



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **22ND DAY OF AUGUST, 2018** AT 9:30 A.M.

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

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

Item No. 886 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 11:52 a.m. and reconvened at 11:53 a.m.

		Disposition:
COMMUNICATIONS		
874	Request of Briana Bard to address Council regarding opposing the development of offshore oil and gas in Oregon (Communication)	PLACED ON FILE
875	Request of Craig Rogers to address Council regarding trust and local government (Communication)	PLACED ON FILE
876	Request of Stan Herman to address Council regarding a request to meet with a Council member (Communication)	PLACED ON FILE
877	Request of David Nelson to address Council regarding why Portland Police Bureau has not done an investigation and covering up corruption (Communication)	PLACED ON FILE
878	Request of Charles Bridgecrane Johnson to address Council regarding courage of the houseless/homeless community and #AbolishICE demonstrator/protestors and #BlackLivesMatter solidarity (Communication)	PLACED ON FILE
TIMES CERTAIN		
879	TIME CERTAIN: 9:45 AM – Proclaim August 30 th to be Portland Gay Men’s Chorus Day (Proclamation introduced by Mayor Wheeler and Commissioner Fish) 15 minutes requested	PLACED ON FILE

<p>880</p>	<p>TIME CERTAIN: 10:00 AM – Update the City of Portland Sustainable Procurement Policy (Previous Agenda 788; Resolution introduced by Mayor Wheeler; amend ADM-1.09) 30 minutes requested</p> <p>Motion to amend Resolution to add Whereas clause to include labor practices of companies that require subcontracting of employees: Moved by Eudaly and seconded by Fish. (Y-4)</p> <p>Motion to add resolved clause to direct Office of Management and Finance to work with stakeholder groups and return to Council no later than 90 days with certain additional policy recommendations: Moved by Eudaly and seconded by Fish. (Y-4)</p> <p>(Y-4)</p>	<p>37379 AS AMENDED</p>
<p>881</p>	<p>TIME CERTAIN: 10:30 AM – Appoint Linda McGeady and Alejandro Qeral to the Regional Arts and Culture Council Board of Directors (Report introduced by Mayor Wheeler) 10 minutes requested</p> <p>Motion to accept the report: Moved by Fish and seconded by Fritz.</p> <p>(Y-4)</p>	<p>CONFIRMED</p>
<p>882</p>	<p>TIME CERTAIN: 10:40 AM – Update from Portland Community College on Future Connect (Report introduced by Mayor Wheeler) 15 minutes requested</p>	<p>PLACED ON FILE</p>
<p>*883</p>	<p>TIME CERTAIN: 11:00 AM – Ratify a successor collective bargaining agreement between the City and Laborers’ Local 483 relating to the terms and conditions of employment of Seasonal Maintenance Workers for 2018-2022 (Ordinance introduced by Mayor Wheeler) 10 minutes requested</p> <p>(Y-4)</p>	<p>189130</p>
<p>884</p>	<p>TIME CERTAIN: 11:10 AM – Ratify a successor collective bargaining agreement between the City and Portland Police Commanding Officers Association relating to the terms and conditions of employment of Police Lieutenants for 2018-2020 (Ordinance introduced by Mayor Wheeler) 15 minutes requested</p>	<p>PASSED TO SECOND READING AUGUST 29, 2018 AT 9:30 A.M.</p>
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Ted Wheeler</p> <p>*885 Approve grant agreement with Worksystems, Inc. for the SummerWorks youth employment program and Black Male Achievement within City Bureaus for summer 2018 for an amount not to exceed \$591,900 (Ordinance)</p> <p>(Y-4)</p>		<p>189122</p>
<p>Office of Management and Finance</p>		

August 22, 2018

*886	Authorize a grant agreement with GreenHop LLC, in an amount not to exceed \$95,155 for their Green Hop Cannabis Workforce Incubator (Ordinance) (Y-4)	189136
*887	Authorize a grant agreement with Portland Opportunities Industrialization Center in an amount not to exceed \$100,000 for expansion of their construction pre-apprenticeship program for communities of color and low-income young adults (Ordinance) (Y-4)	189123
*888	Pay claim of Deann Wallace in the sum of \$20,000 involving the Portland Parks and Recreation Bureau (Ordinance) (Y-4)	189124
Commissioner Dan Saltzman Bureau of Transportation		
*889	Amend an Intergovernmental Agreement with the Oregon Department of Transportation for the Red Electric Trail: SW Bertha Blvd to SW Capitol Highway project to change project limits and relocate water line (Ordinance; amend Contract No. 30002431) (Y-4)	189125
*890	Authorize a contract with the lowest responsible bidder for the Highway Safety Improvement Project Signalized Improvements project (Ordinance) (Y-4)	189126
*891	Authorize a contract with the lowest responsible bidder for the Red Electric Trail project (Ordinance) (Y-4)	189127
Commissioner Amanda Fritz Portland Parks & Recreation		
*892	Amend Intergovernmental Agreement with the Oregon Department of Transportation for the Springwater Trail Gap: SE Umatilla to SE 13 th Ave in the amount of \$344,364 (Ordinance; amend Contract) (Y-4)	189128
Commissioner Nick Fish Water Bureau		
893	Authorize Intergovernmental Agreement with Portland State University not to exceed \$50,000 to prepare population, housing unit and household estimates and forecasts (Second Reading 860; Contract No. 30006240) (Y-4)	189129
REGULAR AGENDA Mayor Ted Wheeler Office of Management and Finance		

August 22, 2018

*894	Authorize contract with Standard Insurance Company for group life, supplemental life and long-term disability insurance through June 30, 2019 in the amount of \$2,200,000 (Ordinance) (Y-4)	189131
Commissioner Nick Fish Bureau of Environmental Services		
895	Authorize a contract with Brown and Caldwell, Inc. for professional services for the Inverness Pump Station 24-inch Pressure Line Rehabilitation Project No. E10887 for \$1,100,000 (Second Reading Agenda 866) (Y-4)	189132
896	Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the Downtown-Old Town: Caruthers-Mill Sewer Rehabilitation Project No. E10986 for \$3,296,200 (Second Reading Agenda 867) (Y-4)	189133
Water Bureau		
*897	Designate and assign the Carey Boulevard Property from the Portland Water Bureau to the Portland Housing Bureau for development as affordable housing (Ordinance) 10 minutes requested (Y-4)	189134
898	Approve findings to authorize an exemption to the competitive bidding requirements and authorize the use of the alternative contracting method of Construction Manager/General Contractor in connection with the Bull Run Filtration Project for an estimated amount of \$350,000,000 (Ordinance) 20 minutes requested	PASSED TO SECOND READING AUGUST 29, 2018 AT 9:30 A.M.
899	Authorize a contract with Brown and Caldwell, Inc. for the Program Management and Support Services for the Bull Run Filtration Project for a total not-to-exceed amount of \$67,891,398 (Ordinance) 10 minutes requested	PASSED TO SECOND READING AUGUST 29, 2018 AT 9:30 A.M.
900	Authorize a Cooperative Utility Agreement with Oregon Department of Transportation for the US26 Powell Blvd: SE 122nd Ave - SE 136th Ave Project to replace water lines for an estimated amount of \$856,000 (Second Reading Agenda 868) (Y-4)	189135

At 1:25 p.m., Council recessed.

August 22, 2018

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **22ND DAY OF AUGUST, 2018** AT 2:00 P.M.

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

Commissioner Fish arrived at 2:21 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lory Kraut, Senior Deputy City Attorney; and Andy Bacon and John Paolazzi, Sergeants at Arms.

		Disposition
*901	TIME CERTAIN: 2:00 PM – Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33-Planning and Zoning, Title 18-Noise Control, Title 32-Signs and Related Regulations, to create the Residential Manufactured Dwelling Park designation and base zone (Ordinance introduced by Mayor Wheeler and Commissioners Eudaly and Fritz; amend Code Title 33, and Code Sections 18.04.040, 32.12.020 and 32.32.010) 3 hours requested Motion to accept Technical Amendments 1-5 in BPS staff memo dated August 20, 2018 and accept Substitute Exhibit A with additional Findings of Fact dated August 22, 2018: Moved by Fritz and seconded by Eudaly. (Y-5) (Y-5)	189137 AS AMENDED
At 3:28 p.m. Council adjourned.		
<u>THURSDAY, 2:00 PM, AUGUST 23, 2018</u> DUE TO LACK OF AGENDA THERE WAS NO THURSDAY 2:00 PM MEETING		

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.

August 22, 2018

Closed Caption File of Portland City Council Meeting

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

Key: *** means unidentified speaker.**

AUGUST 22, 2018

9:30 AM

Wheeler: Welcome to the august 22nd a.m. Session of the Portland city council. Please call the roll. [roll taken]

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

Linly Rees, Chief Deputy City Attorney: I will read a few announcements about conduct during the city council meetings. Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The officer preserves order and decorum during the city council meetings, so everyone can feel welcomed, comfortable, respected and safe. To participate in the council meetings, you may sign up in advance with the council clerk's 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 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 would like to show your support for something 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 thumb's 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 being rejected for the remainder of the meeting. After being rejected a person who fails to he have look the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Good morning, Karla. Communications please. First individual.

Item 874.

Wheeler: Good morning, welcome.

Briana Bard: Good morning mayor wheeler. Counselors. I am briana bard. I am a Portland resident. I moved here not too long ago, and I started going to the Portland community college and volunteering with the foundation, the Portland chapter. Immediately after moving here, I started exploring Oregon, just Beauty. The city. The breath-taking coast. As I am sure that you know earlier this year, the trump administration proposed the national oil and gas leasing draft proposed program. This would open Oregon's coast to offshore oil and gas drilling. Putting our coast in danger. And that, to be clear, is three miles out where the waters begin. I wanted to request your support in passing a resolution to oppose the development of the oil and gas, and also the Oregon coast, and although we're not a coastal town, Portland is a large port to the pacific, and I think that having Portland's support would further solidify this movement. Many of the cities and ports of Portland along the coast are already starting to take action and having Portland as, as an ally would only strengthen the movement. I've been tracking the opposition as well, and I have also provided some draft resolutions and fact sheets for your reference and revenue.

August 22, 2018

Wheeler: Thank you, number one, number two, you have my complete personal support. Number three I will work with my colleagues on a resolution, and I would be interested in seeing your draft resolution. And number four, we have been working with the surf rider foundation on a completely different but somewhat related issue of plastic straws and other materials that end up non-recyclable, non-compostable Materials that end up in the ocean. And so while we are 90 miles away we certainly see the importance of the bigger picture, so I appreciate your coming in, and if you could just give your contact information to Mustafa, I would be happy to take it to the next step. Commissioner Fritz.

Fritz: Thank you for coming. Where did you move from?

Bard: Maryland.

Fritz: Nice, glad you are here. Thank you to the surf rider foundation for you coming to represent other than sending the 300 emails which has been challenging to respond to. I am the council's delegate to the Oregon league of city's board, so what I would like to do is to take it to them so that the cities around the state, over 200 of them, can also comment and let us know if there is other things that we should be considering, so I will give you my contact information if I may, and if you could email me the documents that you have given us in writing, that would be helpful.

Bard: Absolutely.

Wheeler: So her idea is better than mine. Because it has more leverage, and if we can get the league of cities onboard I think that that's exactly the right way to go. We will certainly be a back stop, or you can consider me as such, and I can have conversations with my colleagues, but commissioner Fritz is right, if we can get The league of cities onboard that's a more powerful statement.

Bard: Thank you.

Wheeler: Thank you for being here. Next individual, please, karma?

Item 875.

Wheeler: Good morning, sir.

Craig Rogers: Good morning council. My name is craig rogers. I live in Portland where everything is okay and nobody is responsible. The cornerstone of a functioning democracy is transparency and accountability.

Wheeler: Craig I am sorry, could you move the mic just about six inches is better.

Rogers: Back or forward?

Wheeler: A little away from you.

Rogers: Thank you. I apologize for blowing everybody's ears. So I have had an experience that a lot of other people have had. I requested information earlier this year with regards to pbot and basically the amount of employees fiscal 2013 and mid 2018. And I left all my contact information, and a month passed, and I was assured that I would be contacted, but I wasn't. So then I did call up and say I was disappointed that I was not contacted. And then I just made up the numbers. And actually, I shared those made up numbers with so many, somebody who is in a prominent position, attended a meeting and said those numbers. And then within two days I got this big pdf with more Information than I ever requested, and it just shows you that if they aren't -- if the city is not going to respond just make it up. Maybe they are going to respond and maybe they won't but just make it up. I got a cousin that's a vice president for it and he said that's genius. And I said I didn't plan it that way. I live next to three hillside with three property owners. And about a year ago it was a tent city, and right about the time that you were holding your news conference, it said Portland is not a tent city, and I could go outside and see it. And there is somebody close to you, and you know who that is, who I requested, to meet at these community centers, we would walk across the fields, so you would have a better view of what's going on. One of the biggest things that I was a witness to were a lot of the assaults. That the police wouldn't respond to. And you know i've been down here, the

August 22, 2018

woman with the black eye and bloody nose and I would see it up front and I wanted you to see it, too, but you never did so you don't know what you are talking about whether it comes to the homeless.

Wheeler: Thank you.

Rogers: This survey isn't any better. And here you are right here, this is where the rubber meets the road. My response, wheeler took a wrong turn. This is the Oregonian. The front page of the Oregonian On January 1, 2017, showed a photo of ted wheeler with a quote, this is where the rubber meets the road. Seems to me the only road this city has been on since wheeler took office is the highway to hell. That's all that I have to say.

Wheeler: Good seeing you again. Next individual, please.

Item 876.

Wheeler: Good morning Mr. Herman.

Stan Herman: The paperwork that you are about to receive, amanda, and eudaly, you were not here last meeting so here are my notes from the previous communication. Mr. Mayor, we had a good meeting on June 11.

Wheeler: I enjoyed it, thank you for coming up.

Herman: But nothing resulted from your recommendation to go to the police, never happened. Last week I went to the city attorney and I said hey this is what, what I want to get some answers on because I told michelle I said maybe we should talk to the city attorney instead of the police department, and I guess that there is an attorney for the police department. So anyway, I don't know where that paperwork went. I gave it to the attorney last week to see if we could maybe get a resolution to that one answer. So I am asking if that.

Wheeler: I spoke to michelle this morning and I know that she tried to reach you. We have not yet been able to schedule that meeting. It's because people are traveling in the summer but we will get that meeting scheduled so I apologize for the delay on that.

Herman: Okay. We are on the right track.

Wheeler: We told you, that we would do that and you have my word that we will.

Herman: But you know what, the answer I want trying to get, you know, you guys are paid to make the decisions and give opinions. And I've been working on this since November of 2016. And like I said on my last meeting, I said I change this from a business communication to a political agenda, and you know, explain if I am doing something wrong but we'll go ahead and set aside and wait for this meeting and there is more to it. I have got other agendas, and it's not negative. I think that you know me a bit more by now, but it's not negative. But I think that we just got to clear up this one thing, and we will go down the road this way or do something more positive this way. So I will wait for a call.

Wheeler: I look forward to it, thank you Mr. Herman. Thanks for coming in. Next individual, please.

Item 877.

Wheeler: Good morning, sir. How are you doing?

David Nelson: It's been a long time, glad to be here. I will get right to the point. What's in this bag, there is nobody in this room that can reproduce what I have in my possession. I have a microscope with probably 20 pieces of damaged property, compliments of the federal government. And number one is for the last year it seems like the Portland police have taken a perspective point with police on trying to quiet me on what I have in this bag right here. Anybody can feel free to look. It has forgotten to the opportunity that I feel like I should go to downtown Portland at pioneer square and say I will give you \$20 and kiss your behind anywhere that you want if you can reproduce what's on these bolts. Anybody you know. I have a lot of damaged property. On October 27 of last year a melissa b., known to be a prostitute, knocks on my door, and I believe that she was a paid informant by the Portland police. I believe that she was sent there to put a pipebomb on my table,

August 22, 2018

and it would have put me in prison for the rest of my life. That girl within three days, I knew her last name and I have got her address and she has never been questioned and that's part of the coverup. And at this time next door to me out at my house, come to find out for the last year i've been being harassed upstairs in my attic access. I have seen my neighbor down at the store, and I said hi, and he says hi, and go back home, an hour later, I have heard somebody, I took a pole, whatever, hit him. I have called the police, and They would not take a report. On July 25, I filled out the communication request to come down here and express what's going on out when. Five days later, I am assaulted by a Portland police officer. With a garbage can, and hits me in the back with it and chases me out of my shoes, which is a measure 11 crime, and he still and walking the streets today but in his apartment. And you are going to ask why didn't you have a restraining order out, and they would not do their job the first time because it's a coverup. And one other question here about what this is all about, what it entails, is that an executive order was passed by barack, while he was in office, and I am a veteran, I put my life on the line for this real estate. Honorably discharged. I had a secret clearance. Long story short is this policy, this executive order, barack obama was sworn in on the koran, he is a muslim, and I will respect his diversity if he respects my history. I don't have a problem with anybody's religion. This policy says exactly this. Policy on pre and post-strike conditions involving the use of force on civilians in the united states. I have two empty chairs at my table and I would like to know the numbers and what is being cheated out of due process in habeas corpus. That's all that I have to say. I have got the evidence that nobody in this room could ever possibly produce. Feel free to take a look. There is a microscope and 15 pieces. I know you don't have to respond. It got to the point that I knew when I was assaulted it would try to be swept under the rug, I filed a 10,000 small claims lawsuit on him. I have I have got the district attorney telling me that we are not going to file criminal charges because it will be taken care of in small claims court. How does that work? If you can win there but not tried and convicted in criminal court of a measure 11.

Wheeler: Thank you for coming in. We appreciate it. Thank you sir.

Nelson: Feel free to take a look.

Item 878.

Wheeler: I don't see him here today. Have any items been pulled.

Karla: Yes, a request for 886.

Wheeler: 886. Please call the roll on the remainder of the consent agenda.

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

Wheeler: Aye. The consent agenda is adopted. And we will go to the first time certain item, please.

Item 879.

Wheeler: Commissioner Fish.

Fish: Thank you, I would like to invite rick young, the executive director of the Portland gay men's chorus to join us. Here's the run of show. I have and a few remarks. We're going to invite rick to say a few words. The mayor will then read a proclamation. The Portland gay men's chorus will sing a beautiful song, "never again." and then we will take pictures.

Wheeler: Never, ever?

Fish: Excuse me, never, ever.

Wheeler: It's more definitive.

Fish: So rick as you know our community is very proud to be home of the Portland gay men's chorus, and in the spring I had the honor of joining governor kate brown and hundreds of others at your pacific voices spring concert at reed college. You performed with the beijing clear chorus, and it was an unforgettable evening. One of the things we learned that night is that many of the singers from the beijing chorus wear masks while performing in china to protect their identities. It's very sobering. It was a great reminder of

August 22, 2018

the immense challenges faced by the LGBTQ communities around the world and the importance of groups like Portland Gay Men's Chorus. The chorus is about to embark on a tour of the People's Republic of China. They are the first LGBTQ chorus to do so and we are so excited for you and proud of you. Thank you for being leaders in our community for equality and dignity. Both here and abroad. And I would like to ask the mayor if he would take a moment, excuse me, Rick I would like to invite you to say a few remarks and I will ask the mayor if he would do us the honor of reading the proclamation. Welcome.

Richard Jung, Executive Director, Portland Gay Men's Chorus: So you gave my speech. You know that. So to the honorable Mayor Wheeler and the esteemed commissioners of the City of Portland. Good morning. I am Richard Young, the executive director of the Portland Gay Men's Chorus. May I state for the record that the Portland Gay Men's Chorus is proud to be here in the City Hall this morning. Thank you for allowing us this to offer both in word and in song a couple of thoughts. For over 38 years we have been an important part of the fabric that makes this city such a remarkable place to live. We have grown and prospered just as the city has. We are who we are today because of the port and the acceptance that we have received here in this city, and we thank you for that. Before every concert our artistic director of 25 years Bob likes to point out this is going to be the best concert ever. And after every concert audiences and singers always seem to agree. Well this season our 38th will go down for many of us as the best season ever. What unites us are fall, our Fall concert saw this chorus partner with ten amazing nonprofit organizations in a first-time collaboration that highlighted, that was highlighted by the West Coast premiere of seven last words of the unarmed considered to be one of the most important new chorale pieces written this decade. The Pacific Voices are spring concert showcased the chorus' multi-lingual side as well as the stunning talent of our guest artist the Beijing Queer Chorus. Broadway was a focus of pride and an amazing concert filled with song and choralography as only PGMC can do it, we end this season by becoming the first gay chorus to tour and perform in China, four cities, Beijing, Shiah, Shanghai and Sujo, four concerts, four showcases for music and music and message that is both uniquely the Portland Gay Men's Chorus. This landmark tour could not have been accomplished without it the generosity and support of the community that we call home. This morning the chorus would like to express our profound thanks and appreciation to this community for all it has done in helping this chorus fulfill the dream to uplift our community and affirm the worth of all people. So we end this best season ever with the understanding that just like our concert, our next season, the 39th, will be our best season ever. PGMC will strive towards that goal because we have a story to tell. A song to sing. And an audience that continues to be a part of the past, our present, and our future. So again on behalf of the Portland Gay Men's Chorus we want to thank you for your 38 years of support and we promise to make the next 38 years just as fabulous.

