You did.

Wheeler: Nailed it. Anything else that people need to know about it?

Cole: This is just the acceptance of a grant that you all approved for application last summer. So, we're now accepting the funding.

Wheeler: Very good. Who pulled this item?

Moore-Love: Lightning.

Wheeler: I do not see Mr. Lightning here. Please call the roll.

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

Eudaly: Well, congratulations on your successful grant application. Aye.

Fritz: I was really delighted to see this because we were in some trepidation we may not get this grant. I hope this is the beginning of now getting the entitlements we can expect from the federal government. Aye.

Wheeler: Aye. Thank you. I'm sorry I didn't realize you were sitting around. I apologize. We're adjourned until 2:00. Colleagues I want to remind you, we have a fair housing presentation from about 2:00 to 3:45, we look forward to seeing you, thank you.

At 12:10 p.m. council recessed.

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Closed Caption File of Portland City Council Meeting

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Key: ***** means unidentified speaker.

APRIL 11, 2018 2:00 PM

Wheeler: Good afternoon, everybody. This is the afternoon session of the Portland city council on April 11, 2018. Karla, please call the roll.

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

Linly Rees, Chief Deputy City Attorney: Welcome to Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during council meetings so everyone can feel welcome, comfortable, respected and safe. To participate in council meetings you may sign up in advance with the council clerks office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. When testifying please state your name for the record, your address is not necessary. Please disclose if you're a lobbyist. If you are representing an organization, please identify it. The presiding officer determines length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left, a yellow light goes on. When your time is done a red light goes on. If you are in the audience and would like to show support for something that is said, please feel free to do a thumbs up. If you want to express that you do not support something please feel free to do a thumbs down. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed I suppose unless you're under the age of one. Then it's fine. If there are disruptions a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. After being ejected the person who fails to leave is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel comfortable, welcome, respected and safe.

Wheeler: Thank you, Karla could you please read the first item.

Item 347.

Wheeler: Colleagues, 50 years ago the 1968 civil rights act commonly known as the fair housing act of 1968, was signed into law. This monumental legislation prohibited housing discrimination based on race, color, or national origin. Draped in the backdrop of the assassination of reverend dr. Martin luther king, jr., this legislation was part of a suite of legislation that was attached to a broader civil rights movement to address the inequities that many Americans faced. This focus on fair housing is especially important as we have seen a national dialogue aimed at weakening the protections that many have counted on to increase housing opportunities in America which is why I am very proud that we as a city are gathered here today to proclaim April fair housing month. We recognize the profound importance of this legislation and how this blueprint legislation serves as a guide and a model as we advance towards our collective future. It's our responsibility to create a forum for the voices of those who have the least access to power, to those who are the most impacted by the limitations of our society, and i'm happy that we're spending sufficient time hearing how this law has impacted their opportunities and the efforts we have enacted and those we must maintain to have a truly functioning and equitable Portland. So today i'm proud to share the fair housing proclamation, to hear the history of the fair housing act, to engage with the various speakers this afternoon and to honor the

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history and the future of this legislation. It's now my honor to read the proclamation. Whereas, the fair housing act enacted on April 11, 1968, was adopted to prohibit discriminatory housing practices, undue racial segregation patterns and provide equal access to housing opportunity for all; And whereas in Portland the combined federal, state, and civil rights laws protect people from housing discrimination based on race, color, national origin, religion, gender, familial status, disability, marital status, sexual orientation, source of income including housing assistance, military status, gender identity, ethnicity or history of domestic violence, stalking or sexual assault; And whereas despite these legal protections, Portland has not yet succeeded in providing equitable access to opportunity or removing the patterns of racial segregation that persist in housing, employment, education, and all other institutions; And whereas executive order 12892 calls on government to affirmatively further fair housing by addressing and removing barriers to housing choice in all federal programs, policies, plans, resources, and activities; And whereas the city of Portland is recipient of federal funding extends to all of its bureaus the obligation to understand which communities experience barriers to housing choice and why. Dedicate resources to meaningfully addressing those disparities and measure the impacts of these actions to all of its bureaus; And whereas April 11, 2018, marks the 50th anniversary of the signing of title 8 of the federal civil rights act, the federal fair housing act of 1968 and the 30th anniversary of the fair housing act amendments of 1988. Now therefore i, ted wheeler, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim April 2018 to be fair housing month in the city of Portland, and encourage all residents to observe this month. [applause] I have been informed that commissioner Fish, who has a long history in housing and fair housing in particular has some words to add. Commissioner Fish.

Fish: Thank you, mayor. Welcome, everybody, to this gathering. As the mayor noted in his remarks, the 1960s produced three great civil rights laws. The civil rights act of 1964, the voting rights act of 1965, and the fair housing act of 1968. The fair housing act addressed the legacy of discrimination in housing. It focused on explicit discrimination like redlining and federal mortgage insurance, and restrictive covenants in real estate contracts. But it also addressed more subtle forms of discrimination like real estate agents steering minorities to particular neighborhoods, biased lending and underwriting and concentrating poverty in certain zip codes. The fair housing act was blocked and filibustered for many years. Dr. King's assassination on April 4, 1968, proved decisive and forced action by the congress. The fair housing act had champions from both parties. Remember those days? Its main goal was integrating neighborhoods and ending bias, but the original act proved to be a toothless tiger. It took the fair housing act amendments of 1988 to strengthen the law and to expand its reach. The amendments prohibited discrimination based on familial status and disability, established new administrative enforcement mechanisms and expanded the jurisdiction of the justice department to sue on behalf of victims in federal court. My father played a key role in brokering the compromise that allowed the amendments to become law. When president Reagan signed the bill into law at a white house ceremony on September 13, 1988, he gave my dad one of the pens that he used. I brought the pen with me today. Despite the laudable intentions of the fair housing act enforcement has been slow and uneven. Recently the trump administration put the brakes on a 2015 executive rule that requires recipients of federal housing dollars as the mayor indicated to affirmatively further fair housing. Hud secretary dr. Ben Carson went one step further dismissing the rule as "social engineering". Mayor and colleagues, i'm so proud we're taking the time today to celebrate the 50th anniversary of the fair housing act. While we have made progress as a country, there's more work to be done to reach our shared goal of a fair, more integrated nation. Mayor, you're going to issue the proclamation, and

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it's your tradition to sign it. I wonder if you could in a ceremonial way sign the proclamation with the pen used by president Reagan. [applause] thank you, mayor.

Wheeler: Thank you, commissioner Fish.

Fish: I'll be checking e-bay tonight: [laughter]

Wheeler: There it is, folks. [applause]

Wheeler: Jason Trombley will make remarks on behalf of the fair housing advisory commission.

Shannon Callahan, Director, Portland Bureau of Transportation: Mayor, commissioners, I want to introduce Jason Trombley. He has been our chair of the fair housing advocacy committee since 2014. Jason has been --

Wheeler: Please introduce yourself.

Callahan: I'm sorry. Shannon Callahan of the Portland housing bureau. Jason is a public relations professional and education advocate who has represented the coalition of communities of color on the fair housing advocacy committee and we are grateful for his guidance and his leadership. In his capacity with the coalition of communities of color he has helped develop strategic plans around economic development and education. In addition to his work on the fair housing advocacy committee he has staunchly supported Portland public schools racial equity work including the achievement compact advisory committee, superintendents advisory committee on enrollment and transfer and most recently he led the commission to address school boundary changes, program locations and grade configuration changes for Portland public. Outside of all of this, he is also coach and has been for 12 years of the sixth time national champion Lincoln high school constitution team. He is a board chair of mission citizen, the nonprofit, funded and managed by his own students which helps to work with immigrants in Washington and Multnomah counties to become u.s. citizens. So he does a lot. He does a lot for the fair housing advocacy committee and we wanted to acknowledge and thank him for that today. So it's my privilege to introduce Jason.

Fish: Thank you, Shannon.

Jason Trombley: Good afternoon, all. Mayor wheeler, commissioners, as today marks the 50th anniversary of the signing of the fair housing act I'm here to help share how the fair housing advocacy committee of fhac helps to play a role in applying the act in the region. As part of the analysis of impediments to fair housing or a.i. report required by hud also known as the city of Portland, Gresham and Multnomah county 2011 fair housing plan and analysis of impediments to fair housing choice and strategies to addressing them also known as the fair housing plan. The city of Portland on behalf of its jurisdictional partners was tasked with collecting and analyzing data that identifies barriers to housing choice and with developing report that aim strategies to mitigate the identified barriers. In order to bring knowledgeable community voices into the preparation to Portland and its consortion partners Multnomah county, city of Portland and city of Gresham convened an analysis of impediments committee or a.i. committee to recommend and review research data and make recommendations on strategies to remove barriers to housing choice. The resulting fair housing plan identified a number of key barriers to exercising housing choice including a general lack of understanding by housing consumers and housing providers of fair housing law as well as the need for a clear, focused fair housing champion. In response the ai committee suggested creating a fair housing advocacy committee that meets at least quarterly to focus on implementation of fair housing strategies and to be a strong advocate voice in Multnomah county. The purpose of the fair housing advocacy committee is recommended in the fair housing plan is to provide a strong advocate voice in Multnomah county for the implementation and recommendations in the plan. Fhac will also work to hold its jurisdictional partners of Multnomah county accountable for their actions under the plan and fhac looks forward to supporting the work on a next assessment of fair housing in

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advance of the next five year consolidated plan. That's just a short overview of the role of fhac and its work over the past several years and to assure broader context I would like to invite some of our community partners who have been part of the work since its beginning. Allan Lazo who is the executive director of the fair housing council of Oregon. Christina Dirks, attorney for legal aid services of Oregon and Matt Serres from disability rights Oregon.