Fish: Can we suspend the rules?

Wheeler: We can suspend the rules. [applause] we are going to turn to the mayor, who will issue a proclamation and we will ask the singers to come forward and for the galas.

Wheeler: Whereas the Portland Gay Men's Chorus was founded in 1980, and has been an outstanding part of the city's performing arts and LGBTQ communities for the past 38 years. And whereas the Portland Gay Men's Chorus aspires to expand, redefine, and perfect the chorale art through eclectic performances that honor and uplift our entire community. And whereas the members of the Portland Gay Men's Chorus through their performances and dedication to excellence in music, reflect a positive image of the LGBTQ community and promote understanding and acceptance, and whereas the members of the Portland Gay Men's Chorus serve as arts and culture ambassadors for the city of Portland by traveling around the nation and the world. And affirming the power of inclusion, diversity, and the worth of all people, and whereas this fall the Portland Gay Men's Chorus will become the

August 22, 2018

first gay chorus to tour and perform in The people's republic of china with concerts in beijing, shian, shanghai, and, of course, our own sister city, suzo, and whereas the city of Portland is proud to support and celebrate the Portland gay men's chorus and to extend our best wishes for a successful tour in the 39th season, now therefore i, ted wheeler, the mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim thursday, august 30, 2018, to be Portland gay men's chorus day in Portland and encourage all residents to observe this day. Thank you. [applause]

Jung: Thank you mayor. Thank you city council. As rick noted our performances often are imitable because of their theater and dancing, but today we have no jazz hands. It will just be singing. So thank you. It's an honor to be here and thank you for your service to our shared beloved city. [applause]

Fish: If you can stay up here, I will bring the chorus forward and we will get a photograph with the counselor.

Item 880.

Wheeler: The city spends a lot of money over 350 million in contracted services just over the last fiscal year. That spending has signature impacts, not just to our budgets, and not just locally, whether we're talking about global warming or conflict minerals in our supply chain, sustainability procurement is about understanding and taking responsibility for the impacts of our consumption of goods and services. What kind of market signal are we sending? What kind of signal we are sending reflects the city's values. Integrity. Equality. Environmental stewardship. Diversity, and innovation, and quality. Sustainability procurement is about using our purchasing power to transform markets for the better. The sustainability pro consumer program has historically focused on integrating the sustainability related requirements in the citywide price agreements such as furniture, cleaning products, apparel, lumber, office supplies, and other items. The program went through a strategic planning process in 2017-2018 and is implementing new programming, starting with the update to the sustainability procurement policy as the foundation. Here to present on the policies sustainability procurement coordinator stacy foreman. Come on up.

Stacey Foreman, Sustainability Procurement Coordinator: Good morning.

Lester Spitler, Chief Procurement Officer:: Good morning. Thank you for that introduction, good morning.

Wheeler: Thank you.

Spitler: Mayor wheeler and commissioners, I am the chief procurement officer. I am here to introduce our sustainability procurement coordinator, which you just did.

Wheeler: I apologize I did not have you on my notes.

Spitler: This is an omf procurement policy because we are a centralized procurement shop so we support the bureaus and their contracting activity. The city is fortunate to have an asset like stacy. She's dedicated her professional career to advancing this work for the city of Portland and is responsible for the city being recognized and acknowledged nationally and internationally by organizations such as the world bank, the urban sustainability director's network, and the sustainability purchasing leadership council. So with that I will turn it over to Stacey to present on the policy.

Foreman: Good morning mayor wheeler, and commissioners. Thank you for your time today. My name is stacy foreman, I serve as the sustainability procurement coordinator and omf procurement services and I am here to provide an overview of the update to the city's sustainability policy. As mayor wheeler mentioned the city does spend a lot of money, in this slide you will see that there is an official definition, for sustainability procurement, established by the standards organization, just last year in their publication of 2,400 the sustainability procurement guidance, how I like to think about it is similar to what Mayor wheeler said earlier is that that has definite impacts whether we are looking upstream or downstream, and those are complex. They cover many areas whether we are

August 22, 2018

talking about roars -- resource extraction or the rights of workers throughout the supply chain so what sustainability procurement is about is trying to understand those impacts and see those opportunities for using our purchasing power to transform markets for the better. So a quick history lesson here. The sustainability procurement work began in 2002. The sustainability procurement policy as we know it today was established in 2008. There were a few minor updates in 2010, however this is really the first big revision of that 2008 policy. As mentioned earlier, it has historically been viewed as a leadership policy by our peers, both nationally and internationally. We have a number of successes with this so far. Many of the price agreements are featuring injury efficient products, less toxic products, products that are disclosing where they are made and in factories overseas and all sorts of features. One of which I would like to call out in particular is our solicitation where we worked with omf, facility services to ensure that the furniture on the solicitation would have many low toxics qualities so for example it has to meet the certifications around the indoor air quality so that it's not Detrimental to our employee's health when they are in there using that furniture. It also required that certain chemicals were not in the furniture, such as formaldehyde, which is a known carcinogen, and certain flame retardants which are neurotoxins. This not only benefits our employees but also everyone who, in that supply chain, because those harmful chemicals are not there. We also used that solicitation to evaluate what the suppliers are doing in terms of the corporate responsibility, and the primary manufacturer is signatory and they are signatory to the u.n. Global compact which is a commitment by the signatories to align strategies and operations with universal principles on human rights, labor, and environment and anti-corruption and take fractions that advance societal goals. I want to highlight how one solicitation covers many issues and using that purchase power to transform things for the better. So why are we updating now? It has been ten years. The 2008 policy got us a long way. A lot has changed in the last four years. I mentioned already that the international community came together and defined the sustainability procurement through iso-2,400. But there is also an uptick in terms of the network of community through the sustainability purchasing leadership council and others. There is also advances in expectations around Sustainability procurement, and I think that you will hear from some folks testifying today around those expectations. And so there is a need to remember those expectations and incorporate them into an updated policy. We are also -- we heard from our internal stakeholders, it is bureaus that we serve, at the central procurement office to consolidate the proliferation. We have several topics, single issue specific procurement related policies on the books, and this policy attempts to fold those into one policy. It's easier to identify where to look for those action items and those expectations. Even though we are consolidating these policies we are not losing sight of those mandates contained in those. We are putting them under a section called best practices, and something that we consider how we do business here at the city. We are also establishing in the update, it's around more complex issues, these are issues that we believe will take more time for us to figure out. And the pilot test, and these are ones that are particularly housing our supply chain, a little more complex to dive deep down into there and figure out how we can do a better job and use that purchasing influence I know that they received, you know, hundreds of views, in draft form from peers around the nation. And I think that it provides the guidance to employees through the best practices section, it sets better expectations around Procurement metrics and reporting, and allows for continuing maintenance as this field is evolving. So what's next? As the mayor wheeler mentioned earlier, the strategic, the sustainability procurement program is undergoing strategic planning. The start of which is this policy update. After this update, hopefully it gets approved. Today we will be launching a revamp of our online employee resources, so employees have some tools on hand to help them implement the various best practices and action items in the policy. We also are launching a program, communications plan,

August 22, 2018

and we are currently working with a consultant to do a review of available tools that are on the marketplace to help us to understand things such as cost benefit analysis, various action items, and some tools also look at corporate responsibility performance, of suppliers, and so right now we are doing that evaluation of various tools to try to figure out okay, where, where should we invest first and what tools would be most affective for our stakeholders? And starting tomorrow, we also participate in the sustainability purchasing leadership council's benchmark program, and that's pretty much what it sounds like, and it's taking a deep dive and looking at the program and benchmarking it against known best practices and how we become a more proactive program. And then also, we are looking Forward to reengaging the bureaus with targeted high impact high value pilot projects, many of those are tied to those emerging best practices listed in the policy. So with that, I am wrapping it up, and we will take any sort of questions.

Wheeler: Thank you. Is there public testimony on this item, Karla?
of a couple.

Wheeler: Commissioner eudaly, did you have questions of the staff?

Eudaly: I don't have questions but thank you very much and thanks for your hard work on this. On this policy. So I have a couple of amendments to introduce that were drafted in collaboration with commissioner Fish and just really seek to expand a little on the area of labor practices. So amendment number one. It would add language after the last whereas that states, whereas part of taking responsibility for the full life cycle of impacts and costs of goods and services should include the labor practices of companies that require subcontracting of employees to provide a service, the city procures, and amendment number two would add language after the first now therefore be it resolved that states that be it further resolved that the office of management and finances directed to work with stakeholders, stakeholder groups, and including but not limited to union labor representatives, community member labor representatives and Contracting trade associations to provide recommendations to the policy for contracted services that address the corporate responsibility disclosures, scoring for equity and economic sustainability, and best practices and labor relations, and accountability compliance and monitoring. These policy recommendations will come back to the city council no later than 90 days from the passage of the resolution.

Fish: I will second both for purposes of discussion.

Wheeler: A motion from commissioner eudaly and call it eudaly one and eudaly two.
Seconds on both from Commissioner Fish

Fish: Do you have the amendment?

Wheeler: I do not have an amendment.

Eudaly: Does anyone have any questions about this?

Wheeler: I just have a comment.

Fish: He has this one but does the mayor have an amendment and the answer is no?

Wheeler: I have no proposed amendments. I think that they are self-explanatory but I just wanted to say that I support these. I think that they are good amendments. And appropriate amendments. And I just had a clarify question. As you know, the staff procurement staff and others have been working on this policy for the better part of a year, and some of these questions are particularly important and thorny questions, number one is 90 days sufficient. And number two, I am curious to know is there, is it the intention that your office and-or commissioner Fish's office will work with there group to ensure that the conversation moves forward so that there are recommendations that come back to the council?

Eudaly: I certainly am very open to that and also open to expanding the time frame. Do we want to bring the staff back up to discuss that briefly?

Wheeler: Sure.

August 22, 2018

Fish: I think that it actually makes sense, mayor, and commissioner eudaly to think about extending the 90-day clock, and one of the reasons is as soon as we come back from right after labor day, we start going into the budget season. We have a lot of things on the agenda, and we want to get this right and the mayor is correct that this is complicated stuff, and there is a lot of consultation that needs to be done. So I would be open to extending that.

Eudaly: And we are asking the office to consider these recommendations and give us their feedback on them. There is no, no requirement to come with them but I feel strongly when we talk about sustainability we have to talk about labor practices. And subcontracting.

Wheeler: I should have asked, before I asked if 90 days was sufficient, there a time line that we are up against or a reason why you picked 90 days?

Spitler: Originally it was 60 so we gave ourselves an extra 30.

Wheeler: So you shall That is sufficient.

Spitler: But if you were willing to give us more, we were just saying 90 would be nice, but.

Wheeler: We can always extend it I suppose later if that's necessary. I hate to think on the fly and I apologize for doing it, but maybe we should just stick to the 90 days and see how we are at approximately day 70 and if we need to extend it the council can do it.

Fish: The way it is written it comes back to council within 90 days so that requires not only the product be complete, but something be filed, so commissioner eudaly perhaps we could just add a qualifier in there? That allows this to be extended up to a reasonable period of time in order to complete the work. Just have that be the understanding of the council.

Fritz: Would it be better to say until the end of the year? I think that deadlines are helpful other than watching go gushing by. I do think that that's it. Encourages people to try to get to something rather than if you say it could be extended that does not hold anybody to it.

Wheler: I will stick with the original resolution. You guys -- you came in here with something in mind and I mucked it up by thinking aloud and I should never do that so stick with it. We have two motions, two seconds, why don't we open it up for public testimony and people should also comment on the Amendments if they feel so inclined and we will wrap it up at the end.

Karla: We have six people signed up.

Wheeler: Good morning.

Amanda Ulrich: Good morning, I am amanda, and I am speaking to the conflict mineral piece, which was resolution 37150. Been working with the city on this since 2012, and then it was passed in 2015, commissioner Fritz was the first commissioner we reached out to. Myself and the group of folks i've been working with, in meeting with your offices, not only about the new sustainability policy, but also that go forward to the city's 2019 legislative agenda and looking at a statewide pro consumer policy. And we're very excited about the new policy. Not only is it more robust for all of the considerations that the city makes with all their purchases, but in terms of our piece, when you look on page 4 of the new resolution, the piece has shifted from relying on federal legislation to the organization for economic collaboration and development, which is an international organization that sets the standards that companies are following, and so it makes the city's sustainable practices more robust insofar as they are relying on international standards for compliance and not just federal legislation, which at any time can be removed. It also couples nicely with the overall state procurement policy which has bipartisan sponsorship and a bill is being drafted right now. So I am here to speak to our Support for the entire policy and specifically this piece.

Wheeler: Very good, thank you for coming.

August 22, 2018

Fritz: I did not know about this issue before you brought it to me and my second term. Since you are on television being watched by tens of thousands, would you like to do one minute on this?

Ulrich: Sure, and Eugene, who is here will be speaking at the end and he is from the region. From eastern Congo so conflict minerals, there are three minerals. Tungsten, tantalum and gold that are a majority of them are sourced from eastern Congo which is the size of the Mississippi River to the eastern seaboard. And for nearly 20 years it has been a source of conflict fighting for control of these minerals that has led to a death toll higher than that of World War II so on our end we are consumers that benefit directly from these minerals and we have a connection to those that live on the ground there that have been living in circumstances that are horrible of one in ten people in the world are from eastern Congo. So the city of Portland is a leader on this, and even though the city of Portland was the fourth or fifth city to pass such a resolution, the city of Portland was the first city to pass the resolution that was actually implementing the procurement policy. So since all of the work has started we have seen that 79% of mines are conflict-free.

Fritz: And these are used in computers in particular, and you went on to get --

Ulrich: Yeah.

Fritz: What? You got Intel to agree to not use conflict --

Ulrich: Well, Intel, there was grassroots pressure put on Intel to offer a supply chain, and then their CEO at the time embraced that, and totally took off and Intel's product line is now a conflict mineral-free.

Fritz: And we are trying to pass it at the state level?

Ulrich: Yes.

Wheeler: Thank you very much.

Fritz: Thank you for your work.

Wheeler: Good morning.

Paul Vanderford: Good morning. Thanks for the opportunity to speak, I am Paul Vanderford, the Green Markets Director at Sustainability Northwest. We're a nonprofit based here in Oregon, and we generally identify and build solutions for economic, environmental, and social middle ground. I personally spend my days providing technical assistance to small wood production businesses across the state, and who have sold 75 million in certified wood, responsibly sourced wood and employ 1,200 people in this region. I am here to support the sustainability procurement policy and I feel like it puts the city in a strong leadership position as we advance carbon equity and worker safety. Given that 48% of the land in Oregon is forested, we talked about the conflict minerals, that's critical. We have to get that right. We are talking about forests in our own state and when we are buying materials that are coming from forests, we are impacting the communities in those locations. We are experiencing fire right now, and one of the things that procuring the resource can do is remove in a responsible way the fuel loads and reduce the fire risk which will help with the air quality and get at social impacts as well as environmental impacts. The study shows that wood sources from certified sources and other ecologically responsible forests deliver 20% to 40% more carbon value so if we have carbon goals this policy helps us in direct ways to drive at that, and we also see many communities in Portland, or Oregon outside of Portland, and we have the Bull Run and we see that assess sacred, a lot of community drinking water from forests being managed. Rockaway and the other coastal communities are going as far as trying to buy their own forests to protect their drinking water. Our strategy can help to deliver value to them in terms of fewer toxic aerial sprays of herbicides and other ways dealing with safety of the water systems, and lastly touch on -- the EPA came out with a study showing that forest age, beneficially impacted by ecological forestry is going to deliver twice as much in-stream flow in many instances which directly impacts salmon and other species that kind of water critical months in the

August 22, 2018

summer like we are experiencing now, so we have this under our carbon goals but in many ways procurement will touch on our goals as we deal With equity and communities, drinking water safety so this sets a good foundation. We need to deal with impact and monitoring and insuring that the bureaus are going to be measuring and setting goals, and certainly would love to be part of that pros -- process as we go forward, thank you.

Wheeler: Thank you, appreciate your testimony.

Wheeler: Good morning.

Felisa Hagins, Political Director at SEIU: Good morning.

Wheeler: Thank you for being here.

Hagins: Thank you for having us, mayor and commissioners, lisa hagg around, the director the at siu local 49. I would like to talk a bit in detail about the sustainability policy and the amendment offered by commissioner eudaly and seconded by commissioner Fish. First I want to start always with the workers that we represent and surprise, surprise we are here to talk about the workers wages and benefits and working conditions. Maybe we could start with tammy.

Tammy Cataby, Member of SEIU: Good afternoon mayor wheeler and commissioners. I am tammy, and I am a member of the seiu49. And I have worked for aero-mark for 26 years and am proud to be a part of the team of workers that provide the city of Portland with this laundry service. I have served on the bargaining team of my contract and I am a current shop steward at my work site on airport way. And I am here today to speak, to ask of the city to make sure the policies are strong enough to protect working families. The city gets a lot of benefits from using a union laundries service. My co-workers and I have good training, and the protection from our union could contribute the lower turnovers. Over the years I have seen many benefits from fighting alongside my co-workers for our rights. Our wages go up every year, and we have affordable benefits. Thanks to the union contract my co-workers and I earn 14.70 an hour, more than the current minimum wage of 12 an hour, and with the union wages and benefits it is getting harder and harder for my co-workers and I to make ends meet. We worry about what happens to us and our families if we did not have our jobs or our union. We need a city that is fair for everyone, not just for the rich. My co-workers and I fought hard to raise standards in the industries and we look to the city council to use the power to help us to build a city where good jobs that provide adequate wages and benefits are support and had protected. The city could use its own policies to make a better place for all of us, by insisting that even the city contracted and subcontracted workers have good jobs. Portland should not just be for rich people. I am asking on behalf of working families throughout Portland that the city of Portland make its policies stronger to make sure that you are protecting working families. Thank you.

Wheeler: Thank you. Appreciate you being here, good Morning.

Wheeler: Good morning.

Mark Jeffreis, Executive Board Member of SEIU 49: Good morning mayor wheeler and commissioners. I am mark jeffreies, an executive board member of the service employees international union local 49. I am proud to be a part of a team of janitors that work here at Portland city hall, and I am here today on behalf of my union janitors, and the over 14,000 members of the seiu local 49 to talk about supporting a sustainable, procurement policy that takes into account people like us. As union janitors we get annual wage increases, have access to affordable quality healthcare and a voice on the job. I hear you have conversations about procurement of services and how much the contracts cost but what you are really deciding is what our wages and our benefits will be. I take a lot of pride in my work and being an active member of my union and I believe we can create a city not just for rich people, and I believe in your leadership to help do that for working families. And in conclusion I am asking the city of Portland make its procurement policy stronger to make sure that you are protecting our working families. Thank you.

August 22, 2018

Wheeler: Thank you.

Wheeler: Appreciate your testimony.

Hagins: Thank you. I think it's really important that we, when talking about procurement and the changes we would like to see to the policy, and the changes that commissioner eudaly is introducing, that we really are talking about working families. The city has been a key leader whether it comes to one part of the sustainability. That is the sustainability of our environment, and that's a critical issue for working families. But right now we all know that working families in the city of Portland are struggling to have affordable housing and their healthcare benefits are under attack and being attacked at the national level whether it comes to their rights to bargain and form a union at their job. We are seeing those things erode. What we are hoping folks will support is the amendment to move forward to work with the procurement office and continue that work with the office in a timely manner to address these issues, and the discussion about the 90 or 60 days that we've been involved for a year and a half and working to update this policy so you can understand our sense of urgency when you are updating contracts, roughly every three months, the gadgets -- impacts these workers, and that does not include the other contracts going out to bid right now where the city will be deciding whether they are going to choose a contractor that has healthcare benefits, a contractor that allows those workers to have collective bargaining, that does not fight the union and allows workers to decide if they are going to be union or not. At the same time we are waiting to update a policy so our hope is that we can work forward and Procurement can get the resources they need to move forward. Stacy has been incredible at taking feedback and moving this forward and leading in a productive way. And listening to stakeholders I think that she understands the full scope of the, of what sustainability means and is ready to move that forward. For the procurement office there is this tension around more time and resources versus, and I know my button is up, but more time and resources, but also the decisions coming forward, so we encourage you to move more swiftly with commissioner eudaly's amend.

Wheeler: I went through the circle of time frames and landed right back where she started which I should have stuck with. Thank you for your testimony. We appreciate it.

Fish: And thank you for your service to our city.

Karla: One more person.

Wheeler: Good morning sir.

Eugene Servdoke: Good morning. I am eugene servdoke, here in the state of Oregon. Thank you for this opportunity to be among you, the makers and the leaders of this city. And thanks to your willingness, looking to take action and fighting for the transparency with regard to the conflict minerals in the world, especially for the refugees. Many thanks to the organization which have been advocating for our people by pushing for the leaders and other key Stakeholders to work on bills, at the local, state, and federal and even international level. The republic of the congo, my country of origin has been a battlefield of negative armed forces funded by corporations, and spreading violence for minerals for more than two decades now. This is the richest country in the world. Never be in peace and people are in extreme poverty. It uses more than 60% of the cotton in the world. It makes up the using our computer, tv, cell phones, and tablets, and making sounds in our buses and trains. I am here before you as a victim, and witness for war. They broke out in my hometown in the rest of the country. Killing innocent people. A few years later, by god's grace I escaped it twice. For instance, I was to choose between my life and \$12,000 cash in investments when two knives were held at my neck by a foreign soldier. And another time in a small city, my 500 cage of cotton was taken by force with no reason. People in drc, are being killed, raped, tortured, mutilated every day. Especially in the villages where minerals are extracted you heard about it two UN workers killed. since September 22, 1996, the estimated death toll is more than 6 million. I beg you to listen to the organization

August 22, 2018

and join to fight the conflict in order to bring peace in dfc and by passing this procurement policy before you today. Thank you.

Wheeler: I want to Thank you for your testimony, and it's your leadership that has put this front and center. And others who have the lived experience that you do who have brought this important tension to us, and so we are proud to work with you and lead with you on this important issue. Your story is a moving one. And it's an important one. And I am glad that you are here to share it with the people of the city because we need to hear it. Thank you. Is there anything else before we go? And Karla that was the last testimony?

Karla: Correct.

Wheeler: So first eudaly number one, is there any further discussion? Please call the roll.
[roll taken]

Eudaly: So I would like to give credit where it is due, which is to seiu for bringing these concerns with us around the language and the policy update not giving explicit direction to the staff on how to evaluate contract awards for services that require subcontracting of employees.

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

Wheeler: Aye, the amendment is adopted. Eudaly, number two, any further discussion? Please call the roll.

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

Wheeler: Great, I especially like the 90-daytime frame and I vote aye. Amendment is adopted. To the main motion, any further Discussion on the main motion as amended? Please call the roll.

Eudaly: Thank you to stacy and the procurement office again for all your hard work on this. Thank you to seiu and commissioner Fish and staff for helping to draft the amendments. And I definitely share the sense of urgency that seiu members expressed today, and I hope that we can stick with that time frame or do it sooner, I am looking forward to working with the groups, and seeing the recommendations and improving our expectations and requirements of services we purchased with our public dollars, I vote aye.

Fritz: Thank you very much to staff and thanks -- thanks to the former procurement officer christine moody who really grasped the minerals challenge and has pushed that forward. It is important that we spend the public's money in ways that benefit the public and make a difference in the supply and as well as in what we do with that money in the services so thank you very much. Aye.

Fish: I want to thank you for taking the lead on the amendments and I want to thank you and procurement for the work that's gone on behind the scenes. It's a relatively drama-free council session, but a lot of work has gone into bringing us to this point. And I look forward to being part of the conversations to get it right around subcontracting and making sure that we maintain the decent standards for people who are performing services indirectly on behalf of the City. Aye.

Wheeler: I think that this is a great step in the road. The city took a leadership role particularly around the environmental procurement practices, I am glad that the conflict minerals aspect is being worked into this, and I am hopeful that the ideas brought forth by seiu and commissioner eudaly will also take hold. This is a policy that will continue to evolve over a period of many years, and whatever we do I am glad that the city of Portland finds itself at the forefront of the sustainability procurement practices and I vote aye and the resolution is adopted as amended. [gavel pounded]

Wheeler: Next item 881.

Item 881.

Fish: Thank you mayor, before I begin I would like to welcome our honored guest to the dais. Regional arts and culture council director jeff hawthorne. Linda mcgeady and

August 22, 2018

alejandra queral. By today's action colleagues we are appointing linda to a new term on the racc board where she serves as chair. And alejandro who is being reappointed through 2023. Linda and alejandro, I know your leadership and your passion for the arts will continue to serve all Portlanders well. Thank you. I would like to acknowledge and thank mike, who is not here today, for his service as chair of the board, the six years he's spent on the board, and he will now be serving as chair emeritus For the next year. I also will take this opportunity just to note that the mayor has, in his recent executive order, reassigned the liaison role for the regional arts and culture council to commissioner eudaly which I think was a splendid decision. That will start in early september. It has been an absolute honor over these past number of years to work with our partners at racc who I think do a great job, and I look forward in the years ahead to build on their good work. Strengthening the foundation and the community, and making the case for more robust public support for the arts. So with that, jeff, am I introducing you first? Turn it over to jeff hawthorne.

Jeff Hawthorne, Interim Executive Director RACC: Thank you commissioners and mayor, city council. I am jeff hawthorne, interim executive director of the regional arts and culture council, and we thank you for the opportunity to bring to you today two community members who are eager to represent the city of Portland on the racc board of directors, and they are committed to supporting a stronger, healthier, and more equitable community through arts and culture. And so with your approval today, linda and alejandro will fill two out of the six positions that are currently earmarked as city representatives on the racc board, although as you know from the auditor's report, we are in the process of reevaluating the composition of the board with the intention of providing more Representation for the city of Portland, which is racc's largest funder. The other citizens who represent you are eve connell, and ossie gonzales, edwardow, and leslee. The board members are expected to help us be good stewards of public and private investments, and to advocate for racc and the entire arts community, to set a strategic vision for the organization and to connect us to new communities, and to hire and evaluate our executive director. And a side note on that point, linda and alejandro know very well because they are on the search committee, we are entering the final phase of our search and preparing to bring two or three finalists to town in mid september. Hopefully we will have a new director to announce scene. I also want you to know that we remain committed to our city contract performance measure that says that racc's board will reflect the diversity of our community. I am happy to report that the board continues to expand its skill set and community relationships by recruiting board members very strategically. Today 43% of the board members identify as people of color. This will be our last official presentation to city council before the arts portfolio moves to commissioner eudaly and we very much look forward to working with you commissioner. And we are also extremely grateful to you commissioner Fish for all of the passion council and leadership you have Provided to racc over the last several years, and I am personally grateful for your support in my role as interim executive director so thank you for that. We look forward to seeing you at our state of the arts report on october 11. But for now it is my pleasure to introduce you to linda mcgeady and alejandro queral.

Linda McGeady: Thank you jeff. Good morning mayor and commissioners. Thank you for the opportunity to say a few words. I am linda mcgeady. I emigrated here 21 years ago and became a citizen 18 years ago. Being involved in the arts has been an important part of building my life here. It's an honor to serve on the board of the regional arts and culture council, and to be designated a city representative this morning. I consider racc to be among many other things, an engine of civic engagement. With a volunteer board that currently stands at 21 community members who give their time and expertise with public panels to shape grant giving and public art, and with teacher training in the arts from our

August 22, 2018

right brain initiative, racc supporters are an ever growing cohort and your allies in keeping Portland a place for the arts not only thrive, but help every sector be more creative and more successful. With exciting and important new artwork coming to the Portland building, with the new ED soon to be appointed And a contract manager search in full swing, racc has a lot going on. And as the new chair of the board I echo jeff's thanks to commissioner Fish for everything that he does, and I am sure that we will continue to do for the arts, and I look forward to working with commissioner eudaly and her staff, and to reporting to you all during racc's annual state of the arts report on october 11. Thank you very much.

Wheeler: Thank you for being here and for being willing to step up and serve. We appreciate it.

Alejandro Queral: Good morning mayor and commissioners, it's an honor to be here, I am alejandro queral and i've been on the board since earlier this year, and I am humbled to be named as the city representative. I very much think that this is a critical opportunity for racc as we move with new leadership. And as we know, art is a key strand on the fabric of the community. For me, art really is an expression of our fears, hopes, dreams, and passions, and as such, it is the basis for understanding each other and seeing into each other's hearts. I think that we need that more than ever. So art can be a vehicle for exploring our shared stories together, our shared passions, and our shared vision for the future, which is, I think, critical for the city in this time of division, art is an opportunity for unity. Art is a common platform in which people from different Backgrounds, believers, stories, can come together and fight for more equitable and a just society so I thank you for your support of the arts. And for the work that council does. That RACC does on behalf of the city and the region. And we look forward to working with commissioner eudaly and continuing this partnership to ensure that Portlanders continue to engage deeply with the arts, and in doing so, help to make this great city really a wonderful place to live. Thank you.

Wheeler: Thank you. We are pleased with your service and excited for you so thank you very much.

Queral: Thank you.

Fish: I move the report.

Wheeler: We have a motion from commissioner Fish and a second from commissioner Fritz. Any other discussion? Please call the roll Karla.

Eudaly: I would like to take this opportunity to thank the mayor for entrusting me with the arts portfolio. I spent 20 years, over 20 years prior to my service here working with Portland's arts and culture community, including racc, and I largely had to leave that behind so it's really exciting for me to get to work directly with you moving forward. I want to thank commissioner Fish for his stewardship of the portfolio and for tolerating us digging around in there and getting involved and being really welcoming to me and my staff, and you really get a two for one with us because we are Excited to work together moving forward on arts and culture issues. Thank you both for your continued service to racc and to the city, and I think that I will just wrap it up with aye. Thank you.

Fritz: Thank you very much for being willing to serve. I was glad to hear you referred to the audit, and it's a time of great opportunity, and a signature challenge so we get an enormous amount of value from, and good-heartedness from our community volunteers, and this is in an important commission as you know, so thank you for the amount of time that you are willing to dedicate to it. Aye.

Fish: Mayor and colleagues, over the last four or five years I got to follow in the footsteps of people like mike lindbergh and sam adams and others who have served as council liaison to the arts, and it is a, an extremely important role. It is not clearly defined but an extremely important role, and I think that an example of how important it is, is just look to the last year, and probably the busiest year in racc's history with a series of events, which

August 22, 2018

have increased their workload, and have potentially positioned the organization for even better days ahead. And of course I am referring to both the audit and there was the work with the auditor in the preparation of the audit and the set of recommendations which have been embraced by both racc and the city. The search for a new executive Director after a long-time leader decided to retire, the punctuation mark on a legal fight that has been going on for some time around the arts tax, with the Oregon supreme court finally delivering the final ruling that it is, in fact, constitutional. The equity agenda, undertaken by the board which I don't think has gotten enough attention in our community because when you begin to propose reallocating scarce resources, some people can see that as producing winners and losers. At the end of the day you are trying to align your grant-making with your values, and it has not been without it controversy, and that's been a major part of your work. Next up, of course, is the city working to align its priorities with racc trying to update our conversations with the community about what the expectations are, and frankly, a piece of that is figuring out how to make racc a regional agency in more than name only and bringing at least two of the three other counties fully into the fold. It's been an incredibly busy time, and I know that linda you and leadership and alejandro as a board member and jeff, you have had to spend an enormous amount of your personal time guiding racc during these moments and we are grateful for the leadership that you have given us and that you will give us in the future. Commissioner eudaly and I will be a great team. And in fact, it is my hope that over time we become one of the strongest councils that Collectively supports the arts. I think it's terrible important. And it is core to our brand and economic development strategy, and the reason lots of young people are moving here, and we have to have, to be willing to leverage and capitalize on this moment, and we can never take it for granted. I am pleased, mayor, that you agreed to carve out a specific liaison role that I will be performing for film and tv which has a huge opportunity for our community, and I want to just preview that two areas where I will be working closely with commissioner eudaly going forward, one is building the support on council to protect funding for the arts, and to over time expand funding for the arts. And second as the incoming commissioner in charge of the parks bureau we will be looking to find ways to use the incredible resources of the parks bureau to showcase the incredible arts and culture community of the city. And using our resources to maximize that, and that includes implementing a number of the core recommendations of the arts affordability study. Which I look forward to doing with my colleagues. So thank you for the work that you do on behalf of the community, and I am very pleased today to vote to support the report. Aye. And I want to acknowledge one last thing, that I think that today is the first day in my ten years of service where we have actually been roughly on-time With our time certians. So mayor congratulations. We have a lot of time certians normally by this time we usually are an hour behind and we are right on time so I congratulate the mayor for that.

Wheeler: We are not done yet, commissioner Fish. That's the only last line that I think that we are all laughing at. So I want to start out by stating the obvious. Thank you to commissioner Fish. You've been on outstanding of the racc portfolio and I have benefited tremendously from not only your vision, but your specific knowledge of the portfolio, and the emerging trends that we need to be aware of. The audit that we undertook would not have happened without it your active leadership, and I think that there is a very, very important audit and a great opportunity for us to take a deep breath and look at where we are with the portfolio and what challenges we are experiencing and what opportunities exist in the years ahead. So this is a great opportunity to do that, and obviously with new leadership coming in, that was the right inflection point to have the conversation. Commissioner Eudaly will excel inside role, and part of my consideration was the nature of the partnership. And I am confident that this council will support and work with commissioner Eudaly to help her be as successful with this portfolio as commissioner Fish

August 22, 2018

was over a period of many years. And I don't want to lose sight Of the fact that in order for any of this to be successful, we need a fantastic board. And the two folks in front of us today are outstanding candidates, and I am very appreciative that there are people willing to step forward and to be appointed and do the hard work all for lousy pay, and I am sorry about that. But you guys are going to have is a fantastic time going forward, and we look forward to working with you and supporting you and helping you in any way that we can to help your organization to be successful. I vote aye. Report is accepted. Thank you both.

Wheeler: Next item. 882.

Item 882.

Wheeler: Portland community college connect is a scholarship, and support program for students who identify as first-generation Portlanders or low income. By providing scholarship money, ongoing career guidance and personalized advising, future connect eliminates barriers to college and builds pathways to their students' futures. The city of Portland is proud to support pcc future connect, and here to present the latest on future connect is pcc government relations director Emma Callaway and team, and I just want to be clear, although the agenda says report, this is actually just a presentation. So I wanted to clarify that technical point. Good morning.

Kellie Love, Future Connect Manager: Good morning mayor. I am kelly love, and I am the manager of the program. Emma is our government relations director but I am here to talk to you a bit about the program and I will introduce my coach and student with us today as well. I live here in the city of Portland. I have worked for future connect for five years, and first I was a coach with the program. And then I was the program coordinator and now I am honored to serve as the manager of the program. I am going to give you a snapshot of what we've been doing over the last year. Where we plan to go in 2019 and beyond. As you all may or may not know, the program in its simplest form consists of the following components. We have a high school connection where we work with students in high school before they graduate. And then we do summer bridge work with the students. As groups and both individually, and then we have cohorted classes built for our students once they start on campus, and each student is connected to a single coach who works with them throughout their entire time at pcc. And then we support students in transitioning to the next step after pcc whether that's going into the workforce or transferring to a college or a university. And quite honestly each one of these components could stand alone as a program onto itself, but what we are trying to do is To create a continuum of care for students to support them as they come, as first generation, low income students from high school to college which is a difficult transition. Today I will talk to you briefly about choosing the impact that we are having on the diverse communities we serve, and how access to education is translating into positive change, and two the work we are doing beyond the numbers is a program that is building bridges to other partners out in the community. So you will have a one-pager in front of you, and that tells a story about the students we serve, and so access to the scholarship is not merit-based. We are not looking at gpa or high school ranks, and we don't look at, if you went to all your classes. What we are looking at is who has the need and who has faced obstacles to get to where they are today. We prioritize students who are connected to community support programs such as summer works who have done community service and who have been served by other agencies in the Portland metro area. You can see on this first page some specifics about who we serve. 88% of the students report they received free or reduced lunch in high school. And one in four report that they are currently experiencing food insecurity, and one in six report that they are currently experiencing housing and security. So with this, we are excelling. Compared to students who do not participate in our program, future connect, increases gpa by .6 points. We increase the credits earned in the first year of college by 12 credits. And we increase both the fall persistence by 14 percentage points and completion

August 22, 2018

or transfer within three years by 11 percentage points. And so, to serve our students we created some new approaches that are changing the way that our large institution connects with the students, so quick numbers. And outreach. So this year, we reached 2,332 seniors and schools within Portland. We visited 170 schools and community partners throughout the school year in recalled for. And we received 592 applicants from Portland schools and awarded 233 students who are already registered for fall classes. And we also coach our students on the process of transferring to universities, and to date we helped our graduates receive \$2.5 million in scholarships to other institutions beyond pcc. So while this scholarship and serving our students admitted to the program is very important, it is not our sole focus, and we are we are working to support broader groups of students because we know the need is so great. So one of our focuses now is connecting high school students and staff to more career technology education opportunities. We also have continued to grow our support for foster care students and are part of a consortium of programs serving with our larger department. More broadly we're working with every student who applies to future connect connecting them to on campus summer activities and support and we created and are delivering on campus programs for anyone who applied to the future connect scholarship. We had over 100 attend this year. The intent of growing coach capacity to reach more students throughout the college in 2019. So we are so grateful for your support. You're always welcome to come into our classes. Some of you have before. You're welcome any time. Very meaningful to our students. We also have a gala each year. We would love to have you there. The core of what we're doing is the college success coach. Suzanne will speak about her experience as a coach in Portland.

Suzanne Hussey: I am one of the college success coaches at the southeast campus. Thanks so much for allowing me to share a little bit about my experience and my role in the future connect program. I have been with future connect for just about two years. I came from the faculty side prior to this having taught and tutored around the Portland area for 15 years. As much as I love teaching as much as I love the work I did prior to coming to future connect I have never had a job more meaningful or has had more impact on students that I serve. I'm honored to be a part of it. As Kelly mentioned our program drives to serve students who face incredible barriers to college success. The personal support carries more weight and ultimately is the key factor in our students' persistence and success. I begin working with students before they complete high school or ged, I continue to work with them until they complete their goals at pcc. From the moment I meet them in the spring we begin forming a relationship and a bond so students know they can rely on me and trust me not only to support them with their academic goals but with any other factors that could impact those goals, positive or negative. Students come to me for financial aid support, advice on courses, strategies and connections to find work and other needs like housing, food insecurity, confidence building, cheerleading and at least at my desk a lot of candy. My hope is students will feel comfortable coming to me for anything whether it's small like a bus ticket or a question about an assignment or something huge and life changing like facing eviction or loss in their family. To give you context on some of the situations that present challenges to our students I would like to highlight one student in particular. Adon is going to tell his story but he's one of many and they are all are very unique. I met Taylor in the spring of 2017 as she graduated from one of the alternative programs in the Portland area and from the beginning she was extremely nervous about college. Taylor had not had a great experience in school, basically since middle school she didn't have many in her life who were supportive of continuing her identification and she has believed and been told she was not student material. Because of that the thought of starting college was daunting. At the time spring 2017 Taylor was working two jobs basically full-time as she supported herself on and off since she was 15, completing the federal application for student aid was incredibly difficult because her mother was not

August 22, 2018

willing to provide her information even after we explained that could be the only way Taylor could afford to pay for college. She lacked confidence in her academic abilities. Her housing was and still is insecure and there are times where she would not eat without our panther pantry and the snacks through our office. She began taking three classes to start to ease her way into education. There were definite growing pains that term as she began to understand the rigor and demands of a college education but every time she was concerned, overwhelmed or just needed to talk she would come to my office or text me. The more she came to my office the more she interacted with me and other students and also with students in their second and third years like Adan she became more comfortable and began to recognize PCC as her place. A major breakthrough. Taylor was nervous about finding a project because she didn't think she could make an impact. She put it off but it was nearing crunch time when I suggested she work with one of my projects downtown. I connected Taylor with him and he asked if she could create Christmas gifts for residents in his shelter. When she thought about it she became extremely motivated. She was off and running and put together goody packs with chocolate, decks of cards and other items that would feel like a gift, not simply a donation. This pushed her forward. By winter she felt at home at Southeast and spent more time doing her homework in our office and saying high. Winter quarter was massively successful for her and she passed with flying colors. By spring of this year when we began to award new students starting this upcoming fall Taylor asked if she could go with me to help meet the new students at her old high school and tell them about her experiences. Watching Taylor stride into her former school confident, poised, future connect expert was one of the highlights of my career in education, something I will never forget. She then volunteered at all of our new student orientations and hopes to work as a teacher's assistant with me this fall. She has not even been awarded work study yet but asked if she could volunteer her time. She's pursuing a degree in criminal justice and hopes to work with juvenile offenders as a parole officer. This is the impact of our program. Not only our students have their coaches they become mentors and coach themselves. They belong at PCCC, and truly belong with Future Connect. Thank you so much for your continued support and for allowing us to serve these amazing and incredible students. It means so much to them to know their city is behind you. Before I introduce you to another fantastic student I would like to highlight something new this year. As part of Future Connect we have Future Connect Plus which students take their first quarter not only as a cohort with their college success class which all students do, they also take their reading and writing courses together as a cohort. I work with the reading and writing instructor as a team. We meet weekly to discuss student concerns, strategies to support them and ensure their skills are solid before they move into the winter quarter. These students are all coming from alternative programs in the greater Portland area including Rosemary Anderson, Mt. Scott Learning Center, et cetera, as well as foster children, have experienced housing insecurity or have been adjudicated. Now I would like to introduce you to Adan, a Future Connect and PCC graduate who is about to begin his studies in the school of social work.