Wheeler: Good afternoon.

Allan Lazo: Good afternoon, everyone. Get my stuff out here. So I'm going to back up and talk about the history of the fair housing act and the times in which that was passed. So good afternoon, mayor, members of city council, it truly is wonderful for me to be here with you this afternoon and I was with some of you earlier this morning. You know this is one of my favorite days to come to council and bring these young student artists with us, so we're going to get to that later. Really we're here to commemorate the 50th anniversary of the passage of the federal fair housing act, that landmark civil rights legislation intent on ending deeply rooted racial discrimination and segregation. Riots in more than 150 cities across the country during that long, hot summer of 1967 prompted president Lyndon Johnson to convene the Kerner commission later that year. The commission famously concluded at that time our nation is moving toward two societies, one black, one white, separate and unequal. The commission's views on housing followed the lead of reverend dr. Martin Luther King, Jr., who gave rise to the open housing movement with his work in Chicago a year earlier. The current commission went to call for opening opportunities to those who are restricted by racial segregation and discrimination and eliminating all barriers to their choice of jobs, education, and housing. The commission recommended that the federal government enact a comprehensive and enforceable federal open housing law to cover the sale or rental of all housing. The fair housing act, which had been the last major civil rights legislation to pass, became that comprehensive and enforceable federal open housing law on April 11, 1968, a week after dr. King's assassination. The original act prohibited discrimination on sale or rental housing on the basis of race, color, religion and national origin as we heard earlier, sex meaning gender was added as a protected class in 1974 and disability and familial status meaning families with children under the age of 18 were added in 1988. Despite the civil rights progress over the past 50 years that have led to gains in educational attainment among other areas, there remains a persistent lack of progress on many of the issues that prompted the creation of the original fair housing act. 2015 study published in the American sociological review indicated that segregation is manifesting itself in other ways, not disappearing. The study notes that while black-white segregation is declining and areas are no longer divided into black cities and white suburbs, segregation between places for instance between city and suburb and suburb and suburb may be increasing even as overall metro neighborhood segregation declines. We know that here in Portland, that displacement out of the core of our city due to housing affordability continues to deny opportunities for communities of color, single mother headed households and people with disabilities. Denying these groups the opportunity to fully realize all of the benefits of our community. The homeownership rate for blacks has remained virtually unchanged since 1968 at approximately 40%. 30 points lower than it is for whites today. That holds true here in Portland. According to the Portland housing bureau 2016 state of housing report white households are roughly 54 to 57% homeowners while African-Americans, Native Americans and Hawaiian Pacific Islander households own homes at a rate of roughly 27%. 50 years after the passage of the fair housing act, we must acknowledge the persistent impacts of historical housing discrimination and segregation right here in Portland. 50 years after the passage of the fair housing act our work in the fair housing movement is far from done. In preparing for the 50th anniversary I have done a lot of research in preparing for this momentous commemoration, and there's

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been almost a universal theme in headlines around coverage of the 50th anniversary. I'm talking about the unfulfilled promise or failure of the fair housing act. Former vice president Walter Mondale co-author of the 1968 act called the fair housing act the most contested, most ignored, and at times most misunderstood of the civil rights laws of that era. So this is a time more than ever when we must recommit to the ideals of the fair housing movement. The ideal of open, inclusive communities. We all have a great deal at stake. The future of our community is literally at stake in this work that we all do together. We know that integrated and inclusive communities produce better outcomes for our children and are more prosperous over all. Commemorating the 50th anniversary of fair housing act reminds us we have a history that divides us, but it must be our shared commitment to dr. King's dream of creating a community open and inclusive to all that unites us. So thank you all.

Wheeler: Thank you.

Christina Dirks: Thank you, mayor, commissioners, for providing the opportunity to celebrate and reflect on the importance of the fair housing act. My name is Christina Dirks I'm an attorney with legal aid services of Oregon. Within the last 50 years we have seen how discriminatory housing practices have changed and evolved with the times. We continue to see blatant forms of discrimination however we more frequently see subtle and pernicious discrimination. It's our duty to be responsive to these changes and challenge ourselves to think creatively about how we enforce these laws. In an effort to highlight some of the fair housing trends we are seeing at legal aid services I thought I would highlight a few recent cases. One trend we are seeing is the intersectional forms of discrimination that tenants face when they are members of multiple protected classes. An example Laso recently successfully settled a claim of a tenant with a section 8 voucher who was discriminated against when she was applying for housing, while viewing th apartment the manager both subtly and overtly discouraged her from applying based on the tenant's race. When the manager later learned the client had a section 8 voucher the manager proceeded to make disparaging comments about section 8 voucher holders and flatly rejected the application. Another issue we are seeing is how members of protected classes are subjected to substandard housing. Laso recently represented a family of color who utilizes a section 8 voucher as well, the family suffered repeated substantial habitability violations an source of income discrimination from the onsite manager in the form of delayed responses to repair requests and retaliation for refusing to lie about the condition of the apartment to the inspector from the housing authority. Another trend is housing providers failure to address tenant on tenant discriminatory harassment. We are currently representing a tenant who was subject to ongoing racial and gender based harassment from her neighbor. Her landlord did nothing to resolve the issue and in fact went so far as to accuse our neighbor of being racist for complaining about the neighbor's racist harassment. An additional trend is housing providers granting reasonable accommodations in name only but not in substance. We repeatedly see in the eviction context that unrepresented tenants are being told their reasonable accommodation request is being granted however they are still being forced to enter into agreements where they are required to move and vacate their unit. One case came to us after the tenant failed to move out under the terms of an agreement. He made a request for a reasonable accommodation to stay in his housing in order to obtain treatment and maintain housing. The landlord said they were granting the request and would give him two additional weeks to move. We were able to immediately file a request for a hearing, get back into court and negotiate a new agreement that allowed the tenant to stay in their housing and obtain vital treatment to maintain their sobriety. Finally I would be remiss if I did not underline how the housing crisis today in Portland today is the most pressing issue we face. Through numerous cases that laso has handled representing large numbers of tenants in building-

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wide displacements or exorbitant rent increases we have seen how the housing crisis is resulting in wholesale displacement of communities of color. Through these cases we have also seen how the housing crisis is reinforcing familiar patterns of housing segregation. In addition landlords are utilizing more stringent screening criteria that make it nearly impossible for communities of color or individual disabilities to live anywhere in our city. This is an area ripe for desperate impact litigation, the obligation of the fair housing act command that equity and fair housing be the center of any analysis or policy initiatives aimed at addressing the housing crisis. We owe this to every member of the protected classes in our city. Thank you.

Wheeler: Thank you, appreciate it. Thank you.

Matt Serres: Mayor, commissioners, thank you for inviting this testimony today. As we celebrate the 50th anniversary of the fair housing act, for persons with disabilities it is the 30th anniversary of fair housing. Congress expanded the fair housing act to protect people with disabilities in 1988. Today in the u.s., nearly 20% of people live with a disability. Today over half of all fair housing complaints involve disability discrimination. As a housing attorney at disability rights Oregon, I see the positive impact that the fair housing act has on Oregonians with disabilities. Reasonable accommodations under the fair housing act empower persons with disabilities to access our community and all its opportunities. The fair housing act is for veterans returning home with mental or physical wounds that they may have a companion animal to provide emotional support or a service animal to perform tasks of daily living. The fair housing act is for tenants in public housing who need a live-in care-giver that they may reside with their care-giver despite the restrictions in public housing. The fair housing act is for elders with crippling arthritis who face challenges moving safely within their homes that they may install the assistive devices necessary to avoid injuries and maintain independence. It's for the family whose child manifests an emerging emotional or behavioral disorder that they do not live in fear of eviction due to their child's behaviors as they develop a plan to manage those symptoms. It is for the person with lung disease or using a wheelchair whose journey from the front door to their car has become a barrier to leaving home that they may have access to ramps, curb cuts, and designated parking spots necessary to participate in community life. It is for the person with the disability living in poverty who relies on the section 8 voucher but for whom it is hard to find affordable accessible housing that they may have extra time to find a home before their voucher expires. The fair housing act is for leaders of government that they use it as a touchstone to guide housing policies that provide greater equity and inclusion. In 1988 the fair housing act was expanded to include persons with disabilities. As we consider the future, let us imagine the ways we can extend its principles to help more people and tackle new challenges. Challenges like how to develop the Broadway corridor project. How to balance landlord and tenant rights. How to step up local enforcement efforts to stop discrimination and tear down barriers to accessibility and responding to those challenges let us listen to the disabled community. Disability touches everyone. It's a status that any of us may come to share. It can arise unexpectedly in our lives or in the lives of those we love. No matter what life has in store for us, the protections of the fair housing act are for everyone. Thank you.

Wheeler: Thank you, matt. Just for the record, that was such great testimony, could you say your name and your position for the record?

Serres: Yes. I'm Matthew Serres from disability rights Oregon. I'm a housing attorney.