Adon: Good morning.

Wheeler: Good morning.

Adon: Pleasure to be here. So I got introduced to Future Connect by my high school counselor Shauna Meyers. She recommended that I go to college and apply for Future Connect at PCCC. I initially attended an information session. At the time I wasn't planning on going to college because in high school I struggled a lot and I didn't see myself as college material. So I graduated with a 2.4 GPA, but I decided to apply to the program. So I met at the Future Connect orientation with Josh Lori, Jose Esparza and Michael Shea. They talked about Future Connect. After meeting with them I decided I'm going to apply to the program because I was given the opportunity to go to college and be a successful college student.

August 22, 2018

So after I got accepted to future connect tobias sherwood became my college success coach. After I attended my first orientation in the summer of 2015, I met with future connect students. I was excited. My first term in college I was a full-time student and even though it was challenging because I was working part-time it was great. I had passed all my classes and finished my first year in college with a 4.0 gpa. I had never had a 4.0 gpa in my life. So that was amazing for me. Yeah. After my first year in college I met suzanne hesse at an orientation in the summer of 2016 and she became my college success coach for my second and third year. My second year in college I got off to a great start because I continued to pass all of in classes. I did well fall and winter term. Spring of 2017 was arguably my hardest because I was working two jobs and going to school full-time. Even though I was able to pass three classes I failed one, my math class. That had an effect on me mentally. I began to feel burned out on the verge of quitting and walking away. However my college success coaches played an important role. I was dealing with a lot of stress and anxiety. I was unsure of my future. I originally thought journalism was what I wanted to pursue as a major but I felt lost. Suzanne helped me manage my stress and anxiety by recommending breaks throughout the day and recognizing when something is out of my control or as she would say, let it be. She also recommended that I speak with a counselor on campus. That helped a lot because I learned effective strategies to help deal with my stress. I took time off during the summer of 2017 to rest and spend time with my family in california. That also helped me because I was able to reflect on where I wanted to go next in my life. I decided to come back for my third year with future connect and while I didn't know what I wanted to major in at first I was determined to pass my classes my third year including the math class I didn't pass spring term. I decided I wanted to pursue social work because I became inspired by the work my coach does as well as future connect. My third year was arguably my best. I was able to pass the math class and all my classes fall, winter and spring term. I began working with margarita, a transfer specialist for future connect. That was an amazing experience. She helped me with the process of applying to Portland state university. She helped me apply for scholarships and both margarita and suzanne did a great job helping me meet the financial aid requirements. Both helped me with the application process to the school of social work and I got accepted there as well. While at the school I plan to work towards my bachelor's agree followed by my master's and hopefully one day my ph.d. This year I also had the great opportunity to work with the pdx bridge program at pccc as a teachers assistant for foster care students. I also graduated with my fellow future connect students with an associate in science Oregon transfer degree. I developed many great leadership skills by welcoming the new future connect students into the program at future connect orientations and over all these three years that I was part of future connect were great for me. I grew as a person and as a student. I accomplished many great things that I never thought were possible and reflecting back on these three years I can honestly say they were the best three years of my life. As I continue on with my academic journey I feel confident because I know where i'm going and hope to one day become a coach for the future connect program. Thank you.

Wheeler: Thank you. That is amazing. I'm so appreciative of you being here. Congratulations on the 4.0.

Adon: Thank you.

Wheeler: [applause] there's probably some folks watching this on tv or listening in, and I hear this a lot from younger people. They say what you said up front, i'm not college material. What convinced you that you could do this and what advice would you give to young people listening in on this in terms of their path?

Adon: What convinced me? I think it was my senior year. That was honestly my best -- like the year I decided I want to graduate on time and I want to earn my high school

August 22, 2018

diploma. When I was able to do that that showed me if I could make it through my senior year and graduate on time then I can do well and succeed in college. Work hard but enjoy the ride also. Enjoy your college career. That's something I have been working on at the same time. It's been a challenge but enjoy your time in college, work hard. Take advantage of the opportunities and all the resources that are available on campus.

Wheeler: I wish you the very best. Congratulations.

Adon: Thank you so much.

Wheeler: Commissioner Fritz.

Fritz: Does the city of beaverton now support future connect?

Hessey: Yes, it does. Beaverton and hillsboro.

Fritz: My son is a high school teacher in westview. I will have a chat with him about connecting more. One of the best things that commissioner Fish and I did with mayor adams in starting this program under the leadership of kelly thornlat, now board president I believe at pcc, it's fabulous not only the way the city and other communities' dollars was the starter but other businesses and other contributors and you mentioned nathaniel garler that helps pay the program for very little money considering success for you and what you're going to do for our community or any other community, but I hope you stay here as you continue to get all your qualifications. It's an investment in the future. The taxpayers of Portland thank you for your work in the program and taxpayers of Portland were proud to have invested in your success. We know you'll make us proud.

Hessey: Thank you.

Eudaly: I would also like to congratulate you. We have a few things in common. I also left high school not feeling like I was college material. I also earned in I first 4.0 at pcc. However, I was 40 years old when I went back. I was also somewhat sidetracked by struggles in higher math. I can really sympathize. I'm really happy to hear that you made it through that. I know the social work program is a competitive program, so good job. I'm excited to see what you do in the future.

Adon: Thank you.

Wheeler: Very good. Thank you so much for this presentation. We'll look forward to seeing you next time. Next time you'll be on your way. Ph.d. Great. Next item, 883, please.

Item 883.

Wheeler: We have bureau director, bhr director summers mcgee.

Serilda Summers-McGee, Bureau of Human Resources Director: For the record i'm serilda summers mcgee, bureau director for human resources. Joining me is jamal anthony, a labor relations coordinator who helped negotiating the contract which represents approximately 115 seasonal workers predominantly in parks but also water and pbot, represented by local laborers 483. This bargaining agreement was collaborative and we reached a tentative agreement by expiration date of the previous bargaining agreement, something that doesn't happen all that often so we're very excited for that. The employees will now receive insurance on the first of the month after the date of hire, which is now 60 days sooner than previously they were able to receive insurance. All bargaining unit members will earn more than \$15 an hour by the end of the contract. The union and human resources work together are going to in the future work together on pathways to permanent employment with the city of Portland and this is a four-year agreement. Those are the highlights of the contract.

Wheeler: Very good.

Summers-McGee: We're here for any questions.

Wheeler: Commissioner Fish? Did you have a question?

Fish: No.

Wheeler: Very good. Looks good. I'll wait for Karla, see if there's signup on this. Thank you so much for being here. Thanks, Jamal. Good morning.

August 22, 2018

Barry Masiollo, Seasonal Maintenance Worker: Good morning. Good morning, Mr. Mayor, commissioners. My name is Barry Masello, a seasonal maintenance worker working out of Washington Park. Pleasure to be talking with you today. This process has been really an education to me working with the people that we had across the table was really very pleasant, very helpful. Helping us put this together. Seasonal maintenance workers take care of all of the sanitation and garbage hauling for the city of Portland parks. We assist permanent workers in their duties as horticulturalists, utility workers and park techs. We work as landscape maintenance workers which means that we plant and spread mulch on the beds, haul and remove debris and mitigate storm damage. Our parks would not be able to run without a work force of experienced maintenance workers. We work side by side with our permanent counterparts. A lot of the times our work crosses lines because they just need a capable set of hands. That's what we provide. People often ask me what the names of plants are. I tell them I'm the guy that digs the hole. They are the guys that know what they are talking about. You need guys to dig the hole. Along with this one of the things I would really like to say is that I'm very happy that people have taken the time to consider writing all of our stuff in Spanish. A lot of the folks, particularly the long-term maintenance workers that we have, are Hispanic workers. Those guys could run the job. They could run the job. If they were able to communicate in their own language and have written instructions in their own language, they remind me so much of my own family when they ran the navy yard out of Baillon, New Jersey, during the second world war to help fight the Nazis. These guys come here. We need them. We're getting to be an old work force. These folks come up here, they bring skills. They bring hard work. They are really great workers to work with. So I hadn't written a speech but that's pretty much what I wanted to say.

Wheeler: Thank you. We're glad you're here. Good morning.

Tom Colett, Local 43 Representative: Mayor, commissioners, I'm Tom Collette, representative with labor local 43. We appreciate the opportunity to speak about this contract today. Yesterday our members of the seasonal maintenance workers contract voted by a strong majority to ratify this contract. As their representative I urge you to do the same. This contract is a big step forward in the right direction for some of the lowest paid workers in the city. This contract provides better health care, shortening the amount of time workers and families must wait to receive health care from months to weeks and days. It also provides a safeguard against workers losing their health care due to short term illness, preventing the situation in which workers lose health care at a time when it's most needed. This also offers our workers the opportunity to participate in a better dental plan which is no small thing. And it ensures that folks previously accrued sick time can be used so we have less workers working sick in the future. It also provides a strong wage increase that by July of 2019 we project will have everybody in this contract above \$15 an hour, and that is a really important mark for us. I do want to say, however, that no single contract erases the struggles that our workers face. Portland's skyrocketing cost of living means even with significant wage increases seasonal workers will struggle to afford housing, transportation, food, and find that money to be able to save for retirement. Many people still think that the seasonal maintenance work force is composed of college students or employees on their way to another job. The reality in this new economy is that workers are relying on seasonal work as their primary income source. We have members who have worked for five, ten, even 15-plus years for the city doing seasonal maintenance work. Members who are actively trying to move up into permanent city jobs. We believe there needs to be a more direct pathway to regular work with the city and would like to highlight this for continued attention. As a diverse work force with years of direct experience we believe finding a pathway to permanent employment represents a significant opportunity for the city to enact its core values. I thank human resources director Serilda Summers

August 22, 2018

McGee and the labor relations staff. Jerrell gaddis, marell Wallace and Jamal Anthony for their collaborative approach. We were able to work together to develop solutions to the problems our members face because of this approach we were able to reach a contract much more quickly and collaboratively and I look forward to working with the labor relations team on future contracts and really appreciate this new approach. It means a lot to us. Thanks for the time.

Wheeler: Thank you. Appreciate it. Any further questions? I'm sorry, commissioner Fritz.

Fritz: How many members are in this bargaining unit?

Colett: It depends. People come on. At any one time -- I think over the duration of a year like 100-plus members.

Summers-McGee: Right now we're at 103.

Fritz: Thank you.

Wheeler: Public testimony?

Karla: Yes. We have two more people signed up.

Wheeler: Thank you. Thank you, gentlemen. Appreciate it. Might as well stay there for questions.

Charles Bridgecrane Johnson: I don't have a great question to put her in the hot seat. Charles bridge crane johnson. I'm sorry I was having a little conversation with judge eric block. We got a chance to talk about fair elections issues but that wasn't the focus. Obviously, this is a negotiation that's been done in good faith has some positive results. You should vote for but we need to look at the context of the agenda. We have another contract that's been negotiated coming up. At various times we talked about the office of equity and human rights trying to report back on diversity and inclusion among our bureaus, and so although I don't I was able to change -- I can't get you yet to append these contract negotiation reports with the diversity and inclusion report because somehow after looking at pictures in the news my guess is that parks workers are much more diverse and inclusive bunch than the people that shot somebody in the back of the head. When we look at pictures all white police officers but we get a diverse and inclusive parks department, you have some serious hard work ahead of you to -- there's a lot of things that need to be resisted. Some are stronger in different bureaus than others. Those include white supremacy and trumpism. I think that really whether you make it official on paper or not you all need an internal goal so that if you can't just get rid of the riot cops in general, at least they could look as diverse and inclusive and be as well behaved and public minded as people working for parks. Thank you.

Wheeler: Thank you. Very good. Any further questions of director summers-mcgee? Please call the roll.

Eudaly: Well, thank you, director summers-mcgee, and to laborers local 483. I'm really pleased we're getting these workers up over \$15 an hour which as we know is not really a living wage in Portland, but it should certainly be our minimum. I vote aye.

Fritz: Thank you, commissioner, especially for your support of that and for the healthcare benefits when we had the discussions amongst the council. Thank you, director summers mcgee. Thanks to tom collette. It's been an honor to work for you for the last 5.5 years. Most of these workers are in parks. You're right not only do they make \$15 an hour in '19, which, yayyy, everybody on contract with the city gets that now. We as a council have more to do. I would have liked to have done more as parks commissioner to bring more of these seasonal workers into permanent employment. The fact of the matter is when the parks budget is so constrained and the public wants their work done, that's how we make ends meet. That's the way it's been going progressively since measure 5. The council as a whole needs to grapple with that challenge. This is a good step in the right direction. Thank you for your work. Aye.

August 22, 2018

Fish: Thank both the parties, h.r. Bureau and our labor partners for reaching an agreement. I'm very excited about assuming the reins from commissioner Fritz at parks. We will continue to make progress on these critically important issues. Aye.

Wheeler: I want to thank labor relations and I want to in particular thank you, director summers-mcgee, jamal, others on the collective bargaining team. The issues raised by bridge crane are very significant ones and they are important to me. That's one of the reasons that we have new leadership in our h.r. Department and why we have what I believe is a greatly enhanced labor relations team. All of us understand that our city is becoming more diverse at a rapid clip historically government institutions do not keep pace with the demographic changes in the community and one of the great challenges I have put on our collective shoulders but perhaps more on yours than most is the challenge of making sure that all of our bureaus are more reflective of the community as it is and as it will be. It is important for the legitimacy of our government as well as frankly being able to interact with and reach the community that we serve. As it is and as it will be. This is a great turn-around because when I first met with members of 483 some time ago, if I may they had expressed some frustration with the collective bargaining process. What I'm hearing now is a much better, healthier, communicative dynamic, one that I believe you and your team has helped create. I also want to reflect on the fact that 483, the representatives and leaders that we work with, they are also elected officials. They are elected by their peers to represent their interests at the labor negotiations table. This to me is a classic win-win. This is a success story. I'm really proud of the work that all of you have done as part of the Portland family here to make this work for everybody. So thanks for your hard work and your blood, sweat and tears. I vote aye. The ordinance is adopted.

Wheeler: Next item. 884.

Item 884.

Wheeler: Director summers-mcgee.

Summers-McGee: Me again. For the record I'm serilda summers-mcgee, bureau director for human resources. This is marquis fudge, senior labor relations analyst who helped negotiating the Portland police commanding officer association contract, which represents the lieutenant command staff within the ppb, currently there are 29 members within ppcoa. This bargaining agreement, the process, was also very collaborative and conversation oriented where we took into consideration the needs of ppcoa, as well as the needs of the city. Their contract now aligns with the ppa, the timing of the ppa contract, which will allow the city to have a more comprehensive approach to police contracts for all of the policing staff that are represented. It also aligns with the city-wide health care preventive care initiative. This contract now makes sure that the ppcoa members are wrapped into the healthcare preventive care initiative that we adopted years ago. And this particular contract allowed us to use underutilized resources contained in previous contracts to pay for the cost of this contract. So we felt very good about being able to strike that agreement with ppcoa.

Wheeler: Director, what is the cost of the contract?

Summers-McGee: \$127,000 over the course of the life of the contract.

Wheeler: \$127,000 over the life of the contract.

Summers-McGee: That's correct.

Wheeler: Thank you.

Summers-McGee: That concludes our presentation.

Wheeler: Did you want to add anything? You worked hard on this.

Marqui Fudge, Senior Labor Relations Analyst: I have been on quite a few bargaining teams during my course of time with the city. This was definitely a refreshing process because of how effective and how efficient it was, moving into this new relationship based

August 22, 2018

way of doing business definitely allows space to explore different ideas and come to creative solutions that meet both parties' needs.

Wheeler: I want to thank you for your hard work. Appreciate it.

Fritz: How many people are in this bargaining unit?

Summer-McGee: 29.

Wheeler: Public testimony, Karla?

Karla: Yes.

Wheeler: Good morning.

Dan Handelman, Portland Copwatch: Good morning. Mayor, city council members still here, I'm Dan Handelman with Portland Cop Watch. The only things that we notice changing in this contract for the PPOCA have to do with wages and benefits. There's nothing about policy issues that have been raised repeatedly with city council over the years. It's almost as if city council missed the significance of the protests around the contract from 2016. Prior to revelation that that contract was being approved Portland Cop Watch signed a letter with others in August 2016 asking for some changes to be made and for those negotiations to be done in public which didn't happen then and didn't happen with this contract which apparently was negotiated over two weeks in June. There's language in this contract that's similar to the PPA contract that in theory precludes independent police review from compelling officers to testify. It says lieutenants will be told name, rank and command of the member in charge of the investigation. The interviewing member and all other persons present during the interview. That implies the interview is done by a police officer even though the IPR is supposed to be doing high ranking officer investigations. The contract still allows for grievances about discipline to be resolved through arbitration than perhaps going through the civil service board without having a record of putting cops back on the street when they breach community trust. Drug test should be random, rather than after incident including a deadly force incident which is another thing the community has been asking for. One lieutenant who is involved in the 2005 deadly shooting and multiple other force incidents which have cost the city over \$1 million in settled lawsuits came in two different cases, one this month for inappropriately putting his hands-on community members trying to observe police behavior and force them to move. In 2006 another lieutenant shot and killed somebody when he left his post to go to his sister's house, was fired then reinstated. He served without any known violations until he retired in 2016 but the point is lieutenants are still actively interacting with people on the street unlike some of the higher command staff perhaps and these policy issues need to be addressed. I want to add last time I came before this body couple weeks ago up in the Rose Room I got cut off from my testimony. I had a talk with the mayor. He apologized. I thank you and appreciate the time to talk. I still want to express that it's even 25 years of coming in front of there body still intimidating for me, so you have to consider that people who aren't just coming -- used to coming here might be intimidated and have fear that they are going to get cut off or ejected by being slightly off topic. I want to make sure you're aware that it's not an easy thing for us to come before you.

Wheeler: That's a fair admonition. I appreciate it. Thank you. Good morning.

James Chasse Jr: Good morning. If I may make a quick unrelated direct comment to commissioner Eudaly -- may I?

Fish: We're here to talk about this contract and whether it should be ratified specifically.

Chasse Jr: This contract shouldn't be ratified. We listened to working class people saying they are struggling day by day. I myself and this individual here had to dig under our car seats this morning for change for the meter. The meter to park on the roads that we pay for. We listened to a man talk about conflict minerals and the suffering and massacres he experienced in his home country. A consequence of western imperialism and capitalism. Now sitting here -- privileged white people can have their iPhones. I got one too. I saw

August 22, 2018

something in there, correct me if i'm wrong, 3.6% increase for police lieutenants in their salaries. Correct?

Fritz: 4.

Chasse Jr.: Even better. Now we're going to discuss whether or not Portland police bureau as I said before a violent and oppressive organization, paramilitary if you will, should be given more money. Let's take a look at the situations that have occurred over the last couple of years. These individuals cannot even maintain their weapons properly. They cannot deploy them in a proper manner. They use cs gas which even the united nations says is a chemical weapon and banned in warfare. They fire air distraction devices, flash bang grenade, at head level at people and I will tell you I was there, I watched it happen. I have no reason to lie to you, did not initiate hostilities against anyone. Those cops out there simply pave the way for their white supremacist buddies, defenders of the status quo. They are defenders of a white empire, of this system you so benefit from. These people do not represent my interests. They don't represent -- oh, right. They only started firing after they realized they left two squad cars behind the lines. The training that they have basically where i'm coming to, it's poor. Terrible. I actually watched them myself with a little bit of education on what is properly trained. Take my word for it, I asked. They are sloppy, lazy, they are brutish. They are just scum. They simply are. I watch it happen. I watch it happen with my own eyes. The violence that they sell. Okay? So we're going to sit and talk about whether these poorly trained, violent individuals who don't understand you're going to fire a 40 millimeter grenade, a flash bang grenade at head level? No. You should be trained to fire that above the crowd but they didn't. Why? They hate the people that would oppose their position of privilege. The fact of the matter is before you start giving raises to your pigs, why don't you spend more on training them more properly? A little sensitivity training as it's called. They are simply there to not pave the way for white supremacists but to protect people, not attack them. Simple as this as far as white supremacists go I saw a commissioner one time say that they won't be attending the protests at the waterfront, they will be going to city hall. To city hall to engage in a peaceful protest. Straight from the horse's mouth, adolph hitler said the only way they could have stopped us is if they attacked us, smashed and destroyed us. The only way to cut the cancer of facism from our society is to forcefully cut it out while your pigs support them.

Wheeler: Thank you. Good morning.

Fritz: Could you give us your name for the record, please?

Chasse Jr: James chasse, jr.

Wheeler: Good morning. [applause]

*****: What is your position in the police department.

Wheeler: I'm the mayor of the city of Portland.

*****: You'll be able to answer questions.

Wheeler: No, this is public testimony time. It's your turn to speak.

*****: I have a lot of questions.

Wheeler: This is not a game show.

*****: What? Wow. Could have fooled me. Again, giving Portland police raises right now in this situation -- the Portland police have quite a few lawsuits against them, correct? This is making news in england which i'm sure you know. With that happening you're going to somehow approve a 4% raise when we have people dying on the streets in this city? How does that even make sense? How and why does that make sense? How? Is there any -- can you give any indication of why the Portland police bureau with, again, like james chasse, jr., was saying is absolutely not -- they will say they haven't had training. What standard does Portland have for any kind of de-escalation tactics? There's a national

August 22, 2018

standard. There are state standards. What does Portland have for it? [audio not understandable]

Wheeler: I don't want to take your time. Their use of force standards directives put out for the public. We get public commentary and those --

*****: About 6% of their training is de-escalation. [speaking simultaneously] the rest of it is -

Wheeler: I'm not going to argue with you. If you know the answer, keep going.

*****: Do you know christopher quangeas? Any of you?

Wheeler: We're getting way off field.

*****: It's really not. A life could have been saved. Granted it was clackamas police but same fucking thing with Portland police. A life could have been saved with de-escalation tactics used but there was a gunshot wound to the chest of a 19-year-old boy having a mental crisis. I have seen my friends and myself abused multiple times. Why the hell does Portland, Oregon, have a militarized police force? That is fricking pathetic. That is fucking ridiculous.

Wheeler: Can I ask you not to swear, please? This is broadcast. We don't want to lose our fcc license. Please don't use that language.

*****: I apologize for my colorful language. This stings. It stings. I don't see how you're going to reward except you're shaking hands with each other reward a bunch of fucking thugs. I'm sorry.

Wheeler: Seriously, if you can't stop i'll ask you to stop.

*****: You're going to give a 4% increase to a bunch of friggin' thugs when you have -- where is the money for quanice hayes for the loss of another child? Completely, completely out of control use of force. Murder by Portland police. You're saying that's okay after what just happened with a protest. Making national news. Portland police bureau is looked upon as a pretty friggin' shady police bureau and you're head of that.

Wheeler: Thank you all three of you.

*****: Do you have any police training? Do you know how to run a police force?

Karla: The next three.

Wheeler: Excuse me. You're interrupting and robbing other people of the opportunity to speak. Please leave.

*****: The answer is no. [laughter]

Wheeler: Good morning.

Larnell Bruce: Good morning. [audio not understandable]

Bruce: So about the police, you guys want to pay them more money. My concern is why, again addressing other people's concerns. They are very abusive. This morning first of all point out the fact that we have the right to peacefully protest. Am I right? I feel like across the street at chapman square now right across the street, we have been following park rules. Abiding by the rules of the police. This morning your police drove up to address a matter, there was a trimet vehicle with its lights on. It was about 6:30 this morning. Sat there and shined it in our face. Then called police. When I told them my issue with that someone could have pulled to the side, there was no one was at the courthouse yet. They could have pulled to the side. The police upon leaving shined the brightest lights on top of their cars on us for a few seconds on purpose and drove off laughing at us. These are the kinds of people you want to give more money to. Granted, protests here don't have the best relationship with police but we're human. I feel like when we're treated like that there's going to be plenty of opposition towards these pay raises and things like that. But specifically when it comes to the house -- I have a home. I'm out here because I choose to be out here not because I have to be. When i'm treated less than and I have experienced this I have been here two weeks at this location, i'm sure you know how long we were at the other location, when it breaks my heart because I have the choice to go home and

August 22, 2018

sleep in my bed in the cool air if I want to. I worry for people who don't have that option. When they come through and i'm witnessing these things happening it breaks my heart because there's so many people on the streets that don't have that option and I feel like something needs to change when it comes to these cops and it's not their pay rate. [applause] people are being harassed. Come by harassing people, throwing things away. I have the option to be here but when you take someone's sleeping bag or their sleeping pads, that creates uncomfortable conditions. It's unhealthy for people to not get the proper amount of sleep. I'm pointing these things out on the record so you can hear me. I hope you hear in me with some sense and aren't blinding me out. Portland police don't need more money, they need better training. They need to under people with mental illness are people too. To antagonize our camp out there who are peacefully protesting, not tearing things up, not tagging, not harassing passersby. Any of that. The blatant disrespect is ridiculous. These people are supposed to protect and serve us and they are antagonizing and harming the houseless. These people don't have a voice. It's not fair for that to continue happening. It's beyond scooting someone's sleeping bag to the side. They are being harmful to people out there. These people are saying we're not going to get in trouble. Call our bosses. I'm begging you to do something about this.

Wheeler: I do appreciate it. Thank you for your testimony.

Kenda James: To my understanding officers have the right to actually [audio not understandable] I was told specifically by an officer they have the right to pick and choose who could sleep and when to not sleep. I would like something in writing stating that when we are -- where and when we can protest peacefully instead of every day receiving documents saying we are not allowed to protest here because of an erect tent. We sleep openly with no tents or anything. I really want to peacefully protest. We have been cleaning up after ourselves. Now just this morning we received another written whatever it is because we cannot get anything in writing from council or anyone. I really would love that in writing. We know our rights. They are picking and choosing when to harass us. They do harass us nightly every night. They don't have anything else better to do to circle us and put their lights on us and pick and choose. You guys got to move. I don't know who I need to speak to but I would want that in writing. Today would be great because i'm tired of them harassing us.

Bruce: Do we have sleep zones here?

Wheeler: Not specifically, no.

Bruce: So everybody gets swept. There's nowhere for anyone to sleep peacefully?

Wheeler: There are protocols. If you leave your contact information I can get that for you.

Bruce: There's no legal places for people to sleep like the houseless. [audio not understandable]

Wheeler: You're interrupting testimony. Excuse me. Please do not do that. [audio not understandable]

Wheeler: Excuse me. You're not testifying. You are interrupting. Next three, please. Ms. James, could you leave your contact information with mustafa. If you leave your contact information i'm happy to have a follow-up conversation. We're getting pretty far afield. Leave some contact information. I would be happy to call you. [audio not understandable]

Wheeler: Good morning.

Nico Hanni: Good morning. My name is nico hanney.

Wheeler: I'm sorry. We'll take a two-minute recess. I want to hear what you have to say. We'll take a two-minute recess.

Hanni: I lived in the Portland metro area for 10 years. I do not believe in giving the police more money as what I experienced in the city of Portland. I was sexually assaulted, left inside a house for 48 hours, drugged with amphetamines. When I started to explain to the police what had happened to me, they started -- I started to experience severe

August 22, 2018

homophobia from the police where they told me what had happened to me was my fault and that they had told me that if I wasn't gay that this wouldn't have happened to me. When I went to the hospital to emanuel another police officer there I asked to speak to them because they thought I was delirious because being drugged they wouldn't allow me to leave the hospital although I was completely coherent I was asking for a rape kit to be performed on me. They were being absolutely disrespectful to me and brutalized to me and homophobic. I am completely just completely at an awe that the Portland police department is being homophobic to a queer 19-year-old after a sexual assault was performed and there wasn't even a police report done after I had asked them to report this. I do not believe that the police deserve to have a pay raise when I had gone to them as a person who is an Oregon resident and Portland city resident. I don't understand why they are trying to pay them more when they can't deal with a person who had been drugged for two days straight. I really don't understand why you're trying to give them more money when they didn't help me and I wasn't even delirious. Hi been through one the of the most traumatizing experiences of my life and the police were rude to me and I wasn't rude to them. I was not being aggressive. I was trying to explain to them as best as I could because I was drugged about what had happened. I do not believe they deserve more money when they wouldn't help me.

Wheeler: Thank you. I'm sorry for your experience. [applause] thank you for being here. Good morning, sir.

Charles Bridgecrane Johnson: Good morning, commissioners. Five, six minutes to noon. If my name was lars larsen chief outlaw would schmooze me and stab the mayor in the back but i'm the bridge crane. Since we're only talking about police lieutenants, the hysterical performance of chief outlaw on the lars larsen show will have to make it for the right time for comments. I appreciate the mayor and those of you who took note of my concern about racial disparities and inequities in different bureaus. Unfortunately, as we talked about before that's not attached here. There's nothing -- unfortunately we deal with specific legal issues. This contract which is much less worthy than the one laborers 483 has brought forth. It's not a place to see the charts that tell us how far behind the lieutenants' ranks are in meeting the diversity inclusion expectations for the city. As other testifiers have brought forth, it's in the national news, the international news, not just lieutenants. If you look at the faces of the Portland police and all the international news coverage from august 4 and what not you'll have a hard time finding a woman, a hard time finding anyone that isn't a man that's white. I don't have the proof that the riot squad is a white racist cult but it's already been proven. So why in her testimony to lars larsen chief outlaw dances around these issues and thinks she's some sort of superhero for autonomously smashing ice, you know, we knew it was hard to fire frashour. We know that kreuger could put nazi paraphernalia in a tree and be exalted beyond lieutenant to become captain of vice. I'm sure there's no racial enforcement in vice just because the captain, captain kreuger is persecuting communities of color. European kindred and other white gangs are running drugs. One talked about being dosed with methamphetamine for a rape. We're not having any real progress about stopping the european kindred and other white groups trafficking drugs because we have a very dubious person as head of the vice department. Somehow he got through lieutenant. Lieutenant's ranks. Personally I don't think just firing chief outlaw is a solution. We could talk about the turnover of chiefs of police since rosy sizer. But you all need to step up your game. Otherwise we should elect nobody. There seems to be no accountability. Thank you.

Wheeler: Thanks to both of you. Anyone else?

Karla: That's all who signed up.

Wheeler: Very good. [shouting] no. Let's just close. [shouting]

Wheeler: Richard, come on up. Come on up. The list is closed. Come on up, richard.

August 22, 2018

Richard: Thank you.

Wheeler: How you doing? Thanks for being here.

Richard: Hello, mr. Wheeler. City council. City council, in my travels into Mexico and I have family there, here's the thing, Mr. Mayor. In this society we obviously know, you know, there's the haves, that have money and the have nots. Folks, you know, I'm fortunately -- y'all, I have a little bit of money and I have a house and there are folks that don't have a house, and this society that we are in we have been into you know, I have a little bit of respect for police to a certain degree, and there's things that really disturb me. You know, immigrant families are being separated and people laugh, white people don't understand yet we have Nazis, you know, parading around in our street and Mayor, you remember what happened last May day when people broke stuff up. Maybe I don't want to see this, but people are going to feel the urge to smash windows and break stuff, you know -- at will because they think city hall and they think what's going on when they see white supremacists and stuff, you know, freely roaming about, roaming, they see the police protecting them, protecting white supremacists, going around there's never been -- been a time where I have wandered off and punched one of these young white supremacists and Mr. Mayor, you -- my friend -- I don't know whose face, but he has given a warning what the next uprising is going to be if shit continues to go down, y'all. I hope, y'all, people rally around the wagons. They don't need Gibson and his little Nazi gang. He's just a little monkey show for everybody -- everybody -- everybody. If the police had any respect for people they would let us crack some heads, y'all, because if these white nationalists were let loose they would crack our skulls without any question, and unfortunately that's the only method they know is bust their heads before they bust our heads. Thank you.

Wheeler: Thank you. [applause] [shouting] is there any further discussion before I move this? This is a first reading of a nonemergency ordinance. It moves to second reading. Thank you, Director McGehee. Next item is 894, please.

Item 894.

Wheeler: This is an annual occurrence at Portland City Hall. This ordinance authorizes a one-year contract with standard insurance company to maintain employee life, supplemental life and long term disability benefits for city employees through June 30 of 2019. This one-year extension allows the city benefits office to the appropriate time for a thorough competitive request for proposal process and implementation of a new contract. We have health and financial benefits manager Cathy Bless with us here to answer any questions about this extension. Good morning. Anything you want to say first of all before we --

Cathy Bless, Human Resources Benefits Manager: Good morning, Mayor, yes. Cathy Bless, health and financial benefits office manager. The only thing I would add to that is \$2.2 million is a combination of employee contributions and city contributions.

Wheeler: Thank you.

Bless: The city pays for basic life insurance and 40% of the LTD. Employee contributions make up the difference with supplemental life insurance and a 20% buy-up on the LTD.

Wheeler: I appreciate that.

Fish: You and I have had a series of conversations about this issue because one of the things that happened in my life when I was diagnosed with cancer is number one, of course, I had a preexisting condition so I began to look at the health care debate differently. Number 2, there are limitations on my ability to get life insurance because of my condition. Number 3, I became interested in the portability of certain benefits that we offer to our employees. So can you succinctly for the council remind us with respect to supplemental life insurance, because that's where the real dollars are and you can buy up to \$300,000, to what extent is that portable when someone leaves city employment?

August 22, 2018

Bless: Sure. So the portability certainly has changed over the last couple of years. Part of that had to do with the experience of the coverage itself. So there was a lot of claims that were paid. There was an attempt by the -- by standard to increase the rates and separate the ported coverage rates from what employees pay for supplemental coverage. So we have rates established as active employees. They remain the same when someone retires or terminates from the city and wants to take that supplemental coverage with them. We think that that's an incredibly important part of the plan. An employee is has paid into that plan throughout their employment, and we want to keep those premiums competitive and affordable as they transition into retirement. So at the point where standard was requesting that we separate those rates and charge retirees more for their coverage we didn't agree with that. We took then on the risk for that coverage but in order to do that we had to lower the limit. If we took the rate increase we would have made the coverage unaffordable and individuals would have been hampered and had to lower their coverage anyway. What happens now is that employees can take up to \$150,000 imported coverage. They can opt to convert the coverage, the additional coverage, up to the \$300,000 limit. They can convert that into an individual policy and pay premiums directly to standard insurance. Those premiums would be much higher. As part of this rfp process we're hoping to get more competitive pricing, higher portability amounts back into the plan, and then also to add short term disability options within the benefit plan. So we're hoping that by doing this really comprehensive benefit asking a lot more questions than we would have been able to before, we hope to be able to provide that and by going through an rfp process and offering a new policy, we oftentimes are able to offer guarantee issues. So anyone that had missed an option in the current plan can then fold in and seek coverage in a new contract.

Fish: Just to make sure I understand what you just said. You said it very clearly but I want to understand it. Up to \$150,000 is protected and portable subject to the rates that have been negotiated with standard?

Bless: Correct.

Fish: So in the chart that is attached to our council action item, if you fall between 55 and 59 it's 21.5 cents per thousand dollars.

Bless: Correct.

Fish: Multiplied by 150. So that becomes portable indefinitely?

Bless: It becomes -- the portability coverage or supplemental life insurance is term life insurance. It ends at the age of 75.

Fish: Just to be clear, because the standard insurance is capped at \$50,000 --

Bless: For group life insurance.

Fish: For group life insurance and given that the mximum amount of supplemental life is \$300,000 what i'm concerned about is that gap. What i'm concerned about is people that have acute health issues that are leaving city service that as a consequence of leaving city service may be leaving behind substantial amounts of life insurance that is otherwise affordable. I don't think we should be putting employees in that position particularly because then the option is either not to separate from service or go on long term disability with an uncertain future. I'm not sure we want people to have to meet that Hobbesian choice, so what I would like to work with you on going forward is to make sure people that are otherwise eligible for long term disability, that have an acute health care challenge, are able to preserve the supplemental life insurance that they had in service. I understand the standard has said they want to lift the premiums. I would like to now how much they wish to lift the premiums if converted to a personal policy. To me this is a fairness question. It's hard enough when you're an employee dealing with a significant and serious illness, to layer on top of that the prospect that you would lose your insurance coverage -- the insurance coverage is vitally important here. We're talking about taking care of your

August 22, 2018

survivors if you have a terminal illness. It seems to me that putting someone in a position where they have at least a 50% decline in available health insurance and an unaffordable plan is not in our best interests. I don't know how many people are affected by that, but mayor, I think this requires significant focus and I volunteer since I have a different perspective on this issue with battling cancer on some of the dynamics, but I don't think employees should have to make these choices.

Wheeler: I think it's a very important issue that you have raised. I was not completely aware of that gap. I appreciate your raising it and I'm sure that there are a number of employees facing exactly that circumstance. I would applaud and appreciate that kind of a partnership to see what's available.

Bless: Yes. As part of the rfp process we have a series of questions that are directly related to how we protect benefits for employees. I'll make sure that we articulate --

Fish: Thank you, Kathy. You have been very responsive in my conversations but I'm also interested in what our experience has been at the intersection of people that have to choose between long term disability or who simply separate service. I'm not sure there's a lot of people who fall into this category. Then I'm interested in for how long and at what cost we can maintain that -- the preferred rates on supplemental life. Again, I just -- there seems something cruel to on top of dealing with a serious health challenge, on top of worrying about the impact of that health challenge on your family finances being told a supplemental life insurance policy you have been paying for all along is not available to you. That doesn't seem fair. The truth is that the private market costs are prohibitive. If you start fresh for term life insurance. After all you have paid in and you have been playing by the rules and I don't think on top of all the other concerns people have to deal with that should be weighing heavily on them as well.

Bless: The one thing that I will say to that, it's not really a matter of choosing to have to go out on long term disability or not wanting to do that. One of the components of the long term disability plan is that as part of the adjudication process of that claim, the determination is made for a waiver of premium. The waiver of premiums process says you don't have to pay for your life insurance, your supplemental life insurance premiums or long term disability premium, and all of those benefits remain intact at the level that they were as part of this waiver of premium process when somebody does apply and is approved for long term disability benefits. That covers a certain period of time. After that, of course, the reduction pieces are likely an individual who is within the long term disability benefit. There are nuances to all of those things.

Fish: I think we should cost them out. I'm sorry for asking a very simple question, but does eligibility for long term disability benefits impact at all the decision as to whether you maintain your current employment status?

Bless: It may. Yes.

Fish: Then of course that would have a differential impact on electives.

Bless: You can still retire, leave, and --

Fish: Eligible for long term benefits.

Bless: This impacts elected differently than --

Fish: The mayor has said it's something he's interested in purr sighing. I'm interested in looking at the scenarios, number of people impacted and the cost of maintaining benefit and I would ask that we continue those conversations.

Bless: Yes.

Wheeler: Great. Is there any public testimony?

Karla: No one signed up.

Wheeler: This is an emergency ordinance. The emergency exists to avoid undue and costly delay in providing benefits to plan participants. Could you please call the roll.

Eudaly: Aye.

August 22, 2018

Fritz: Kathy, you continue to do outstanding work. Thank you. Aye.

Fish: Thank you, kathy, aye.

Wheeler: That was a good conversation. I appreciate commissioner Fish raising that. Thank you for your hard work as always. I vote aye. [shouting]

Wheeler: Next item.

Wheeler: This is a second reading. This is an ordinance that has had a presentation and public testimony. Please call the roll.