Wheeler: Thank you all of you. I appreciate it very much.

Trombley: I would like to invite to the dais our next three presenters. Dong ho from the community alliance of tenants, Sumitra Chhetri who is the community engagement program coordinator with irco's Asian family center and Dolores Burgos from Naya.

Wheeler: Good afternoon, welcome and thank you for being here.

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Dung Ho: Hello. Thank you. Good afternoon, commissioners, mayor, my name is Dung I'm the education program director at community alliance of tenants. Thank you so much for having us all here to celebrate the 50th anniversary of the passage of the fair housing act. We're excited to celebrate through the month of April as well. I have been at cat for over eight years. In that time I have spoken with many tenants who have been mistreated. We work with and advocate for the most vulnerable members of the community, low income tenants, immigrants and refugees, people with disabilities and families, many who are part of the protected classes under the fair housing council. The fair housing act. Every week our renters rights hotline specialist council tenants whose rights have been violated under the fair housing act. We refer them to the fair housing council as well as many of the resources from people who have just spoken today. Through the tenant protections team program which is a partnership with culturally specific organizations, irco, sei and apano, our education coordinators work with tenants one on one to help them advocate for their rights and amplify their often silenced voices. These tenants often struggle to find and keep affordable housing. Facing housing discrimination against families and recent immigrants. My colleague at immigrant and refugee community organization Sumitra will be sharing a story from her community. The tenant story is one small victory among many tenant stories that are not successful because others were not able to understand how to find resources, they felt fearful of retaliation and couldn't risk losing their home. Their family was able to connect to our resources and services and learn to assert their rights with our support. With our help the family has been able to share their story and in turn encouraged other Vietnamese/Bhutanese community members to speak up about their housing situation, discrimination and intimidation. With that I welcome Sumitra from irco to share Ghaness's story.

Sumitra Chhetri: Hello, for the record my name is Sumitra I'm a program coordinator with irco. I'm glad to be here sharing a happy story today. So one of the clients that is from the Bhutanese community his name is Ghaness and he's the head of household, he works two jobs to just put food on the table. Ghaness family came to the united states as a Bhutanese refugee immigrants and Ghaness family lived in an apartment for several years before they moved to different apartments. After moving to an apartment Ghaness got a letter from previous apartment manager saying Ghaness will not be getting his deposit back and Ghaness has to pay more money and if not the manager will report to the credit because of limited English Ghaness did not understand what was in the letter. Ghaness was able to connect with cat service by irco case manager and able to get support from cat service. Cat housing program coordinator supported Ghaness to write a letter to the manager and filed a claim. Ghaness was able to get his deposit back and his credit is good now. Ghaness was now encouraged to share his story to other community members and they are encouraged to speak up when things like that happen in the community.

Wheeler: Thank you, that is a positive story. Thank you for your great work on that. Good afternoon.

Delores Burgos: Good afternoon, mayor, commissioners. My name is Dolores Burgos, I'm from the native American youth and family center, I am the housing and energy services program manager. I just wanted to touch on some of the communities issues about discrimination as far as housing goes. The current fair housing laws are indeed fair but neither equitable nor exclusive. Current fair housing laws conform to faulty standard which assumes that all ethnicities and classes are given the exact same opportunities and have gone through life with the same privileges. The communities of color have endured the deepest levels of housing discriminations. Our community has faced not only housing discrimination itself, but has endured weighted scales which bar the community from many programs which seek to specifically address housing barriers and permanent placement. Current rules for assessing support eligibility are in effect and are not culturally responsive.

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screening questions are worded in language from a white business perspective and impose inherent value judgments in the way that they are asked. Programs require their participants to meet the federal definition of homelessness thus barring native community members to do communal culturally aware community members may be doubled up with friends or family. It has been observed that information management database reports show that the community white effort to fight homelessness simply does not know much about the native American community. Assessment tools give a profound lack of regard for any community members specific tribe and HUD has grouped the community together as all native American, American Indian and Alaskan natives. There's no regard for those who are enrolled in a tribe as well as whether or not a tribe is federally recognized. The native American community faces discrimination not only gaining access to supportive housing services but also from landlords and property managers. Native clients whom Naya serves has disclosed potential landlords frequently asking about their Indian last name as one of their first questions. This question would be not asked by somebody with a last name of Smith or Johnson. Native community members face challenges such as these as well as unwarranted exceptions from landlords of loud partying habits and frequent foot traffic. These assumptions from a white nationalist perspective are not acceptable and do not address the fact that our community is becoming more diverse and it's becoming more exclusive than the white standards previously set by landlords and rental applications screening criteria. Factors as this when combined with community members must jump through hoops to get support and get approved for rental units are neither equitable nor inclusive. These discriminatory practices only further the gap between communities of color and white Americans. For the laws in the place are currently fair fairness assumes that every single person already comes to the table with the same amount of support systems, financial security and opportunities. These laws are not inclusive of our ever changing community and do not prevent landlords from practicing their biases against the native community. On that note, we are very, very proud that we have come this far, as far as fair housing. I know that we need to do a lot more work, and -- I'm just overwhelmed. I'm sorry. We appreciate the city's help, the state's help. Partner agencies in fighting the fight. So that we could all be just treated as equal. Thanks.

Wheeler: Thank you. We appreciate your great work. Thank you for being here.

Trombley: Next up we have Patricia Rojas, director from El Programa Hispano and she has a few guests she would like to bring up as well.

Wheeler: Good afternoon.

Patricia Rojas: Good afternoon, mayor, councilors. Thanks so much for making the time to have this important beginning of an important conversation remembering 1968 fair housing act. My name is Patricia Rojas executive director of El programa Hispano Catalico. Even though the fair housing act clearly stated what the ambitions were, what the laws should be, we have long way to go towards implementing those laws. Equitably and across the board across communities in this country. One of the things that we continue to see in our community is discrimination in housing based on race, ethnicity, nationality and even language. I as executive director can speak with you at any time I think I feel comfortable reaching out to you and speaking with you personally about what we can do about that. I do feel we need regulatory bodies and mechanisms to hold landlords accountable but I think it's more important that today you hear examples of what we're seeing in our community every day. So we have invited some guests to come share their experiences and I want to first thank them for being here. There is no interpreter present today, so I'm going to interpret for them but next time we should have interpreters present so all community members can participate in important events like this.

Wheeler: Agreed. Thank you.

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Sila Viatoro (Patricia Rojas): Good afternoon. My name is Sila Viatoro. So I have been living in Portland for a few years in some apartments and after that I went to Tillamook. When I came back the manager told me you can no longer be on the lease. I'm going to remove you. I asked why, i'm paying my rent. She said, it doesn't matter. So I then went to a different place and a friend of mine remained renting. So I wanted to return and he went to tell me that I wanted to return. And so when he did, she told him if she comes back then i'm going to have you leave as well. So her friend now, the two people facing potential displacement. There are a lot of people in that apartment complex that suffer racism because of that person. And now i'm living in another apartment complex nearby and the manager doesn't want to give me a parking spot. Because I have to have a driver's license to have a parking spot. I need to clarify. And so my son was given a puppy, and the manager said I needed to have a license to be a pet owner or a license for that as well. So I told her that I was out looking for where I could find this license and she said, no, you're going to be evicted on the 17th. And so we gave the dog back. That is all.

Wheeler: Sorry to hear that. Thank you for sharing your story. Welcome.

Lorna Negalindo (Patricia Rojas): So good afternoon, my name is Lorna Negalindo and I'm a client of El Programa hispano. I came to Portland about a year and a half ago. So I would like to speak to the challenges that I have faced in terms of finding housing. So the first barrier that I faced was in simply applying and without knowing I applied and they had a requirement that you have to provide a social security number. I didn't know and I filled out two different applications and both were declined or denied because I didn't have a social security number and I did not know that this was part of the process. I needed to find housing nonetheless so I spoke with a friend of mine who knew a landlord and I went ahead and applied. He knew that I didn't speak English and that I didn't have the documentation. And then he called me a couple of days later saying, yes, we accept your application but you have to wait because someone else has all their documentation and we'll call you if something opens up. That is all I wanted to share my testimony about what really happens and not what the law says. Thank you.

Wheeler: Gracias.

Rojas: Gracias.

Yidira: Hi, mayor, commissioners. My name is Yadira and I'm here today because I want to tell you about my rental history. Not only here in Multnomah county but also in Marion county. I have a disabled daughter and at that time I was pregnant so I couldn't work. We needed a place to live, and we couldn't find one here so we went to marion and they told us they wouldn't rent to us because I wasn't working in the agriculture work but my husband was and he is undocumented. So they wouldn't give us our apartment. I had to go through a lot of processes and doctors' notes for them to give us that apartment. They kicked us out because I wasn't able to find work in agriculture because my daughter has heart issues and brain conditions. So they kicked us out. We came over here to Multnomah county trying to find a place to rent for my daughters and for ourselves, and we encountered a very racist manager. She called my husband illegal. She screamed and cussed at me, and it's just been a very hard road to find rental assistance that would or should I say rental apartments that would accept my husband's status without me being head of household. I'm very thankful that you guys had a chance to listen to me.

Wheeler: Thank you. We appreciate you being here to share your story. Thank all of you.

Rojas: Thank you very much.