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

Wheeler: Aye. The ordinance is adopted. Next, 896, also second reading.

Item 896.

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

Wheeler: Aye. The ordinance is adopted

Wheeler: Next item. 897.

Item 897.

Wheeler: Commissioner Fish.

Fish: Thank you, mayor, colleagues, the Portland water bureau has determined that it no longer has use for about three acres of water bureau property located in the university park neighborhood and has subject to our surplus property policy offered it through other city bureaus. The Portland housing bureau has expressed an interest and intent to purchase the property at fair market value. Today we have the water bureau and housing bureau here to give a brief presentation. We're joined by mike store, director of the water bureau, and Shannon Callahan, director of Portland housing bureau. I'll turn it over as soon as Karla gets our power point ready. I don't know how you manage all these presentations. Imagine where we would be without you.

Mike Stuhr, Water Bureau Director: I though I might begin. My name is Mike Stuhr, director of the water bureau. This is Shannon Callahan, director of the Housing Bureau.

Wheeler: Is your mike on? It is. That's weird.

Stuhr: We thought we might bring a good news story to council. We have been examining our property inventory and looking for pieces of property that we could free up for the community or for other uses within the city. One of those pieces of property is what we call the carey boulevard property. Which you see up there. It's way, way up there in north Portland. Adjacent to the big railroad cut where bnsf runs 34 trains a day. We bought the property between 1970 and 1973 for those of you who are interested you will note that was pre-all of the environment laws that we deal with these days. The city was a different place at that time. We bought the property to put tanks because at that time people were anticipating much greater water use than we see today. The combination of current conservation, ethic and changes in plumbing fixtures and so on, we have continually used less and less water. So we have no need for tanks there. So since that time those three acres have lain fallows. They are mowed I think by parks bureau. We pay parks bureau to mow it because they have all these cool mowers that run around, fairly good size mowers. It's been mowed by the parks bureau and laid unused. We decided that we wanted to dispose of that property. We had gone through the ordinance process, pre-ordinance process I guess would be a better way to say it, and floated the piece of property to other bureaus. Shannon's bureau raised their hand and said that might be a good place to put housing. So what we have done over the preceding months is we have done an appraisal of the property. That's how we value our property. We have agreed that the transfer price between us and the housing bureau is \$3.35 million, I think. That's kind of where we are at today. Another kind of wonky thing, the actual ownership of the property does not change. The city of Portland owns all the property. In some measure is this is an accounting exercise that keeps funds straight between the general fund and a utility fund. Having said that, I'll now turn this over to shannon to talk about what they propose to do with it.

August 22, 2018

Shannon Callahan, Housing Bureau Interim Director: Thank you, mike. First of all I would like to just thank the water bureau and director stuhr for his team's cooperation and this property transfer. This parcel is ideal for new homeownership opportunities for Portland families. As you are aware, these are old slides -- interesting. Okay. The slides may not match my talking points. As you are aware homeownership costs have increased dramatically over the last seven years leaving many moderate-income families with few options in the city. Although the housing bureau spends the majority of our development funds on rental housing, our work to create new homeownership opportunities is a key part of our mission to stabilize families with long term housing options. We are committed to developing this parcel for homeownership. We are committed to utilizing the north and northeast neighborhood strategy as developed by and with the community in 2014. We are in conversations with prosper Portland about adding this parcel to the interstate urban renewal area and we would plan to use renewal funds to complete the purchase of the parcel. Our current estimate for the number of homes that we can create on this parcel is between 50 and 70. We have made a commitment to this council and to the university park neighborhood association to preserve the existing heritage tree on the property. Look forward to conversations with the neighborhood about the ultimate development. We have also committed to the neighborhood association that they would have a representative on the selection committee for the actual developer of this property, which is to be sometime in the future. We are also in conversations hopefully with our sister bureau parks to maintain the maintenance agreement. Otherwise we will maintain the property in the condition it has been and we are engaging in security contracts as the neighborhood has expressed interest in making sure that we have patrols on the property on a regular basis. So that is in sum our plans and our commitment to the neighborhood. Thank you.
Commissioner Fritz?

Fritz: Is this the property that we changed to r2 in the comprehensive plan?

Callahan: Yes.

Fritz: What's the thinking as far as what kind of homeownership opportunities would be there since that's usually a multifamily dwelling zone?

Callahan: It's very early. We don't have conceptual plans. Typically, we bring an actual development partner on to help us design and work on the process with the community. Our thinking is that it would be either single family or potentially attached housing. We would not be looking at multifamily five-story development of that type. We're looking for more of your single family feel or attached housing.

Fritz: Interesting you could do it with a land trust, couldn't you, so it wouldn't need subdividing, but you could provide homeownership without selling the land underneath which could maintain affordability for a long period of time.

Callahan: Yes.

Fritz: Very interesting possibility.

Callahan: That concludes our presentation.

Fish: The lead up to this council item has involved lots of staff work and lots of technical work. It is fairly complicated. The presentation is very straightforward. We appreciate the constructive conversations with the neighborhood association. Tom karwaki is here. I don't know whether he's signed up to testify but I hope so. I'll have a few remarks in my closing remarks about why I think this is a milestone.

Wheeler: Great. Thank you. Public testimony?

Karla: We have six people signed up.

Wheeler: Good afternoon. Welcome.

Sherry Dahlen: My name is sherri dolan. I live at 6702 north syracuse. I have lived there for 40 years. I'm going to read through this quickly then I have a couple more things I would like to say. I understand that the carey boulevard property is surplus to all of you.

August 22, 2018

But that surplus property has been the land that I look out at every morning and every evening. It's been my neighbor on two sides for 40 years. For the first 20 years I called the water bureau every year asking when they are going to build the water towers. Then we were told that the ground was unstable, not that it wasn't necessary. 20 years ago we were told that they took samples and it was unstable. So they couldn't put a water tower there so they might use it for maintenance yard. In recent years we heard from the neighborhood association that it would become houses. It would have been better to hear this from the city but we have received nothing directly from the city regarding any of the changes. So I'm asking that the neighbors be better informed, not just through the neighborhood association. We have our addresses. You have our addresses. We pay our bills. Inform and include us in the decisions concerning our neighborhood. Protect the heritage tree, and many of the other 20 different or more species of trees. We have returning falcons. This year they had two babies they raised. In closing, please remember that the university park neighborhood has mostly households that have two working adults and our houses represent the biggest investments we own. I hope that this council makes decisions that value the existing residents' quality of life and benefit all of the citizens of Portland. On the way over I had two other thoughts. The map behind you shows perfectly that north Portland is in fact a peninsula. There are only three ways on to a peninsula from east county. We have columbia boulevard, we have lombard and we have willamette boulevard. Those arterials are getting clogged with infill and construction that's going on. I understand that we need more housing. I have not said anything against it. I just believe that somebody needs to be aware that we need more arterial roads for vehicles, not just bike lanes. Vehicles. We also have concerns that the bureau of housing is going to have ownership of the property because I have seen what they have done with the property on lombard at 7300 where they took over the parole office, now it's a housing place where they keep stuff and that's not kept up very well. So I am concerned that we have the same level of response and upkeep on the property. We have had fires where we have had to leave our homes before because of the railroad bed which we all understand. But --

Wheeler: Thank you. We appreciate that. Good morning.

James White: Good afternoon. I'm James White. I appreciate your time. I appreciate what you said to our president a little while back in retort. I appreciate the commissioners. I'm a native Oregonian, a Portlander. I went to Grant High School. I lived in northeast Portland all my life. I have lived 23 years in St. John's. I just retired as a 27-year teacher in Lake Oswego School District. Know what expectations are, how to breach expectations. My expectation with this council is pretty simple. I have numerous times called the water bureau, called the railroad, called the police for the transients and everything down the road. I understand there's homeless everywhere. But there's a drug epidemic and my concern is if they sell this land I want to make sure it's maintained by the housing bureau just like it has been the water bureau. That the grasses will be cut, that there will be security around, and that we can have a little more insight into north Portland, which is growing, burgeoning and on the possibility of being one of the most robust communities around as long as we feed it. I'm very nervous. Usually I don't get nervous in front of people. I'm pretty articulate. But I'm here to stand behind my neighbor here. I have constantly -- my wife says you can't go out in the street anymore and run people down for doing the wrong things. I get it. But what I don't get is what's going on with lack of shall I say clarity. I mean, we have been wrestling with this issue for a long period of time. I know we need to build. I know Portland is growing. I know the median price house are just escalating. We have to think really clearly and slowly where we build here and are we going to maintain the services we need around that it can be a viable, productive community for years to come. That was long there, I appreciate your time.

August 22, 2018

Wheeler: Excellent testimony. I'm glad you're here to give that testimony both with the water and housing bureau leadership here to hear your testimony.

White: thank you.

Wheeler: Thank you.

Tom Karwaki, UPN: i'm tom karwaki. Our two members are here. First of all, we have a long history with this land, over 35 years since the neighborhood association was started. We have always promoted that this be a park, if possible. And we have advocated for that because it would be the only park next to a mainline railroad in the city. However, the decision has been made by the council that it be housing, affordable housing, and we want to thank shannon and the bureau -- the Portland housing bureau on what they've tried to do, and we look forward to cooperating and working with them to make this a really model facility development. What we are concerned and we are thankful we'll have representation on that, we hope that the council does direct them to make sure that they include us and other members of the community. Because there are many other members besides just the neighborhood association. So finally, in addition to that, I just wanted to say that the issues of all of this -- we have always had campers and the written comments I made are a little more articulate. We have always had campers, what we are asking for, we have a spring water corridor situation here. This sunday I counted 100 campers on this parcel. 100. Okay. At this point -- this is only one part of a ten-mile or 7-mile corridor. So i'm just saying that this is an opportunity and our testimony we suggest this, create a task force, mayor, with all of the different bureaus and the property owners and the neighborhood and the university of Portland and the Multnomah police, fire department, everyone involved and let's build a community-based effort, including the members that are here, neighbors, let's make sure we can create a successful situation for all of them. We would rather not have a full sweetwater corridor situation. So I really look forward to us including all of the people. We could create a really nice community-based effort here. That's what we are suggesting, and we look forward to work working with the Portland housing bureau in the future.

Wheeler: Thank you. Commissioner Fritz.

Fritz: Mr. Karwaki, Thank you for sending in your testimony ahead of time, that was very helpful. You had asked for potentially an amendment to say that the housing bureau will work with the neighborhood association and the neighbors and another one for the maintenance. Having heard it stated, that's adequate for you?

Karwaki: I think -- okay. I have no offense to anyone here. I think that's a great statement, but I do really think that in the future, it is helpful because, you know, administration's change, directorates change, it may a wise thing to include the neighborhood, we heard they didn't get notified. As part of the surplus property stuff, we talked about when to put a sign, do developments and so forth, and what we have got here is there's been actually no notice to the community directly. I have been involved, i've followed this stuff. Some other people have. They didn't know what it meant to be a change in zoning, et cetera. So the issue is that the community has not been notified really that this is happening. We are okay with it, we can accept that, we would hope there was better communication. I would hope that a directive in some sort of writing would be helpful. I understand that it may not be possible. This is really great assurances, I take her at her word. I'm trying to say, what happens when she leaves? And that's a concern to the neighborhood. This is a piece of land that could be in a land bank for some time. It's been in the city's possession for a long time the. Prior to that, it was in the railroad's possession. So the situation is that -- you know, who knew what the city was thinking 30 or 50 years ago when it bought the land. The point is, it could be in the land trust for many years, it could be just a year or two, that's what the concern of writing the inclusion is, in writing.

Dahlen: it helps to include maps, maps really show us where we're at.

August 22, 2018

Karwaki: thank you very much.

Wheeler: Thank you. Appreciate it. Next three, please, Karla.

Wheeler: Welcome. Good morning.

Diane Linn, Executive Director Proud Ground: good afternoon, mayor, city council. I'm day an behind, executive director of proud ground. We create permanently affordable homeownership opportunities for working families with a focus on closing the minority homeownership gap. Especially in neighborhoods adversely affected by gentrification. As mentioned by commissioner Fish, we operate using the community land trust model, and I do think this property has a great amount of potential for that, if that's the direction it goes. We are clearly here in support of the purchase of the water bureau surplus land at carey street. This is a really important example of how we can leverage publicly owned land to concretely address the affordable housing crisis we face in the city. And I think this could be a step, I think commissioner Fish used an important word, that this could actually turn into more transfers just like this. This site is located in the heart of a very vibrant community, you've heard from the people that live right there. It has many amenities nearby that would serve families particularly well and homeownership, as you'll hear, is a very stabilizing kind of housing, and we think that this site would really offer up some really wonderful development opportunities, options, and we strongly support making it available for our desperately needed homeownership units in north and northeast Portland. Where children and their parents, individuals and families can live and thrive. We support the transfer of this land to the Portland housing bureau, we want to mention there's amenities right nearby, two parks within two and ten blocks, Fred Myers down the street, seasons, bike trails, and hiking trails. The cut of the canyon is actually a good neighbor to a wonderful homeownership development, and we do really look forward to working very closely, if we are involved going forward on this project, with the neighborhood in making sure that it fits into the character and the nature of the neighborhood. Thank you very much.

Wheeler: Thank you, diane, good to see you.

Steve Messinetti, CEO Habitat for Humanity: thank you for your steadfast support of creating a city where people of all incomes can leave. I'm the ceo of habitat for humanity of Portland metro east. I just saw a report through the united way that they just published, it was a study that showed the change of affordability in communities across the country, for Multnomah county, I was surprised to see for households living below the poverty line, there was a decrease in the last six years from 51,000 to 41,000. That's good news for having fewer families living below the poverty line. The number of households in our county who are working households that do not earn enough to afford basic life necessities, food, transportation, and housing, almost doubled. From 42,000 households to 80,000 households. I really believe that's our housing crisis, it's one of the key contributors to our homelessness crisis, to our hunger crisis, to our equity crisis. Habitat for humanity from 1990 to 2002 built about 110 houses in north and northeast Portland. These are homes that were sold to households with an average income of 40 percent of the median income. Almost all of those households continue to be successful in owning and occupying these homes. We have seen again and again the stability that comes from homeownership. We did a study of the first 300 households we sold homes to in Portland. 92 percent of the children who grow up, graduate. 17 percent higher than the city graduation rate. We learned from families that 79 percent of households that had a family member with a respiratory illness no longer had symptoms after moving in. Homeownership is stabilizing and it's one of the greatest and most effective anti-displacement strategies, this three-acre parcel is a great fit for homeownership, and it is an excellent match for the desires of households that have been displaced from this community, we have been working with these households for the past few years, there's a

August 22, 2018

tremendous lack of this middle zoning in the city, and that meets the needs of larger families, where either single family homes or town home style homes can be built, as well as for multi generational households. It is time to end the growing racial disparity between those who own property and have the power decision-that comes with it and those who don't. I encourage you to support the transfer of this property to the housing bureau and dedicate it to providing homeownership opportunities, thanks.

Fish: I have a quick question there's a big conversation going on in our community about the benefits of homeownership in terms of wealth creation, but the truth is in order to get families below 50 percent of median family income into an affordable home, we have to use models like land trust model, habitat and others, which limit the amount of equity a family can actually accrue over the life. With respect to your model, and your model with habitat, over the life of someone's ownership of a habitat home, how much equity can they accrue?

Messinetti: actually habitat for humanity has recently committed to moving to a permanent affordability model from what we currently have as a shared appreciation model. The reason for that is all the national studies show the benefits that come from homeownership come from the stability, the -- no more rent increases and the built-in savings account and not necessarily the equity in --

Fish: I'm glad you said that. There are some big cross-currents in our community in this area, and frankly, another area that I worry about, when the focus is excessively on wealth creation, is that housing markets are prone to cycles. And today may be a good cycle, tomorrow someone may be under water, we may be doing no favor to a struggling working class family to put them in a situation they can't be successful. So from my point of view, the model should be focused on housing stability and permanent affordability, not on picking winners and losers in the marketplace. I know that's a controversial subject, but I think the wealth creation, frankly, is a better conversation in the area of how we assist small businesses and how we provide capital to people to change their dreams, I think in the housing sector, it comes with more risk, and I -- I think if I had to pick between permanent affordability and this idea of giving someone a piece of the pie, i'd opt for permanent affordability because of all you described in terms of homeownership.

Linn: for the targeted audience we serve, we are partnering up on the whole range, we think mixed income communities are very important. If the family at 60 to 70 percent of median income, we bring an entire down payment to the table for them, removing that incredibly difficult barrier. Then provide and make sure they have an affordable mortgage that stays within only 38 percent of their income and in contrast to many other housing scenarios, that's way lower. In the end, our studies show in a ten-year window, people are generating as much as \$72,000 a year free and clear, they get every penny they put into their principal mortgage back out again and an increase of 25 percent in our model over the course of time. That's in a ten-year window. Much more if it's sold later. So we really want to make it clear, we actually want families to thrive financially also and be able to generate revenue into their own households and at the same time be able to resell that very same home to the next income qualified family in perpetuity.

Fish: There you go. Getting your down payment back when you sell is different than some of the expectations people have in this marketplace of reaping huge gains. We have to balance affordability and also some reasonable return. I think we have to have an honest conversation, though, about what affordable homeownership means, there are growing voices around wanting to promote wealth creation. That's a very subjective term, and it could mean many different things to different people, it puts some of these houses at risk.

Linn: I think we can achieve both.

Fish: Thank you.

August 22, 2018

Charles Bridgecrane Johnson: good afternoon, commissioners, it's good to have this robust discussion, I think we want to make sure when we look at the faces of the six testifiers and presenters that we also get the input and as commissioner Fish has pointed out, different people have different ideas about creating and retaining wealth creation. We want to hear the urban league, naacp, actual people of color, not just advocates that are looking to help them use their power to get into stable long-term housing.

Fish: you might have missed the earlier preamble. The policy of the right of return, specifically crafted so african-americans can.

Johnson: I think we started that.

Fish: that policy, if you listen to the presentation, applies to these homes.

Johnson: thank you.

Fish: so it's already baked in. The question now is, who ends up developing the housing in concert with the city.

Johnson: how do we get it done fast enough. Jimmy carter's not going to live here forever. Habitat for humanity's number one guy should come here and all of the habitat for humanity homes i'm familiar with were stand alone single family housing, it's great to hear town homes were mentioned because at the level of housing crisis we have, we also need density, we can't just build beautiful suburbs for elite screened few especially qualified income participants. We need to think about density on this three acres so we can not only have quality of life impact but get as many people as qualified applicants we can find into this great opportunity. So I look forward to this discussion, obviously this is something you shouldn't vote no on, but there's a lot of work to be done to make it happen. Thank you.

Wheeler: Thank you all. That concludes public testimony.

Karla: Yes.

Fish: I want to address one subject.

Wheeler: Commissioner Fish.

Fish: We had testimony from the neighborhood association and residents there was not adequate posting of the site. So having been through three different rounds of this debate around surplus property, i'd like to respond to that quickly. The water bureau revisited its surplus property policies a number of years ago, and a triggering event was the sale of some property in southwest Portland that actually had a water tank on it. It went to a private developer, there was a lot of pushback. What was clear to me at this time is our policies need to be updated and more transparent. As part of the response of the water bureau, they said if the land is to be sold to a private party, there must be posting and notice so the community has a right to know and to be heard. The city then updated its overall surplus properties policies and incorporated some of the best thinking of the water bureau, that was adopted by the counsel, this predates this mayor and commissioner eudaly. We now have a baseline surplus property policy. This is, in my judgment, a conspicuous success, because this is under the new policy land being picked up by another city bureau and developed for a public purpose. There is a small glitch in our policy that you have identified, which is there is no requirement for a posting if the land is otherwise to be acquired by another city agency. In other words, if it stays within city ownership. Which I can understand that, but from your point of view, there's a change of use, and since the posting would alert you that it could be a change of use from, say, what you once thought would be a water bureau use to what you might have once hoped was a parks use and now you're hearing -- mayor, I think we should take a look. It seems to me the posting requirement should not be -- should not be limited to only those situations where it is to be sold to a third party. I think the trigger should be a decision to put up property as surplus, I think we should probably revisit whether that should be posted across the city, and that would give the neighbors immediate notice, as well as the neighborhood association. The purpose of the posting was to give you a voice. I'm not

August 22, 2018

convinced, as I listen to the testimony today, that it makes a heck of a lot of difference whether it's being acquired by another bureau or private developer. Thank you for bringing that to our attention, I think that's something the city will take a look at and consider updating its policies.

Wheeler: Very good. Any further discussion? Karla, please call the role.

Karla: Eudaly?

Eudaly: Aye.

Fritz: This has the potential to be an absolutely wonderful project, i'm glad you've been working with the neighborhood association and will continue to do so. It works out to \$45,000 per home for homeownership possibility. I appreciate the work. Aye.

Karla: Fish?

Fish: Today has been a day in our agenda with a lot of positive news, and to me this is a triple win if we get it right. It is an example of our new surplus property working better than our old policy and I think it still needs to be updated, but having inherited the bureau with an old policy that was frankly wholly lacking, this policy is much better, involves a lot of stakeholder input. It's a win for more transparent surplus property policy. It's a win for our rate payers because they're getting fair market value for the dirt, and it's a win for between 50 and 70 families that are going to be able to afford to live in a beautiful neighborhood in north Portland sometime in the future. I'm very pleased to support this, and since there are through bureaus that have been called out that will have ongoing roles, the water bureau, the parks bureau, and the housing bureau, those will now be led starting in september by commissioners Fritz, mayor wheeler and commissioner Fish, all three of us are on notice you've raised concerns about the conditions of the property prior to some decision made about development, I thank you for raising that as well. Aye.

Karla: Wheeler.

Wheeler: Great collaboration, innovative solution, significant need, I vote aye. The ordinance is adopted. Colleagues, we have four items left, I have a meeting coming up shortly. I am hoping we can be relatively expedient, call item 900, a second reading. Get that out of the way, please.

Item 900.

Wheeler: Any further discussion? Karla, please call the role.

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

Wheeler: Aye. The ordinance is adopted

Wheeler: Commissioner Fish, 898 and 899, you want them read separately or together.

Fish: I think we can read them together.

Item 898 and 899.

Wheeler: Commissioner Fish.

Fish: I think we can speed this up. While i'm making my opening remarks, can you hand out the Portland utility board's memorandum of august 21, 2018, in which they signal their support for the preferred options that have been presented by the water bureau. Following their review. Colleagues, today we have two council actions from the Portland water bureau related to the bull run filtration project. 899 is an ordinance to authorize a contract with brown and caldwell for program management and support services for the project. Item 898 is an ordinance to approve the draft findings and authorize an exemption vote low bid method and authorize a competitive alternative contracting method for the bull run filtration project. Today the water bureau and procurement services are here to present an overview of these actions. We have theresa elliott, david peters, water bureau principal engineer and larry pelatt, teresa, take it away.

thank you, commissioner.

Teresa Elliott, Chief Engineer Water Bureau: I'm teresa elliott, chief engineer, Portland water bureau, and as commissioner Fish mentioned, I have with me, larry pau and david

August 22, 2018

peters. The purpose of council item 899 is to authorize a professional, technical and expertise contract with brown and caldwell for a program management and support services. Dave peters will cover this item in more detail. I will talk to you more about the alternative contracting method process that you asked us about at last week's council work session, larry will follow up with the findings in item 898.

David Peters, Water Bureau: I'll be really quick, do a couple of background slides, you've seen a portion of this information last week when we met with you. So recent progress, last -- one year ago, the city council directed the water bureau to move forward with the development of a filtration plant for the bull run water supply. And then in December of last year, the water bureau negotiated a bilateral compliance agreement with the Oregon health authority. That has a schedule in it for us to complete the facility by September 30 of 2027. And then with that background, we embarked on developing a request for proposals for this program management and support services. We received three proposals in march of this year. So our current project activities, we're here today with these two ordinances. Earlier this month, we submitted an application to the e.p.a. To be considered for federal funding through the water infrastructure finance and innovation act. Those are some current on going activities. And then in the near future, project activities would include yet this year, us beginning the programs set up, developing the project definition for these filtration facilities and beginning the pilot testing to work out the details of what a facility might look like. What that means is that in the beginning -- early 2019, we'll be coming back to council with a design contract for professional technical expert contract for design of this filtration facility, and that will later in 2019 be coming back to city council with an authorization for a construction manager general contractor professional service contract.

Fritz: What do you mean by advance the three preferred alternatives?

Peters: so the three -- we came to council last week at the work session with the four preferred alternatives, one action will be taken care of today, as we take the action for the construction manager/general contractor. The moving forward with the other three alternatives will be part of the project definition and pilot testing work.

Fritz: Okay. So I haven't had a chance to meet with the water bureau yet, i'm looking forward to working with you all. There will -- this public hearing is not to talk about what the prefer -- those three preferred alternatives are in terms of capacity, location at the site or method of filtration, I want to make it clear to everybody, there will be an opportunity to talk about that, but this isn't it.

Peters: correct. That was in my notes here, I was supposed to cover that.

Fish: The three preferred alternatives in this slide, commissioner Fritz, are the three preferred alternatives you bring to council, you've been given a range of choices and a preferred alternative for the water bureau. As we explained in the last hearing on this, the fall will be taken up with further community consultation. At that point, quarter one of 2019, it is your privilege to bring forth what you brief are the preferred alternatives on each of the remaining questions.

Fritz: Thank you.

Peters: so this slide here is just a visual representation of what I just described. It shows the full schedule with the two council actions for the program management contract, and then the findings authorization for the construction management general contractor. We will in the future be coming back in 2019 with a design contract for professional services, as well as professional services for the construction manager general contractor. And at a future date, we'll be coming back a gmp for the construction of the facilities. So last year, we gave you an estimate on the project budget, which has a range of 350 million to \$500 million. That it still the range being used on this project. The program management and support contract, just coming in under \$68 million. If approved, this is the only amount being committed at this point in time. It is estimated to be around 350 million. This is only

August 22, 2018

an estimate for authorization purposes, and has a low level of confidence. The construction contracts will actually be developed as we go into the project definition and pilot testing phases. As we do our detailed planning over the next two years. \$500 million is what we have factored into our ten-year capital plan at this point in time.

Fritz: This could be changed depending on the capacity, the location and filtration method choosing.

Peters: that's correct.

Fritz: Thank you.

Peters: so the -- today's professional, technical expert contact is for program management with brown and Caldwell support services for the filtration project. They will support us in delivering a complex water treatment facility and overall program management. It has development and implementation of pilot testing program. The definition providing quality assurance and quality control during design and construction and providing construction management support. This contract will focus on integrating all of the water bureau's treatment system related to the bull run supply, which includes disinfection, corrosion control, filtration and any pre or post treatment systems that are necessary. We used a formal solicitation process and received three proposals, all were from well qualified firms, it was determined brown and caldwell was the most qualified to complete our work. They'll be given a five-year contract with a possible five-year extension to complete these facilities. On the brown and caldwell has committed in support of the city's aspirational goals, has committed proposed 22 percent disadvantaged minority women and emergent small business participation, which has an estimated value of just under \$15 million. So at this point, i'll turn things over to teresa to talk about the alternative contract delivery.

Elliott: In council item 898 we are seeking council's approval for alternative contracting delivery for the use of alternative contracting delivery method, specifically called the construction manager/general contractor method. At last week's council work session you asked to us explain this method a little further, and to explain who has the risk. The next couple of slides will actually answer some of those. First of all, we have the -- thank you. First we have the design build, which is considered a lot of people know it as the low bid process, and that is required by revised statute 279 that says all public improvement contracts will use this approach, unless a contracting authority, which is you in this case, approves exempting the project from the traditional low bid process. In the low bid method, the project is designed 100 percent, then is advertised by the city and then the lowest responsive bidder is selected based on cost. We have no other selection committee or no other selection criteria that's involved in deciding who gets the bid. What this means is the design is developed without any input from the construction community, and so as engineers, we are making our best guses of what the construction community would be bidding on. In a design build process, sorry, it seems odd, in a design build process, during planning, we would develop performance measures and criteria p and include those in a request for proposal, then contractors would submit proposals on how they would design and build the project. This project leaves the city with minimal control and input as the project moves forward. In a construction manager/general contractor process, the project is designed 100 percent by the owner, but we bring on the construction contractor early in planning and design to participate in the project development. This provides a competitive process, but we have a better idea of what can be built and the capabilities of contractor and the contracting community. In the next slide, this slide just shows a little bit of the relationship between the owner, which is the city, the designer and the construction contractor. In the low bid method, the city hires the designer and the contractor separately, and all formal communication is through the city only. In the design build method the city hires the construction contractor, and the construction contractor hires somebody to do the design and they hire somebody to do the subcontract work and all formal communication is

August 22, 2018

through -- between the city and the contractor and if we want to talk to the designer, it all has to be done through the design build contractor. In the c mcc method, we hire the designer and the contractor, we do a cooperative agreement between the parties to work together to come up with a project that works for us. In mayor -- you specifically asked me in the work session who actually is bearing the risk. In a low bid contract, the city is bearing most of the risk. In a design build, the contractor is assuming most of the risk. And in a cmgc, it's a shared risk between the owner and contractor.

Wheeler: Could I ask on what basis is the bar shorter? Go back to the last slide, please. Why is the risk less with cmgc?

Elliott: in the cmgc, it's presumed to be less because the contractor has participated during the design, during the development of the project, and so a lot of things that we know about on a construction project don't come forward until you get to construction. If a contractor's involved sooner, then their participating in what might happen.

Wheeler: Cmgc is not new anymore. That was certainly one of the big selling points. Does the data now that we have some longitudinal data, does it bear this out?

Elliott: I believe it is it. I'd have to do some research to verify that. I can look that up.

Wheeler: I'd be curious.

Elliott: so in order for the contract to be bid -- to be exempt from low bid, the city is required to go through, according to ors279, we are required to go through some alternative findings and according to city council resolution that was passed last fall, 37330, we have developed with procurement, a process for evaluating whether a process is a candidate for alternative or not. We have used both of those methodologies, and we are able to tell you more about it.

Larry Pelatt, Chief Procurement Officer Management and Finance: good afternoon. Yeah, i'm larry pullate, procurement services, i'll try to cut back on some of my talking points. In the process, we the findings are required by the state, there's actually 14 findings, address the top six. The idea is -- the methodology cannot reduce competition, and it does not reduce competition. The rfp for the final construction contractor is a competitive solicitation, they submit to the city around the qualifications, their experience and approach to the proposal. We do ask for cost information at this time frame so we are at that point able to begin to develop some very serious budgets. Cost savings are achieved by bringing the construction contractor into the project team very early, they generally are very good at identifying possible areas in which we could save money, utilize a different product, express a time line. Because these are the people that are actually going to do the work. Their thought process is extremely valuable. So specialized expertise in construction methods are in additional requirement. Projects of this scale with as many possible complications as this one, requires the contractors be experienced and knowledgeable to be sure that the project is successful. It's become more common than not that many of the contractors who are of the size and capable of successfully completed a project of this size, will not participate in standard low bid processes because there's far too many variables that they can be accurately account for on the front end, they either highly overload the cost process, or they just simply don't participate. So -- that has been born out, we have seen that in several of the city's own projects, the faster total delivery by eliminating the potential for changed orders and negative impact for completion by selection or compressed time lines and promoting good communication, the schedule is almost always met under this type of project delivery. Benefits for operations, the owner, designer, the contractor work together throughout the project to make improvements as they become known. Many of these improvements women not be known until construction is under way. The communication promoted through this methodology capitalizes on the working arrangement to take advantage of those kind of opportunities. In providing public benefit, Portland water bureau customers benefit from this construction method by having

August 22, 2018

the most efficient and effective water treatment plant incorporated into their water supply in the most effective and least costly way possible. So that's the conclusion, and basically we're saying in addition, this is a fully competitive process, there is no limitation on who can bid, but you do want to get some specialized types of people. The cmgc process allows the water bureau to actually have contractual authority and contractual capacity to stipulate. The participation for the selected contractor, and in addition, this methodology promotes highly effective and frequent communication. So the cmgc will use a community benefits agreement for the construction that's mandated by the resolution passed last fall by this council, and when they enacted the overall community enhancement program. So in conclusion, in conjunction with procurement services, ask these three things in the two actions before you, accept the findings and authorize exempting this project from the low bid competitive solicitation requirement. Authorize the use of the construction manager general contractor cmgc competitive construction method and approve the pte contract for brown and caldwell, that's actually item 899. Questions?

Wheeler: Very thorough. Public testimony on these items, Karla.

Karla: Yes. We have three people signed up.

Fish: colleagues, alan and colleen are the cochairs of the Portland utility board, have informed me they were not able to stick around for the testimony, and that they fully stand behind their august 21, 2018 memo.

Wheeler: Very good. I see his white. Miss white. Thank you for your patience.

Dee White: it's just amazing that y'all always do these really high-end contracts i'm the only member of the public in here. All these -- and mary, sorry. Doing the budget hearings, I was the only member of the public in here. You always schedule them during the summer. Plus I have -- I wanted to comment on both of these, but if I only have three minutes, it's going to be kind of hard. So... Shall I proceed?

Wheeler: Please.

White: my name is dee white. I'm going to talk about the brown and caldwell contract first. You've already spent \$20 million designing the uv plant over the past ten years. There's a big pile of documents in here the day y'all decided to change to filtration. How do you -- how are you going to account to the rate payers for this \$20 million.

Fish: dee, we are not here to litigate the question of filtration. The question that you can testify to today is whether you think we should use an alternative procurement method or filtration. Council has made.

White: I can do brown and caldwell too. Which is what.

Fish: The question is on alternative procurement not on relitigating the question of filtration.

it's also on the brown and caldwell contract. That's what i'm commenting on now.

Fish: You started with uv. Council has made a decision on filtration.

White: yeah. So i'm asking where is that \$20 million going? It could have been going towards the brown and caldwell.

Fish: Has no bearing on whether we do alternative procurement. The question before us today --

White: i'm talking about the brown and caldwell contract.

Fish: Whether we should use alternative procurement and whether it should be brown and caldwell.

White: okay. I'll move on. The impact statement -- the impact statement on brown and caldwell say it is a filtration project, the bull run filtration project, you're talking about filtration plant. The ordinance says bull run filtration project, you're talking about a filtration project. A filtration plant. The contract says the project will design, plan, design and construct all treatment systems related to the bull run supply, including filtration, pre/post treatment systems, disinfection and corrosion control. This is so not transparent, I can't

August 22, 2018

even say -- I don't know what to call it. But you're not reverse an ordinance, you're not doing the whole thing. It's for -- it's so untransparent. It's like you've tricked everybody. Unless I read this contract, I wouldn't know what you were contracting for. That's for all treatment systems. Including corrosion control. In the meantime, y'all have passed a \$650,000 contract last year for corrosion control project, confluence, and in this contract, I see that she's going to be getting 1.2 million more dollars for corrosion control. So is this a double payment, is she getting paid twice? I don't understand that. You also passed last year a contract for santak for 7 million. -- 7 million. For design of a corrosion control treatment plant. So, again, are they getting paid to design a treatment plant and these people are too? It's not right. It's not right for rate payers to have to plow through all this stuff. And it's not right. I don't -- and last, but not least, what are the benefits of -- that's for my cmgc. I'm sorry. Mainly just commenting on the lack of transparency, and it -- anyway. That's all I want to talk about. Now can I talk about cmgc.

Wheeler: Take another minute. You're the only person here. Sure.

White: I know. That's another thing, it's like you always do this in the summertime.

Fritz: That's not true.

Wheeler: We have all had a long day.

White: that's fine.

Wheeler: Like to hear your perspective.

White: so I can't talk about the -- what y'all talked about in the work session and the pub meeting, because I can only talk about this. I can't go into all the other stuff about the lack of demand going down, all that. On a cmgc, this is pretty much putting the cart before the horse. It's ridiculous that you are going to be giving a no bid contract to someone before you've even decided where it's going to be, how big, what type, anything, before you've even approved a filtration part. Cart before the horse. Has anyone ever bid on anything this big? I mean, it's -- the first two treatment plants y'all said, filtration, nothing's ever been built this big. This is the first time. So therefore we are going to go with a third type. Well, there was no comment. Is this the biggest one ever built? No. I know it is. The contractor that y'all -- is there going to be a track record with this no bid person that gets the contract? The Washington park design -- Washington park demolition was a cmgc, and powell butte, and they went to the same contractor, the same designer, Washington park is three times over what the bid was.

Fish: That's not true.

White: Yes, it is

Fish: No.

Wheeler: Let's not have a back and forth. Let's do this, you've asked some good questions.

White: can I keep talking here. Without being interrupted.

Fritz: Christina Nieves on my staff is going to be the liaison for the water bureau. we would like to understand your concerns in greater detail. We are not voting on this today, but she will be in touch to try to get a proper conversation with you to understand your concerns better.

White: can I keep talking.

Fritz: Not right now. We have a half hour before the next afternoon meeting.

White: okay.

Fritz: We will.

White: well, it was voted on, said to be 72 million and four months later, you came back and said, oh, it's going to be a massive amount of work.

Fritz: We aren't going to get into it. We will have a proper amount of time.

White: powell butte, same thing. Cost overruns.

Fish: We rescoped the whole project, you know that.

August 22, 2018

White: cost overruns, it evened up.

Fish: You can repeat a false statement as many times as you want.

Wheeler: Commissioner Fritz has agreed to have her team meet with you. We'll clarify. You've raised issues, we are appreciative of that.

White: thank you. What should I do with commissioner Fritz.

Fritz: If you could stop by my office to make sure they have your contact information.

White: right now.

Fritz: Christina will be in touch.

Wheeler: Thank you, dee, appreciate it. Last but not least, colleagues -- i'm sorry, I have to move these, item 898, first reading, nonemergency ordinance, moves to second reading. Item 899 first reading of a nonemergency ordinance, moves to second reading. We had one item pulled from the consent agenda, item no. 886.

Item 886.

Wheeler: Any public testimony. Call the roll.

Eudaly: We did release the information on this grant and three other grants awarded as a result of a month-long community process, our office undertook in collaboration with commissioner Fritz's offices in the budget cycle using \$500,000 of cannabis tax dollars. That information was released on august 7, and can be found on our website. I want to thank commissioner Fritz -- I should know how to say your name by now, it's a tongue twister, commissioner Fritz and her staff, especially claire adamsick, for the collaboration. Steering committee of the community partners, and the staff to help pick the awards, I vote aye.

Fritz: Thank you to commissioner eudaly and her staff, particularly jamie duhamel for their partnership on this, it's been real exciting. When we referred to cannabis tax to the voters in 2016, we were hoping to create just such a program for just such an entity, although at the time greenhop didn't exist, we didn't have them in mind. They are an african-american business, we had the honor of being at their opening a couple of months ago. They are in the community they grew up, we are very pleased to support their work. Aye.

Fish: Aye.

Wheeler: It is a pilot project under the leadership of green hop, llc, this project is an intentional effort to racially diversify the cannabis industry. It connects historically underserved populations with the knowledge of how to enter the cannabis industry from seed to sale. The grantee hopes to make an impact in the industry that offers equity inclusion, job, health and prosperity for people of color in the Portland metro region. To help them recognize the medicinal and economic opportunities available to them and help heal the isolation and stigma associated with the cannabis industry far too long. I vote aye. We are adjourned for 35 minutes.

At 1:25 p.m. Council recessed.

August 22, 2018

Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

AUGUST 22, 2018

2:00 PM

Wheeler: This is the August 22, 2018 afternoon session of the Portland city council. Karla, could you please call the roll. [roll call taken]

Wheeler: Karla, could you please read the item for this afternoon.

Moore-Love: Do you want the lawyer's statement?

Wheeler: How could I forget?

Lauren King, Deputy City Attorney: Welcome to the Portland city council. City council represents all Portlanders and meets to do the city's business. Presiding officer preserves order and decorum so that everyone can feel come, comfortable, respected and safe. You may sign up in advance with the council clerk's office for communications to speak briefly about any subject. You may sign up for public testimony and resolutions or 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 not necessary. Please disclose if you're a lobbyist, if you're representing an organization please identify it. The presiding officer determines length of testimony. Individuals usually have three minutes to testify unless otherwise stated. When you have 30 seconds left a yellow light goes on. When your time is up a red light goes on. Feel free to do a thumbs up if you agree. If you want to express you do not support something, thumbs down. Disruptive conduct will not be allowed. 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. A person who fails to leave the meeting is subject to arrest for trespass.

Wheeler: Very good. Thank you. Before I forget, we have a couple of people benefiting from our translation service this afternoon. So if you could just wave if we're going too slowly -- now I need a translation service. If we're going too quickly could you wave and catch our attention.

Wheeler: Great. Fabulous. Terrific. Thank you. Karla, please read the item.

Item 901.