Wheeler: While we have a pause I also want to acknowledge that we have a very esteemed elected official in the room with us today. State representative Alissa kenyguyer. She was here this morning for our fair housing act breakfast and she's here this afternoon and I wanted to acknowledge her presence. We're glad to have you here. Thank you.

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Trombley: Our next two speakers are Deborah Imse from multi family northwest and Betty Dominguez of Home Forward and I know Betty has a few guest speakers as well.

Wheeler: Great.

Deborah Imse: Good afternoon Mayor and Commissioners, I'm Deborah Imse executive vice president for Multi Family Northwest, which is a trade association, and we represent over 200,000 units in the state of Oregon. I have also been a member of the Fair Housing Advocacy Committee since its inception. Several years ago when Section 8 vouchers were made part of the protected classes for source of income in the state of Oregon, the Meyers Memorial Trust awarded legal aid Northwest Public Affairs and Multi Family Northwest a grant to educate landlords on the changes in the law. Later when the Supreme Court upheld the concept of disparate impact, the group was awarded a second grant to educate landlords on the concept and the fact that a facially neutral screening policy can have a disproportionate impact on a protected class. Recently, the same group has been awarded a third two-year grant. We will spend the first year researching alternative screening criteria other than criminal and credit. The second year we will reach out to landlords across the state with the results of our work. I am pleased to be celebrating the 50th anniversary of the enactment of the Fair Housing Act by working collaboratively with the housing authorities and legal aid to look at screening alternatives that protect the community but are successful in providing housing opportunities for those in our communities with barriers. Thank you.

Wheeler: Thank you, Deborah. We really appreciate you being here. Good afternoon.

Betty Dominguez: Mayor Wheeler, Commissioners, I'm Betty Dominguez, I'm a director at Home Forward, I've also been a long time sitting member of the Fair Housing Advocacy Committee and I'm proud to say newly appointed Metro Councilor. Before we begin I want to just have a personal note as a Latina woman growing up in the late '50s, early '60s in San Diego I experienced racial prejudice and name calling that no child should have to hear. So this particular event, this 50th anniversary of the act, is personally very significant and special to me. But I'm not here to talk about me. I'm here to introduce you to some very special people. Nearly one-third of the U.S. population has a criminal record of some sort. While persons with criminal records are not a protected class under the act, data shows that criminal history based barriers to housing have a disproportionate impact on persons of color and other marginalized communities which are protected classes under the act. Criminal records have a long-term collateral consequence as they create a barrier to access housing as well as education and employment. In 2016, Home Forward and Metropolitan Public Defenders partnered to begin the Record Relief and Expungement program to increase resident access to legal assistance to alleviate barriers related to past criminal history. In this program Metropolitan Public Defenders provides free legal assistance to Home Forward residents and participants. Almost 1,000 individuals since the inception of the program have been served and we're here to introduce two of them to you today. To my immediate right we have Sherelle. Sherelle and her three children live in from one of the housing communities. She began engaging in the record relief and expungement partnership one year ago when her criminal record from her past was impacting her ability to meet her housing and economic goals. Sherelle, thank you for your time and your willingness to tell your story.

Sherelle Rosalee Anderson: First I want to say thank you, Mayor, Commissioners, for allowing me to tell my story. My name is Sherelle Rosalee Anderson. I'm a gang outreach worker for the City of Gresham now, but I was at the City of Portland. I have been -- at first Home Forward denied me they said because I had a charge from 12 years ago. I have two felonies. I didn't know what I was doing so I agreed to whatever they had given me. First it was okay, worked seven years at a job, but then I had three daughters. Went through D.V., and still was not getting no help, so I met with the community law division at the

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metropolitan and told them my story. I have been the one person who had no charges, no problems, had worked in the community doing what I do, trying to help youth not fall in the same footsteps as me but I still faced every barrier as them like if I had just committed a crime. So working with them they fought, they got all of my fines dismissed, they have showed me that it's not my past that defines me but who I am today. So I'm very grateful for them and home forward for giving me the opportunity to be able to be here today.

Wheeler: Thank you. Since I believe our paths may have crossed a long time ago, nearly a decade ago, I pushed forward the ban the box strategy in Multnomah county. I was lucky, I had a form of government that's different than here and I could just sign an executive order, which I did. The reason I did it was because of our gang outreach workers. I actually wanted people who could go into the community and speak to young people with a degree of experience and personal connection. So ironically I saw them as superior in that role, and I wanted to make sure that we weren't squeezing people out who actually could bring that personal experience and the benefit of hindsight to the role. I really appreciate you being here today to share the continuation of that story and how it continues to have an impact well beyond your history. So thank you for that.

Rosalee Anderson: Thank you.

Wheeler: Good afternoon.

Dominguez: Home forward went to ban the box many years ago as well. Right now in our public housing we have the ability to house people that have criminal backgrounds but we wanted to be sure folks could leave our housing and find housing elsewhere and secure jobs. We're hoping at some point in time we can address reentry housing second chances across our whole portfolio.

Fish: Betty I just want to say that the city of Portland also has ban the box, but we did it the Portland way, which is with five votes on the council, not with an executive order.
[laughter]

Eudaly: Thank you, commissioner.

Dominguez: Thank you, commissioner. Now it's my pleasure to introduce this handsome gentleman at the end. This is Ethan. Ethan and his teenage daughter receive rent assistance through the housing choice voucher program. He engaged in the record relief and expungement partnership when his criminal record from his past was impacting his ability to successfully find housing with a voucher. Even with the voucher. Ethan, thank you also for your time and willingness to tell your story.

Ethan: Thank you, Mr. Mayor, commissioners. My story entails I sit here as an african-american male with disabilities, mental and physical disabilities. So I have seen quite a bit of all these kinds of racisms. My story ends with a happy ending. So it first started in another county, which I have had an advocate speaking with me, speaking for me but when it was time for me to show up they wanted to raise the rent. So I couldn't get the housing. We had an attorney intervene, I ended up getting the housing, which didn't stop them from coming in and doing inspections twice a month, then so we decided to leave that county. We came here. Home forward was blessed us enough to give us a voucher to find a home. I filed an application with one app. It's one app. So it gave me a free copy of my background check. When I looked at my background check, it had -- I had a felony in 1997. So that was over 20 years ago. It said the sentencing date on it, 2006, 2001, 2011, so a person who is not educated in law would say, he's been in jail, he's been in trouble, he's been to prison or all these different things, if they didn't know how to read it, I'm not going to mess with him. Then I applied for an apartment, I was denied because of my background check. Then I applied for another apartment through home forward and I contacted my home forward worker and she told me she gave me the number to the metropolitan public defenders community law division. So I called them and the attorney there called the next apartment that I applied for and they denied me again. So when she

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called them and she explained them that, hey, he doesn't have anything on his record. He fits all your criteria, there's no reason for you to deny him, and they ended up giving me and my daughter the apartment and my daughter is a straight A student. She's a brilliant, lovely young lady and she's back in the school. She's in the high school with her friends, now she could prosper with a person of mental and physical health disabilities plus background limitations, that if it wasn't for home forward and the metropolitan public defender's office we would be homeless right now. So I want to thank home forward and city council and I didn't even know that you guys had a fair housing 50th anniversary and I'm glad to be here. Thank you guys so much.

Dominguez: I think it's pretty clear how the program has benefited people, but I wanted to add one thing. It also helps reunify families frequently you'll have a parent in a unit with children and the other parent comes out and has a record and they cannot live in the same dwelling. That's a big, huge benefit of this program. As you said, keeping families and parents and children together is very important, thank you.

Fritz: Councilor Dominguez, I believe you represent district 2 in metro. Is that correct?

Dominguez: I'm sorry, say again.

Fritz: You're the metro councilor for district 2?

Dominguez: Yes, I am.

Fritz: I'm one of your constituents. Colleagues, I want you to know I have been serving with councilor Dominguez on the metropolitan advisory committee.

Dominguez: Which I think you were at one time mayor?

Wheeler: I was many years ago. Yes. Hard work.

Dominguez: When I was the citizen rep I could vote, now as a counselor, I can't.

Fritz: I wanted to thank you publicly for all your citizen volunteering and I'm honored you represent me on the metro council.

Dominguez: Thank you commissioner.

Wheeler: Thank you all for being here. Appreciate it very, very much.

Trombley: Finally today I would like to bring back Allan Lazo, who will talk about the fair housing poster contest and introduce our poster contest winners.

Wheeler: Here he comes. Welcome back.

Lazo: Talking to the young folks. Well, this is one of my favorite days to come here be with you folks. It is the day of the fair housing proclamation and we bring you our poster contest awardees. I'm going to call up my colleague, Ed Washington. He's going to say a few words before as I also bring up the poster contest winners. We have three young artists with us here today. Come on up here. Lydia, Coby and Misha.

Wheeler: Welcome to Portland city hall.

Lazo: They are all extraordinarily excited to be here. I think because they got to miss school. Just venturing a guess. Ed, give us a few words. We talked a lot about the past, heard from some renters today about the present, my sense is that Ed is going to talk more about the past then we are going to move to the future of fair housing with these young artists.

Ed Washington: Commissioner, mayor Wheeler, Ed Washington. I was asked just to I guess sort of like baseball, sort of a cleanup batter or something like that. But I just want to chat a little bit about listening to all of the housing -- my family moved here in 1944, and we came from Birmingham, Alabama. When we got here we lived in vanport. We lived in vanport from 1944 up to and through the flood of 1948. In 1948, after the flood, it was quite a journey for my family. We spent the first three months after the flood living on Swan Island and by late fall of 1948, we moved out into the northwest industrial area where we lived in trailers for that horrible winter of 1948, 1949. I'm sure none of you here would remember that but myself, but it was cold. Then we were able to find an apartment up on north interstate close to where the Portland school district office is located today, and then

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from there we moved back to swan island in early 1950's. By fall of 1950 my family was able to find a house on northeast cook street between present day martin luther king boulevard and northeast 7th avenue close to irving park. You know, there was not the rules that would allow us to live wherever we wanted to then. There were very, very few african-americans east of northeast 7th avenue. Very few. Most of them I knew them because we all attended irvington grade school. There were not that many of us there. So after that, we stayed there, and that's where we got pretty much settled in. I got married in 1959 and my wife and I were looking for an apartment in 1961, and these were apartments up on alberta between vancouver avenue and I think garfield or ganttenbine street. We went to check out the apartments and the owner said, yes, we have an apartment. We asked how much is it and she said, well, it's going to be \$85 a month. Back then I had enough sense to know that a good apartment was anywhere from \$40 to \$55 a month so I had a very good friend who was an attorney, young man who has since passed on, ralph gate, jr., a white gentleman. I said, ralph, I want you to go there and find out what it really is supposed to cost. He went there and we got back together the next day. He said, ed, I can get the apartment for \$55 a month. I said, let's pay them a visit. So ralph and I went over and the way we set it up ralph went first and I laid back in the stairwell listening. Ralph went on to say that the lady greeted him, oh, i'm so happy to see you back. He says, is that apartment still \$55? She said, oh, absolutely. He says, nothing else? She said, no. He says, I don't understand. I have a very good friend. You may remember him, ed Washington. He came by here and you quoted him \$85 a month. He said something is wrong with that. He said, i'm going to call ed. I was back in the stairwell. I came up and I tell you we got the apartment, but the most gratifying thing was to catch a person discriminating against you. Yes, we won the victory, but i'm telling you, you carry those scars for the rest of your life. Every time I would go anywhere to buy a house, that past stays with me. I'm so pleased with the work that Allan and all of the housing advocates are doing, and you know, it's -- I just turned 81 couple of months ago I guess. And you know, I hope that in the next 70 years that this conversation will be different. It's about time we get beyond this foolishness. So that's all I wanted to say. Thank you very much.

Wheeler: Mr. Washington, thank you very much. Frankly, it's because of the courage of people like you and the persistence of people like you that we're able to be here today showing progress. These young kids are going to be inspired by what you've said today, and that vision that you just put on the table that someday this is behind us, I think that can be the case. So thank you for being here. Thanks for your leadership. Thank you for sharing it with the next generation.

Washington: Thank you very much.

Lazo: Thank you, ed. It is a special day when I get to sit and listen to the stories of ed Washington, which is often but not enough. Thanks for coming today, ed.

Fritz: Could I just -- Mr. Washington, it shouldn't be this way. We haven't made nearly as much progress as we would have hoped. So I just want to acknowledge that and also with the mayor joining with you in saying thank you for your leadership. I don't know about the children, but you inspired me. Thank you for what you've done for us.

Washington: Pleasure.

Lazo: Thank you, commissioner. On to the future. Thank you so much to these young artists who this year entered the fair housing poster contest whose theme was fair housing lives in Oregon. This is the grand prize awardee, by Misha, to my right. You hold that. [applause] Misha comes to us from Newberg and we also have a couple of young folks who are from our community here in Portland. Lydia hall, who is from Irvington grade school, in the middle school. 8th grade? [applause] and Coby chin, who is eight and Arliyah is in the third grade. [applause]

Wheeler: All right:

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Lazo: These young artists signed posters for all of you. I'll have them come up and hand those out to you.

Wheeler: That's great.

Saltzman: There you go.

Eudaly: Hello. Thank you.

Wheeler: Congratulations.

Fish: Thank you so much.

Wheeler: Coby, come on over here, man.

Wheeler: That's fantastic.

Lazo: Thank you so much, Lydia, Coby and Misha. We wanted to take a few minutes and get some photos with the young folks also.

Wheeler: Great.

Lazo: With our other young folk, Ed.

Wheeler: Yes, should we just come down here and do that.

Lazo: Yes come down there young folk and Misha can hold up her poster.

Trombley: With that we wanted to thank you for inviting us to commemorate the 50th anniversary of the fair housing act with a proclamation and today's events. For everyone who came to hear and participate, thank you very much for joining us today.

Wheeler: Well done. Thank you, everybody. [applause] Next up are items 348 and 349. Is it not 3:30? Commissioner Fritz is right. Why don't we take a ten-minute break, we'll reconvene at 3:30.

At 3:17 p.m. council recessed

At 3:36 p.m. council reconvened

Wheeler: Good afternoon everybody we are back in session, Karla, could you please read items 348 and 349?

Item 348.

Item 349.

Wheeler: Very good and before I turn this over to commissioner Saltzman, can I get a clarification from legal counsel, are all of these first readings?

Linly Rees, Chief Deputy City Attorney: No, all of these items are continued.

Wheeler: So items 348 and 349, is the intention that we will actually take votes on these today?

Rees: Yes, on the final or the amendments?

Wheeler: I just want to make sure procedurally I get this straight.

Courtney Duke, Portland Bureau of Transportation: It's my understanding procedurally that you'll vote on the amendment. Sorry, I'm Courtney Duke with the bureau of transportation, that you will vote on the amendment and vote on the full package as your first vote and you have your second vote in May.

Rees: So let's clarify. I think that means you had a motion and second on these amendments before.

Duke: Correct.

Rees: Had the record opened to allow people to give testimony. Council will vote on the amendments which then means you need at least a 5-day period before you can take a vote on the package, so that comes back on.

Wheeler: So assuming we have amendments then we will move them to second reading as amended, is that correct?

Rees: Yes.

Wheeler: Very good, just wanted to make sure I had that straight.

Fish: Mayor.

Fritz: There's a slight twist though in that staff has an amendment to my amendment, so I don't know if we have to then.

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Rees: I think if it pertains to the same topic and is responding to whatever information and testimony, I think it is fine for to you vote on those amendments today and then you can take the final vote on the package when it comes back.

Wheeler: Very good and do we take testimony on the amendments offered today or is the record closed?

Rees: I think the record is closed and again if the amendments are responding to the testimony and the conversation already heard, I don't think you need to take any additional testimony.

Wheeler: Great, very good thank you, appreciate that clarification. Sorry commissioner Saltzman, thank you for your patience.

Saltzman: Well thanks, we're revisiting the transportation systems plan, I'll turn it over to Courtney Duke.

Duke: Great thanks.

Saltzman: I do have an amendment I want to offer at the appropriate point concerning Lincoln high school super block problem

Duke: I think that is part of central city 2035, not the tsp, is that correct?

Rees: Correct and that is the time certain at 4:30.

Saltzman: Oh okay, that's fair enough, forgot about that.

Fritz: I was confused too.

Rees: Just so both the commissioners know, I gathered a couple of copies of that and will give them to the 2035 staff when they appear in the room.

Duke: We do look interchangeable, I know.

Fish: Mayor can I ask a procedural question?

Wheeler: Commissioner Fish?

Fish: So I am delighted we're getting some votes here, it seems like we have been building to this moment and today we actually get to cast some votes. I have an 4:30 absence, but it also says central city 2035 is only requesting 15 minutes, is that true?

Rees: At this point it is a very limited set of -- you are mostly wrapping up pieces or amendments you considered at your last hearing so mostly should be relatively quick. As you have seen, there is one other amendment on the table that looks fairly simple so it will go fairly quickly.

Fish: I'm going to try to push off that a little bit because I want to make sure we have a full council to vote on those amendments.

Wheeler: Alright, very good. Let's move forward on 348 and 349.

Duke: So again, I'm Courtney Duke with the bureau of transportation. Project manager for the tsp and you are looking at tsp 3 which is the final stage of the transportation system update and its components of the comprehensive plan so again we're here today to look at the -- to vote on the amendments that commissioner Fritz proposed and we had some minor changes from staff so we're looking for any discussion you have on that and then the first vote. Did I say that right?

Rees: So the sheet I got from your staff shows three amendments, one to policy 9xaa, 9xab and 9xad.

Duke: That is correct.

Rees: So maybe you can take them all three together or one at a time.

Fritz: For to review colleagues this is to the connected and autonomous vehicles section 8 and we did discuss it last time to add for supporting and encouraging use of public transportation, one was to add this includes people with disabilities as well as communities of color, women and geographically underserved communities and then the final one is the one that requires a slight amendment which now reads require adequate insurance coverage for operators, customers and the public at large by providers of commercial,

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connected or autonomous vehicle services. So staff's suggestion is to add commercial services.

Wheeler: So if I understood you, you had 9xaa, 9xab and did you say 9xac? 9xad. So this would be an amendment to 9xad, is that correct?

Fritz: Its an amendment to 9xbf.

Rees: So, what I have the one commissioner Fritz just mentioned that is 9xaa that has to do with insurance coverage.

Fish: Need a second that amendment? I'll second that amendment.

Wheeler: So we have a second to commissioner Fritz' amendment which includes commercial insurance and that is an amendment to 9xaa?

Duke: Mm-hmm.

Wheeler: Very good, we're in business.

Fritz: I think somebody's going to explain why its noted the other way.

Peter Hurley, Portland Bureau of Transportation: Mayor commissioners just a suggest, I'm Peter Hurley with the bureau of transportation, the policy as written, there is an explicit tool section and we feel that the language here, totally appropriate fits well within the tool section which is 9xb, sub f. If you look at the policy, there are a through e tools that are essentially outlining how we would implement the policy, this would fit appropriately within that if it.

Fritz: No, I would prefer to have it in the policy so I would like to keep it in aa rather than back in the tools please.

Wheeler: Very good so we have a motion and a second for an amendment to 9xaa. Is there any further discussion? Could you call the roll, please, Karla on the amendment to 9xaa?

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

Wheeler: Aye, so that is the amendment to 9xaa so now the question pertains to the amendments themselves including 9xaa which has now been amended.

Fritz: Shall we take all three of them as a package?

Duke: That is fine with me.

Wheeler: I have no objection, very good, we will take 9xaa, 9xab and 9xae.

Fritz: D.

Wheeler: I'm sorry d as in dog. Those will now be a package, any further discussion? Please call the roll.

Fish: Well I appreciate these amendments and at the risk of beating a dead horse I just want to restate that my view is we are poised to have a big conversation about the extent to which the city regulates and participants in this emerging technology of autonomous vehicles. Clearly those of us, you know, for those of us who read the headlines, there have been some glitches in some of the tests that are being done around the country. I have received some fairly terse e-mails from people accusing me of being somewhere between a luddite to a Neanderthal for raising some concerns here so let me be very clear. I am not personally opposed to march of technology. I just think we first have to have a conversation about what the framework is, the policies and our priorities before we back into anything, particularly something has as far ranging in consequences as this technology is. So that has been the consistent theme of my concerns, is that essentially we do not put the cart before the horse and that we carefully think through what it means to be a city that allows autonomous vehicles. As pointed out in one of our prior hearings, maybe by Chris smith, it may that congress preempts us altogether from having this conversation which technically they have a right to do, I hope they don't. Anyway I appreciate these amendments and I am pleased to vote aye.

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

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Fritz: Thank you commissioner Fish for your partnership on this issue I want to make sure the council knows that I also submitted similar amendments to the metro policy advisory committee so the metro policy reflects this. I think it is clear the technology is coming. How we allow to happen and when and whether are questions which I believe are entirely in the purview of the city council and not only that, but our responsibility to make sure that these vehicles are safe for passengers and other uses of the right-of-way. I think we're going to need to change what you just said at the beginning about beating to a dead horse to smacking an autonomous vehicle and its similar because someone has got to take some responsibility at some point. Aye.

Wheeler: There are two things that come to mind. First is yesterday's testimony of mark Zuckerberg in front of the u.s. senate and it was really interesting, the parts I saw but the main headline after that was the folks in the u.s. senate despite their good intentions really didn't have any clue how Facebook actually worked despite the fact it has been around a long, long time so there they were on the cusp of proposing a regulatory framework and then they were like wow, we don't even understand what it is we were trying to regulate. That is the first thing that comes to mind. The second thing that comes to mind is what commissioner Fritz just alluded to which is our responsibility to try to stay ahead of the technology and anticipate what problems could exist in the community for the people who live here. It is not that we have any objection to the technology per se or concerned about the technology per se, but in fact I embrace it I think there is a lot of phenomenal potential here but we do have this responsibility to the people we represent to make sure basic requirements the government typically imposes around safety, around insurance requirements, around qualifications, those things have to be met just as we do with the current transportation framework. So I think this is a really good first step, I support it. Thanks for everybody working so hard on it and I vote aye, the package of amendments as amended has been adopted. So does that complete our work on 348 and 349 or is there more?

Rees: It does and we should mention this comes back to council for the final vote on May 24th.

Duke: Can I confirm that they actually voted for the whole package.

Rees: They can't because they have made amendments to it so that will happen on May 24th afternoon time certain.

Wheeler: So we effectively will take a second reading on May 4th, is that correct?

Rees: So may 24th, you're going to have a fun day with a lot of things where you are getting complete packages that reflect all of the amendments that you made to all of these different documents, they are all coming back and you will essentially have a version that shows strike-through, underlining and changes in all these packages and you'll vote on that and then you'll have the second reading that comes back.

Wheeler: Very good and does that have to be assigned to a time certain?

Rees: I believe it already is, Karla, I'm pretty sure its set for 2:00 p.m. time certain on the 24th for everything.

Moore-Love: Correct, 2:00 p.m. on the 24th.

Wheeler: Alright it will be a nail biter, be there.

Duke: Thanks very much.

Wheeler: Next we have items 350 and 351 are also to be read together.

Item 350.

Item 351.

Wheeler: Okay, good, so this is to discuss testimony received on the code reconciliation project and consider several amendments. Karla has read the item. We have bps staff including Eric Engstrom and Barry Manning to come up and introduce the session.

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Eric Engstrom, Bureau of Planning and Sustainability: Good afternoon, commissioner, mayor wheeler, my name is Eric Engstrom I manage the comprehensive planning group at the bureau of planning and sustainability. My role on the last few items has been just to remind you once again that this is one of the several items along with the last item that's helping us wrap up loose ends to implement the new comprehensive plan on May 24th. So like that last item, this one will get its final reading on May 24th. We're one step earlier in the process with this which is that you had hearings and heard testimony and this is your first time to discuss what amendments you want to have on the table with this. So I will turn it over to Barry to go over what we have so far.

Barry Manning, Bureau of Planning and Sustainability: Great, thanks, Eric, Barry manning, planning staff, good afternoon commissioner, mayor wheeler. So I will just cover where we have been and what we have on the table today and see if we can move forward. City council held a hearing on the planning and sustainability commission's recommended draft of the code reconciliation project back on march 21st and as you will recall at the March 21st hearing, staff proposed a packet of additional amendments for your consideration. On that date, you moved and seconded to include those in the package for consideration. And then city council held a public hearing. And then about nine folks testified orally on a variety of topics but much of it on removal of a buffer overlay zone on property on saint helens road and then we have also received over 50 pieces of testimony, the large majority of that testimony about the buffer overlay either in the form of individual e-mails or a petition included in the package. So in response to all that, staff prepared a memo to council dated 4/3/18 summarizing the public testimony on the related six themes and as I just mentioned, we had a significant amount of testimony. The majority of that testimony was regarding the buffer overlay zone particularly as it applied to 2425 saint helens road. We also had some additional requests in that testimony and I will enumerate those now. Request to change the far on a property at 2525 northwest lovejoy quarter one on the zoning maps. There was a request to amend the parking code regulations. There was a request to allow use of community design standards for buildings that were exercising an option for additional five feet which would allow buildings to be 60 feet high using design standards. There was a request to reduce the residential buffer or setback as staff has interpreted that request and then finally there was testimony to support the self service storage amendments that were included in the pactet and in that 4/3 memo, staff forwarded the council some recommendations about those testimony requests. We were supportive of looking at the buffer and reconsidering that. We felt the other requests were discussed pretty significantly during the comprehensive plan process and probably required additional study before we wanted to move forward on any of those. So we weren't supporting any of those but certainly interested in hearing council's discussion on those topics. So with that, staff forwarded the second amendment memo to you on 4/10 which was just yesterday and I think Karla may have passed that or maybe she's passing that out now, but you should have received that e-mail from us and that memo contained several additional amendments including one that proposed a buffer overlay from commissioner Fritz and several staff proposed amendments that are more technical in nature and I have a short powerpoint that I can show you to outline what those additional amendments are. So I'll just walk through this again, while we're doing the project we're reconciling zoning and other city codes with the 2035 adopted plan implementation package. We're really focusing on cleaning up redundancy, fixing cross references and fine-tuning where we can, package is largely technical, but there are some changes that do have development implications. As I mentioned before, there are four title affected, 33 planning and zoning, then 11 trees, 18 noise control and then 32 signs and related regulations and the amendments we have on the table affect 33 and 32 today potentially. So the first one commissioner Fritz will be sponsoring really deals with the buffer overlay

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zone and I will defer to the commissioner to introduce that but our understanding of the recommendation will be parallel to action that council took preliminarily on the buffer overlay map zone project last week which would be to retain the buffer overlay, not only on the map that you did last week but also in the code so there is code to support the buffer overlay and then there was testimony on a related regulation sign code that related to limitations on signs in the buffer overlay that we would also say that should -- if we're going to move in that direction, we want to make that parallel amendment as well. And then for staff amendments, we have several other minor technical changes and I'll run through them really quickly. In chapter 120 which deals with multi-dwelling, we have several maps, 120-6, 1207, 1208 and 12010 that are being changed to correspond to the new zoning designations that were adopted. If you would like to look at those maps I have those as resources slides and we could look at them, they were in the packet if you'd like to look at them further, its item three through six in the memo. One that is more significant and is worth talking about a little bit here is relates to the affordable commercial bonus which we talked about at the last meeting. This bonus offers additional floor area and height for projects that provide affordable commercial space and prosper Portland is working on administrative rules and will be the administrator of this bonus and what we're doing here is amending a section of the zoning code to clarify for implementation how the affordable commercial bonus would work vis a vis the inclusionary housing bonus which is also in the code. So there's some clarity of what types of projects would access bonuses through which avenue. And the proposal is that in the code 100 projects that were 100% residential but weren't triggering ih because their not hitting that 28-inch threshold would go to the inclusionary housing program and either build housing units or make a contribution to the affordable housing fund in order to gain additional far. So clearly if you are a housing project, you would go to the housing funds for or building the housing on-site. For nonresidential projects, for projects that are 100% commercial and take no residential units, the proposal is that those projects would first access the affordable commercial space on-site or pay into a affordable commercial fund to access part of the f.a.r. Now the affordable commercial bonus only allows only half of the maximum f.a.r. So if a project wanted to utilize the full floor area allowed on the site, they would have to use affordable commercial and affordable housing opportunity to get there. And then finally for mixed-use project, so these projects would include residential and commercial, it would like to gain bonus floor area, they can do so by either providing voluntary affordable housing units on-site, by building on-site affordable commercial space or by first making a payment into the affordable commercial fund up to the maximum limit that they can which is half of the maximum and then turning to the housing fund for the rest of that. The other clarification here is we're clarifying in the code that the affordable commercial space bonus as is structured right now, if you build space on-site that return is two square feet of bonus floor area for every one square foot of space provided there's a slight incentive to provide it onsite much like the housing is structured to providing incentive to do it on-site but clarifying that if you are purchasing floor area via the affordable commercial space fund, the ratio is one square foot per the dollar figure and those figures are preliminarily set to be the same as the affordable housing figures administered by Portland housing bureau.

Engstrom: So everything Barry just talked about is a situation where you are below the thresholds for being required to do the mandatory inclusionary housing, but you want to gain additional f.a.r. through paying into one of the other funds.

Manning: This is all voluntary side of the program and it is our understanding as my memo indicated that housing and prosper Portland have had conversations about this and they are in agreement about the way that that allocation would work at least between the two bureaus'.

Saltzman: So they are both supportive?

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Manning: They are both supportive, yes. The next amendment we're proposing is to map 426 which is the gateway plan district area and there was a slight error in the way the map boundary was drawn so we're updating that, this particular design overlay map to make it conform to the new zoning, more of a technical thing. We found an item we had overlooked in the Hayden Island plan district this is item 10, we're amending a section of that code that made reference to an allowance for drive through developments in a certain part of the island that is currently zoned neighborhood commercial 2, that zoning is being changed to commercial mixed-use 1 and what this amendment would do is carry forward that allowance for drive-throughs in the area that exists today. And finally we're making several amendments to the plan development chapter which is 33.08.54 in its application for use with a commercial use mixed bonus and if you recall this bonus allows additional height and utilization of the floor area on large sites when they go through a planned development that has a design review component. The amendments we're making after discussions with pbot and bds staff are to delete a transportation impact study requirement. There is no directly relatable approval criteria for this particular review so we found that was an inappropriate application requirement. We are removing reference to a connectivity requirement that's noted in this subsection that proved confusing because the city has other connectivity requirements in other sections of the code that people relate to so this was somewhat redundant and then finally we're just clarifying a regulation about when modifications and adjustments can be used and I think that is all the slides I have got. The last two slides, I am just reviewing, again March 21st, you all considered several amendments that we had on the table in that package and I have them here for your reference if you need to refer back to them for some reason. So the next steps here, we're looking to have city council move and second these amendments as appropriate and then we will come back and can talk about next steps later but will be preparing it as an amended document and coming back to you for votes later on in the month.

Wheeler: Very good, we'll start with commissioner Fritz I know that she wants to make at least two amendments, is that correct?

Fritz: Yes, thank you mayor.

Wheeler: Very good.

Fritz: The first amendments are to hold off on the buffer changes. We heard a lot of testimony from Willamette heights and certainly they made a compelling case for their particular location. It seems to me likely that there are, if we were to in detail at all the other sites where the buffer was removed, there might be similar concerns perhaps from neighbors who weren't necessarily either paying attention or were able to come to the public hearing process so it seems to me wise that we basically keep the buffer as is both on the map and in the code and regulations in title 32 and in 33 and so I am moving that we amend the recommendation, remove deletion of 33.410 retain the buffer overlay zone in the zoning code and amend the recommendation to remove the deletion and retain the related buffer overlay regulations in title 32 and renumber the sections as shown.

Fish: Second.

Wheeler: We have a motion from commissioner Fritz, we have a second from commissioner Fish. Commissioner Fish?

Fish: Can I propose the staff unless there's objection that the staff proposed amendments be considered as a package.

Fritz: I have a question about one of them.

Fish: Can we take that one out and vote on the rest?

Fritz: Sounds good to me.

Fish: I would just do this without objection.

Wheeler: Very good, can we get a motion and a second to incorporate.

Fish: Which one do you want to drop?

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Fritz: The one about the affordable commercial space, number 7.

Fish: Number 7, mayor I move staff proposed amendments 3-6 and 8-13 as a package.

Fritz: Second.

Wheeler: We have a second. Is there any discussion?

Fish: All we need now.

Wheeler: Very good and are there any other topics from the testimony commissioner's wish to discuss or additional amendments?

Fish: Seven?

Fritz: Shall I talk about seven now?

Wheeler: Yes.

Fritz: So we had a very thoughtful letter from the planning and sustainability commission dated April 5th that we were e-mailed that says that they agree with this proposal but have significant concerns and the one that called out to me, some planning sustainability commission members were uncomfortable with the idea of making fee in-lieu payments available as an option for voluntary programs to boost floor area ratio. The question why funds raised in this matter based on the in-lieu payment would be sole-sourced to a particular city bureau when there might be alternative uses for such fund that would more directly mitigate impacts of the allowed floor area ratio for instance parking management program, street tree's or whatever. It just kind of called out to me that for the inclusionary housing we have the housing bureau, the affordable housing bond that is in charge of looking at how do we do affordable housings and so it is clear for that in-lieu is going to then benefit affordable housing. For the commercial program, we don't have a mechanism currently for prosper Portland to find other alternative spaces. So basically developers would be buying this -- using this payment, they would just basically be paying for extra floor area ratio?

Engstrom: The funds in our understanding through the program that prosper has worked on is the funds would be dedicated to a particular program that is involved in affordable commercial space both in urban renewal districts and this new resource would allow them to do some programs outside with this funding so it would be a dedicated -- dedicated to a particular program that would end up on being spent on affordable commercial space.

Manning: And if I can add, my understanding is that prosper staff will be coming to city council with a presentation and a briefing on the program within the next month or so.

Fritz: Okay, that might address my concerns then. So the planning and sustainability commission recommends the council adopt the affordable commercial space bonus amendment and that we further review and work with staff to amend the code and administrative rules to better address the concerns outlined above. So perhaps I don't know what the vehicle is mayor for you for bringing the prosper Portland program, something related to coming back with a report on how this is working out, making sure that the amount of staff, the implementation cost is called out, that staff cost of designing and implementing and monitoring this program could be large compared with its benefit so those are the concerns I have. I'm willing to move it forward, I know we're trying to look at different ways to do things, I just want to make sure we don't open the door to people basically buying f.a.r. and not getting commercial affordable space from it.

Manning: And our expectation is there will be a program very similar again as Eric said, the housing program that supports that space and I will just look around quickly to see if my colleague from prosper Portland is in the audience. I believe she had a conflict --

Fritz: Yes, the challenge is we don't have that as yet.

Engstrom: I think the comment is well taken, we acknowledge this is an experimental bonus idea and so it deserves to be monitored appropriately because we don't know if it will work.

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Wheeler: So I didn't hear anything in commissioner Fritz' statement on the record that concerns me, did you? I didn't hear anything that sounds like prosper Portland couldn't do it?

Engstrom: No, the issue will be with their administrative rules and how much certainty they have there. The code we're talking about today doesn't really get into that detail.

Fritz: And without having the presentation yet, I don't know how much money we're talking about here, is there going to be enough to actually make a difference or are we basically telling more affluent developers you can buy your way up.

Fish: I have two comments if I could. One is I am a very strong supporter of this idea of a affordable commercial space fund. It is desperately needed and I love the idea that we have as much flexibility as possible to spend outside of urban renewal district. So let's make sure that it is real, lets make sure that the money goes to a good purpose. I have a little concern with the preamble to the letter you read commissioner Fritz about flexibility to use those funds for other on-site purposes like trees or mitigation of some kind. We have a crisis in the affordable residential and commercial space and this is one tool that I think offers some promise. So I would be inclined to keep the funds segregated for this fund but I also would want prosper Portland to report to us so we make sure it is accountable.

Fritz: Yeah, I am just reading what the planning sustainability commission who many of them are developers who know far more about this than I do, this was a concern that they noted and that it is about the increase in floor area ratio and what the impacts of that is. So with all of these planning issues, it is all supposed to fit together and work together well and so as I say, I am willing to move it forward as a pilot project and I would be looking to when the mayor brings forward the prosper Portland program having something in there that says look at what the planning sustainability have concerns about, not to say we are going to necessarily agree with all of them, just let's consider in having a thoughtful manner moving forward.

Wheeler: All right, so commissioner Fritz, it sounds like we are ready to take a motion and second on item number 7.

Fritz: I move that we add 7.

Fish: Second.

Fritz: As stated in the --

Wheeler: So motion from commissioner Fritz --

Fish: Second.

Wheeler: And second from commissioner Fish on the language as stated on the record. Very good. Tell us about next steps. I think we completed the business we need to on 350 and 351.

Manning: So our intention is to wrap all of these amendments that you have considered into an as-amended document which we will submit back to the council, possibly as an substitute ordinance if that's necessary we'll check with the city attorneys office to make sure how that goes together and bring that back to you for what would be considered your first vote, first action on that on April 25th at the same time or right after the map refinement project comes back to you for consideration.

Engstrom: I think looking at it and make sure we get the right language but we'd be bringing back substitute exhibits and so they would simply receive those and then pass it to second reading at that time.

Linly Rees, Chief Deputy City Attorney: Yes, we can talk about what those substitute exhibits are. Are you bringing back a substitute ordinance as well?

Engstrom: Yes.

Rees: Then yes that would be a first reading because council would need to vote in the substitute ordinance and exhibits.

Engstrom: It will reflect all the amendments you've moved so far.

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Fish: So we now have 15 minutes to pause before the next time certain?

Wheeler: 20.

Fish: 20.

Wheeler: Unfortunately the next pool of items is a time certain

Engstrom: And I guess we should just verify that I think the 25th was the day you are already coming back to hear the map package and so we were going to put this on that agenda.

Moore-Love: Correct, you are in the 2:00 p.m. time certain slot with map refinement.

Manning: So do you think that is our process and after the 25th, we will return for second reading, final votes on the 24th of may along with all these other projects you are seeing.

Wheeler: Very good so that concludes our business for a while we will come back at 4:30 for the time certain items 352 through 355 items. We're in recess.

At 4:12 p.m. council recessed.

At 4:33 p.m. council reconvened.

Wheeler: We're back in session, this is a 4:30 time certain, Karla could you read 352-355?
Items 352-355.

Wheeler: Okay, Sally, you want to walk us through the last part of our session today, please?

Sally Edmunds, Bureau of Planning and Sustainability: Yes, be happy to. We have a few final amendments for you to vote on today. These are all items that were subject to the public hearing on either March 22nd or April 4th. We have one item related to access and public school sites in the central city, some minor technical amendments related to north pearl height, bird-safe glazing and transfer of floor area from a historic resource. Once the council's work is complete today, staff will go back and prepare a central city 2035 revised recommended draft to reflect the amendments council has made over the last eight months. The revised recommended draft will also include updated commentary to explain the final code and policy language and clean up any scrivener's errors we may find. We will also update the ordinances and findings to reflect Council's amendments and we will release these documents in early to mid-may. Then on May 24th at 2:30 pm, the same day the comprehensive plan takes effect, we will ask you to move and amend the central city 2035 package to include this revised draft we would be preparing including the substitute ordinances and findings. And on June 6th, you will come back and take a final vote on the whole central city 2035 plan. Following that, you will hold a public hearing on the first iteration of two new administrative rules. One on low-carbon buildings and one for bird-safe glazing. These are both needed to implement central city 2035 and so while you will take the first vote on that, we will be requesting the bps director be granted the authority update these admin rules over time. After that, we will conduct final training sessions so that staff is ready for the effective date of July 9th. So I think that is it. So we just have a few other things to do before we can move on to the rest.

Wheeler: So commissioner Saltzman?

Saltzman: When is the appropriate time for me to offer an amendment regarding the school sites in the central city?

Edmunds: I think that is the first item on the list.

Wheeler: It is, Rachael, so why don't you tee that up.

Rachael Hoy, Bureau of Planning & Sustainability: Okay, so to summarize, this is an amendment that exempts public school uses from the superblock regulations. Those regulations are intended to link internal walkways, plazas to adjacent public sidewalks to improve circulation through a site and to adjacent neighborhood. So the intent of the exemption is to allow Portland public schools to design their school with open space and access ways and plazas in a way that addresses their programming needs, including safety and security needs. Our understanding is that pps and pbot are working on a

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memorandum of understanding right now to layout the public access on the easements through the site.

Saltzman: And my amendment would simply state what you just read and reads as follows. Council directs Portland bureau of transportation to work with Portland public school district on a memorandum of understanding for the redevelopment Lincoln high school property to insure specific programming needs for the facility are met and an adequate north-south public access connection is provided through the site to serve as a day-to-day pedestrian and bicycle connectivity needs of goose hollow, consistent with the directives of the central city 2035 plan and I think commissioner Fritz has a friendly amendment to my amendment.

Fritz: I second yours. Just to change the wording a little bit to – the directive would be for the Portland bureau of transportation to work with Portland public school district on a memorandum of understanding for the redevelopment of the Lincoln high property to insure programming and security needs for the facility are appropriately balanced with a north-south pedestrian access connection through the site that serves the pedestrian and bicycle connectivity needs of goose hollow consistent with the directives of the central city 2035 plan.

Saltzman: And I accept that as a friendly amendment.

Wheeler: Very good. We have a motion and a second.

Fritz: I have a concern about this because I don't know what the mechanism to make sure this happens is. We were hoping by delaying three weeks the memorandum of understanding could be signed and we would be sure about this. So is there another mechanism of -- I mean, what happens if we don't do the exception at all? Is there another mechanism for Portland public schools to come in and say later, here is our new plan and we have an mou about how that connectivity is going to be maintained?

Saltzman: Do we have some people from pbot here?

Kurt Krueger, Portland Bureau of Transportation: Good afternoon, pbot development services. Commissioner, I appreciate your valid concerns. We had hoped to have a memorandum of understanding prepared and signed here today. It was a tall order for two large jurisdictions to accomplish in a short amount of time. We're very close, working back and forth over word and challenges we are negotiating but we have commitments from senior level management that pps to keep working on this. If that were not to be signed, we have transportation code that allows us to require connectivity through sites like this. So without the superblock regulations, we do have connectivity requirements that would need to be met in title 17, they are just not as strong as they are with the language that had been proposed earlier.

Fritz: You think you could get the memorandum of understanding signed by may 24th?

Krueger: I think we could do that.

Fritz: Then that would address our concerns because if not, then I would be looking to change our direction on this.

Fish: Can I ask a question? What is the north-south connection through the Lincoln campus?

Krueger: It is not memorialized. It is kind of a loose connection through fences that are open around the track but not clear and distinct.

Fish: As someone who lives in the neighborhood, when the gate is closed to the field, I don't know if there is one. I don't think there is one that goes south unless you can somehow navigate through kgw but I don't -- am I right?

Krueger: You can't. And the friendly amendment talks about programming and security needs and that is a good it addition because we have heard from lincoln high school that they have legitimate security concerns about access to the campus and monitoring any right of ways, is that correct?

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Wheeler: Okay, very good. Were you going to say something sally?

Edmunds: I was just going to say that if this mou is not signed, we will, by the time we could release the substitute ordinance, we will include this it as a directive in the substitute ordinance.

Wheeler: Very good. Commissioner Fritz?

Fritz: Just concerned that I don't want to put this out with a -- there is no way the city council can require that memorandum of understanding to be signed after the central city plan is done. We lose our stick. So my clear hope an expectation that it be finished so that we don't have to then figure out how to kick the can down the hole again.

Krueger: Commissioner if I may, playing through the land use application process that Lincoln high school will need to go through, they'll be going through a design review application, there is approval criteria that need to be met, transportation will be applying connectivity requirements through title 17. I don't want to forecast how the decision-making may occur but city council could ultimately be the decision-maker in that land use case.

Fritz: Okay just want to set some clear expectations. Thank you.

Wheeler: Very good. So we need to take a vote on commissioner Saltzman and commissioner Fritz's amendment, correct? So that is a friendly amendment that is absorbed into Commissioner Saltzman's amendment, correct?

Linly Rees, Chief Deputy City Attorney: Yes, you can vote on Commissioner Saltzman's. What it would do, it's a directive to an ordinance. You will be getting a substitute ordinance on May 24th any way so it will be in there --

Wheeler: But we have to vote on it today in order to move it in.

Rees: Either that or you are simply directing staff to put it in but it is fine to vote.

Wheeler: Why don't we just do it today to keep it clean. Could you please call the roll, Karla.

Fish: Aye **Saltzman:** Aye

Fritz: Thank you for your leadership. Aye.

Wheeler: Thank you both for working on this and dan and commissioner Fritz, thank you for the friendly amendment. Aye.

Edmunds: So we still need to vote on the original amendment.

Wheeler: Correct. So please call the roll on the original amendment.

Fish: Aye **Saltzman:** Aye

Fritz: But for this I would not be voting Aye, but I am. Aye.

Wheeler: Aye. So the amendment is adopted as amended. Thank you. Next we move on to the minor and technical amendments that were the subject of the public hearings last week. That includes the north pearl height opportunity area, bird-safe glazing and the far t transfer from historic resources. It would be my recommendation unless any of my colleagues object to vote on these as a package. Does anybody want to pull any of these for a separate discussion? Very good, Karla, please call the roll.

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

Wheeler: Aye. The package of amendments are adopted and that it for today on central city 2035. Anything else you want to add?

Edmunds: No. Next meeting will be may 24th.

Wheeler: May 24th it is and we are adjourned.

At 4:45 p.m. Council adjourned.