Wheeler: Despite recent headlines that indicate rent increases may be evening out or potentially even declining, that's not the case for lower cost market rate housing including manufactured dwellings, also commonly known as mobile homes. Mobile home parks play a unique and important role offering lower cost market rate housing, especially for larger units that can accommodate families. Because people can own their own home, and only have to rent a space, a mobile home can be an affordable pathway to homeownership for lower income households. As I expect we will hear in testimony today, these mobile home parks offer a sense of community that's attractive to residents and different from other housing choices. For these reasons, the city wants to support the long term stability of these parks. With this ordinance the city is adopting a new approach to zoning mobile home parks. This is an emergency ordinance. An emergency exists due to the fact that Portland's continued population and economic growth have had a significant impact on rental housing resulting in a more than 30% increase in average rents from 2011 through 2017. Consistently low vacancy rates between 1.7% and 3.3% from 2011 to 2017. Manufactured dwelling parks play a small but important part in providing affordable

August 22, 2018

housing and the incentives to promote this housing type should be available immediately. My co-sponsors, commissioners Fritz and Eudaly, would like to make a few comments.

Fritz: Thank you, Mayor Wheeler. I'm happy to be here today. This work implements a comprehensive plan policy I worked on with Mayor Hales and the community, the colleagues on the council and with staff and the Bureau of Planning and Sustainability back in 2016. So it's exciting to see 2018, two years later, this is coming forward. Thanks to everybody in the community who has helped work on it and to the Planning and Sustainability Commission. The comprehensive plan policy is policy 5.37, mobile home parks, which says encourage preservation of mobile home parks as a low/moderate income housing option. Evaluate plans and investments for potential redevelopment pressures on existing mobile home parks and impacts on park residents and protect this low/moderate income housing option. Facilitate replacement and alteration of manufactured homes within existing mobile home parks. We're routinely referring to them as manufactured dwelling parks of course recognizing although the word is mobile many of these homes are not mobile at all. They don't move. It's hard to find a place for them to go if they are displaced. This is one of the most important forms of naturally occurring affordable housing in Portland. Some of the most vulnerable communities in Portland live there. It's important that we respect and provide assistance for vulnerable and underrepresented communities. I believe this change carries forward the council's intent to provide incentives and options for making the parks financially viable for owners, thus allowing residents to stay there. I'm very excited to be here. Thank you for bringing it forward, Mayor Wheeler.

Wheeler: Commissioner Eudaly.

Eudaly: Mayor, Commissioner Fritz, it's an honor to co-sponsor this item with you. I think you've covered almost everything. I would just say we need a diversity of housing options and in order to guarantee that we need to come up with some creative incentives for creating those. So thank you for that.

Wheeler: Very good. We have Tom Armstrong from the Bureau of Planning and Sustainability to help introduce today's session. Good afternoon, Tom.

Tom Armstrong, Bureau of Planning and Sustainability: Good afternoon. Thank you, Mayor, Commissioners. I just wanted to give a brief overview of the proposal in front of you today. You know, the City of Portland has 57 different manufactured dwelling parks that come in all shapes and sizes. And many of them were built in the 1940s, '50s and '60s, but as you can see from this map, many are located in east Portland and southeast Portland and some in the Cully neighborhood along Northeast Killingsworth. With these actions today, we are rezoning 56 out of the 57 parks in Portland. There's one park up off of Northeast Martin Luther King, Jr., Boulevard called Fox Run. It's up by Delta Park in the middle and surrounded by the prime industrial area and it's actually zoned for employment use and is part of our prime industrial overlay. Part of Metro's Title 4 prime industrial overlay, and there was just a number of employment land supply issues tied up with that site that we could not at this point in time do the map change for that site itself. But we can take a look that in the future once we have a handle on where we sit with our industrial lands supply. As was said in the title, to implement this zoning it requires a comprehensive plan policy amendment to create a new land use designation, and to apply that to the map, the comprehensive plan map. Then as part of the zoning code we're creating a new base zone for manufactured dwelling parks then corresponding zoning map changes. As part of that new base zone, it will be for manufactured dwelling parks. In addition to that we are creating a limited retail and sales and service use for recreational vehicle parks because sometimes those are co-located in the same facility, and then all of the other institutional categories in the zoning code allowed in the other multi-dwelling zones are also allowed here. You could co-locate daycare or schools or medical facilities as part of a limited or conditional use in these zones. Also with this new zone, we are creating a number of

August 22, 2018

incentives that help we think will help support and sustain the operations of these parks. The first one is we are resolving a number of parks that are currently nonconforming uses. Right now today, manufactured dwelling parks are only allowed in the r3 and r2 zones. There are 17 other parks that have different zoning, and some of this goes back, way back to the parks were established before county zoning was applied then that county zoning rolled over to the city zoning when we annexed east Portland. So these changes will resolve those nonconforming uses and make those parks an allowed use. At the same time we are increasing the density on I believe it's 52 of the 56 parks. The density recommended by the planning and sustainability commission is slightly higher than what's allowed in the r2 zone today and that will provide owners of the parks more room to expand their parks on site and in addition to that we are also expanding the area where that unused density can be transferred to other multi-dwelling residential sites. Currently right now a transfer can only happen on the same block as the site or across the street, and we're expanding that to any other multi-dwelling zone site outside of the central city. So basically it creates two transfer markets, one inside the central city, one outside the central city. There's a wider market where this underutilized density can be transferred to. At the same time we are creating an affordable housing bonus. As mayor wheeler said and as we put in our staff report, many of the residents are lower income, and that if a park owner enters into an agreement with the housing bureau to provide long term affordability for half the units at 60% of the area median income then they will get an additional density bonus that can be used on site or transferred to other sites under the other transfer provisions. We do have in front of you today a series of technical amendments. The first three technical amendments, which are in the august 20 memo from me, make adjustments that when the planning and sustainability commission recommended increasing the density, maximum density, we did not chase down every reference to that density standard so we have an amendment to the comprehensive policy to note that increased density as well as the base zone description. Then at the same time when the density is raised, metro has a standard that the minimum density required should be 80% of the maximum, so amendment 3 will adjust the minimum density to match that. We have two other changes that as we were preparing the council package we discovered two changes that were inadvertent errors on our part. We made changes to the plan development review section to add reference to the rmp zone where it shouldn't be so we want to take that out. At the same time we deleted a reference to a minimum space requirement that we thought was in the state code but turns out it's not so we want to restore it to this one. Then finally, new today, we have a substitute exhibit for the findings of fact. This is in response to testimony that has come in so far and we wanted to respond to that with up to date findings.

Fritz: I move that as a package.

Eudaly: Second.

Wheeler: Commissioner Fritz moves, and let's -- do you want to include 6 on this? Good. Commissioner Fritz moves amendments 1 through 6 as a package. Commissioner eudaly seconds the package. With that we can go ahead and accept public testimony.

Armstrong: I want to note in the record we have a number of other supporting documents that help support making this decision today including a review of the natural resources and hazards that exist today and are protected by our environmental zones today. There's no change to those as well as a memo from pbot on the transportation impacts that might result from new development on these sites.

Wheeler: Commissioner Saltzman had a question.

Saltzman: You said at the outset the fox run mobile home park is not part of this package?

Armstrong: Yes. That's correct.

Saltzman: Why is that again?

August 22, 2018

Armstrong: Because it's up north in just off of mlk boulevard. It currently is part of our -- it has a prime industrial zoning designation at both at the city and metro. It's in an area where we have a pretty small surplus of industrial land. If we were to change that it would take us to having less than a 1% surplus of industrial lands supply. We felt that at this time given where we are at in terms of when we did the economic opportunities analysis and determined that we had an adequate supply of industrial land, it's been enough development has gone on in that industrial area that we did not want to take the time at this point to do all the economic studies that we needed to justify changing that park. I will note that we expect metro is currently adopting a new urban growth report and we'll have a new population and employment forecast allocated to the cities at the end of this year. That that will start an update process for us that we can then factor in changing the zoning on fox run as part of an update to the economic opportunities analysis and come back at a later date to try to address that issue.

Saltzman: So this package is an emergency ordinance in part because it's designed to establish incentives today at the end of the session?

Armstrong: Yes.

Saltzman: For owners of these parks to keep them residential. So are we at risk, is fox run at risk of falling through the cracks here in the interim?

Armstrong: Fox run will be at risk in the interim, yes.

Saltzman: What would be the harm of us including it today?

Armstrong: I think the harm would be the time it would take and for us would have taken over the spring. We published this proposal in early may. It's been on a fast track. So what we opted in that decision making was holding back on fox run so the other 56 could go forward with at least an idea as to when we could circle back and address fox run itself. So we prioritized moving forward on the other 56 rather than trying to update our industrial land inventory to try to show that by changing fox run we would still have an adequate supply of industrial land.

Saltzman: I'm going to think about that. My last question is, you're saying if we were to include fox run in the package today that the package would not be complete and ready to move forward? Is that what you're saying?

Armstrong: I think -- probably there is not substantial evidence in the record to support that change, to continue to make a finding that we have an adequate supply of industrial land in that area. That we have not done the analysis especially with metro to change the regionally significant industrial area designation that it has on that so it would be that site in particular would be vulnerable to appeal and having it remanded to us.

Saltzman: I'm going to think about that some more.

Wheeler: Very good. Any further questions? Folks, there's a tradition here at city council, those with small children, elderly, folks with disabilities, elected officials please let the council clerk know that and she will bump you up to the front of the list. How many folks do we have signed up?

Moore-Love: Currently 16.

Wheeler: 16. Very good. Why don't you call up the first three and the microphones move in about this much distance is the right amount. Leave the microphones turned on. State your name for the record. We do not need your address unless you want to give it to us. It's not required. If you are a paid lobbyist we need to know that. Thank you.

Wheeler: When you have 30 seconds left the yellow light will go on and when your time is up the red light will go on. Thank you for being here.

Jay Parasco: Good afternoon, mayor, commissioners. I'm jay parasco, here on behalf of join, a nonprofit organization that helps Portlanders transition from homelessness to stably housed. Join strongly encourages you to adopt the manufactured dwelling park project. For more than 20 years join has been working to ensure that everyone in our community

August 22, 2018

has a home. Each week we help 15 to 20 Portlanders exit homelessness for stable housing. Our biggest obstacle remains our city's critical shortage of affordable housing particularly affordable to people exiting homelessness or vulnerable to falling into homelessness. Homelessness is a symptom. The underlying illness is our affordable housing shortage and the only way to remedy -- only true remedy is to preserve existing affordable housing and create new units, especially for low income households. That's precisely what the manufactured dwelling park project will do. Manufactured homes are among the most affordable low barrier units in Portland's housing inventory. Join has successfully housed formerly homeless clients in manufactured homes many of whom would still be experiencing homelessness today but for the availability and accessibility of manufactured homes. These parks are the only housing option available for many who are transitioning out of homelessness. Manufactured housing parks are also the housing of last resort for people who would end up homeless if the parks are shut down. For many of the 3,000 households there really may be no other place to go. We need to create more affordable housing not eliminate 56 affordable livable communities. Today you have the ability to preserve 3,000 truly affordable low barrier housing units in resilient hard working communities across our city. Voting yes will ensure that 3,000 households will not be at imminent risk of homelessness. We applaud mayor wheeler and commissioners eudaly and Fritz for introducing this measure. We applaud the staff who contributed to the project and we strongly encourage you to adopt the manufactured dwelling park project today. Thank you.

Wheeler: Thank you for your testimony. Good afternoon.

John Mulvey: Good afternoon, mayor wheeler, members of the council. I'm john mulvey. I'm speaking today on behalf of the housing subcommittee of the east Portland action plan. We are strongly supportive of this measure. East Portland is home to 42 of Portland's 56 mobile home parks. That's more than 2,000 east Portland families. Residents are retirees, they are students in our public schools, they are hard working parents trying to raise their kids in a city that is increasingly unable to provide them with an affordable place to live. These parks can be the only homeownership option for many people, especially those on fixed incomes. These homes often represent the largest financial asset that low income families have. But mobile home parks are more than lumber and concrete. They are multigenerational communities where people look out for each other. Neighbors drive each other to doctors' appointments and they pick up things for each other at the supermarket. They are precisely the kind of communities our city should be supporting. But in our current real estate environment there's intense pressure to redevelop these properties. In the last two years, six of Portland's mobile home parks have closed, uprooting the families that once lived there. At least two more east Portland parks may be vulnerable to redevelopment right now. That's 38 more families that are facing displacement. They need your help. They need it quickly. And I hope you'll vote to support them. Thank you very much.

Wheeler: Thank you. Good afternoon.

Hannah Cruz: Good afternoon, mayor wheeler, commissioners. I'm hannah cruz, senior communications manager with energy trust of Oregon. Thank you for taking up the proposed new zoning regulation. As part of your continued focus on combating the affordable housing crisis. Energy trust is an independent nonprofit organization serving Oregon's five largest utilities, helping customers save energy and generate clean energy. This includes customers of Portland general electric, pacific power and northwest natural within the city of Portland. While energy trust is not in a position to support or be in opposition to proposed policies including this zoning ordinance I want to provide you with context regarding the challenges we encounter when helping manufactured homeowners and renters lower their energy use and associated utility bills. According to the Oregon

August 22, 2018

housing and community services approximately 80,000 manufactured homes in use today were manufactured prior to 1978. So they were manufactured prior to codes being established and are very energy inefficient. This embedded inefficiency forces occupants to spend a disproportionate amount of their income on utility bills and limits their ability to update and maintain their homes. To help overcome these challenges Energy trust is working with manufactured homebuilders, Oregon housing and community services, nonprofit manufactured home park owners and others to introduce a pilot program that would help residents replace their old, inefficient manufactured homes with new, efficient manufactured homes. Our incentives at energy trust are based upon energy savings realized over the long term useful life of the new home. This can reduce residents' utility bills and incentive amount can help reduce the amount of loan principal and associated payments due to replacement cost. Since our energy incentives are based on usable life of the new home the risk of park closures and eviction reduces likelihood that the full value of the energy savings will materialize and challenges our ability to expand our pilot program to additional sites in Portland and even beyond. So to the extent that the proposed zoning ordinance in front of you today may reduce the risk of park closures, it would provide energy trust with increased certainty of energy savings over long term and assist us in expanding this pilot program. I hope you find this context useful. Thank you for your time today.

Wheeler: Thanks all three of you.

Wheeler: Good afternoon.

Lee Reinoehl: Name is lee reinoehl. When I first moved into my place, it was not that safe. A lot of thievery and all of that. Now we have a new bunch of people moving in, mexicans with their children, and it's a really good place to live now. They help. It's good family place now. It wasn't but it is now. That's all I can say.

Wheeler: That's a powerful message. Thank you. Good afternoon.

Mike Connors: Thank you, mayor. Commissioners. I'm mike connors here on behalf of hayden island enterprises. We're the owners and operators of the hayden island manufactured home community and have operated it since 1992. I have distributed written comments in the record and to each of you. Hopefully you've had an opportunity to read those. I can't get through all points in three minutes. First I want to acknowledge the fact that my client and I understand that there's a legitimate purpose and intent behind this and concern about affordable housing. That's without debate. I think the disagreement or concern from my client's perspective is we don't believe this is the appropriate manner in which to address this issue. We believe that's going to result in unintended consequences that won't achieve the purpose for which this proposal is being raised. The main issue has to do with primary component of this proposal which restricts the use of these properties to manufactured home parks. By restricting the use to the existing use, which would be the first concept that the city has employed with a zoning code that i'm aware of, that's going to result in a loss in fair market value for that property immediately because you're restricting it to existing use. That's going to have unintended consequences which we don't believe the city has really adequately evaluated. I'm going to focus on two of them in my limited time. The first is a big one that i'm surprised I haven't heard more of a response or analysis to. That's measure 49. Measure 49 is a state adopted voter initiative that provides any land use regulations that restrict residential use of property in a manner that reduces the fair market value provides a claim under measure 49. In measure 49 claims would give the city two options to either compensate the property owners for loss in value or to waive the regulations. The vast majority of these parks are residentially zoned. This zoning proposal will undoubtedly restrict residential use of them so by adopting it in this fashion, the city is exposing itself to a number of lawsuits that park owners could file under measure 49. I don't believe the city will have financial resources to the result will be waiver of the

August 22, 2018

regulations which will undo the whole purpose for this proposal. The second one quickly is we believe that by reducing the fair market value you'll undermine financial viability of these parks. A reduction in value will make it harder for refinancing, make it more difficult for park owners to get the necessary financing to make upgrades and as a result they are not going to upgrade or maintain the parks to the level they do currently or it's going to result in an increase in rent. Both those are goals that I think are contrary to the purpose for this proposal. With that I'll conclude my testimony. Thank you.

Wheeler: Thank you. Good afternoon.

Paul Scott: Hello. My name is Paul Scott. I live at Viking Mobile Home Park in Southeast Portland. I have lived in the park approximately 11 years. I own my mobile home. I'm 76 years old. I live on social security retirement benefits, and I'm a cancer survivor and have multiple health problems. Last year I received a rent increase of approximately 14%. This year I received a rent increase of about 10%. I'm worried I will not be able to continue to live at the park if these rent increases continue, which apparently they will. In the last four years we have received three letters of intent -- to sell the park. In August of 2016, it was sold to the Holt Corporation which operates out of Washington, and the first thing they did was to raise the rent 14%, the second thing was to close the laundromat in the park and try to convert it to apartments. About July 21 of this year I heard from a neighbor that the residents of the park had an opportunity to compete to purchase the park because we had recently received our third letter of intent to sell. Prior to this the management had told me the park had already been sold. On July 24th in 2018 I and my neighbors formed the Viking Mobile Villa Residence Committee and contacted Cheryl Walker -- serves the management of the owner, Cheryl Walker, by mail and email a request for the park's financial statement. Ms. Walker responded with the information but not all of the financial information we requested. In August a committee member sent a follow-up email to her for the rest of the financial information. She responded by email that the ten days is up and we do have a buyer for the property. This matter is now we have requested a court injunction to halt the sale until we can provide a counteroffer. I hope that Portland City Council and a community partner will help us to buy the park and set up a cooperative ownership or at least provide nonprofit management. It's important we have some control over our homes. Having received three intent to sell letters, everybody is really unsure and afraid of what's going to happen in the future.

Wheeler: Thank you. Appreciate your testimony all three of you.

****: I'm going to interpret for the Spanish speakers.

Wheeler: Very good. Why don't you go ahead and start.

Anthony Knoke: Good afternoon, Mayor, City Council. My name is Anthony Knoke. I'm a disabled veteran representing a growing coalition of manufactured home parks. We have a gift of hundreds of postcards to deliver to you today. These were from the hundreds of supporters that have been supporting us. I live at the Arbor Mobile Home Park, one of the many communities the zoning law will help save. These communities are unique in many ways. Each is like a family. But we are the poor, elderly, mentally ill and disabled. You, by passage of this law, have a chance to get ahead of the housing crisis sweeping through our city. If you act boldly today and pass this into law, it is morally the right thing to do with this housing crisis. They ask for a volunteer to do this. Here I am. I'm asking you to do the same for them and me. I served in the military and defended my country as a volunteer. Now I volunteered again serving and speaking for not only my community but all of the communities. Nonprofits and charities are standing by and lining up to help us. This law will affect 3,000 homes, 10,000 plus people. We need your help in this fight. Stand with us. Vote yes on this law. Save our communities. Whole families live in them. In my park there are five families that own about half the park. Whole families. Grandmothers, mothers, daughters, brother-in-laws, sisters. Children. They take care of their elderly, they take care

August 22, 2018

of each other, they help take care of me. This crisis will become a flood. If you don't vote yes on this law. You need to act. The voting yes is right to protect and save these communities. Societies are judged by how well they take care of the most vulnerable members in it. So please vote yes. Thank you.

Oscar Cervantes: Hello, my name is cervantes. I'm the father of three children. We live in a trailer park for the last six years. The reason i'm here with my whole community is I want to ask you to support this zoning proposal. It's something that could help us to keep our homes and keep our families more united. It would be very difficult for me to leave my friends and my community and it would also be difficult for my children. To leave their friends and their school, which is like their second home. Because if the park is closed it would be very difficult for us and our families to find another place for our homes. Because many of the homes really can't be moved. We would lose all the money we have invested very sacrificially to be able to fix it. We have fixed this--we changed siding, the roof and the patio to be better with our families. Before this I was not able to be alone in an apartment with my family because of the high cost of rent. I always had to share the apartment with other families. From the day I was able to move into a trailer with my family I was able to give more children to my friends. I'm going to school to get better at things and i'm also trying to get involved in community activities. My wife and I have been working very hard for almost two years to fix this trailer. I leave my full-time job and I go home and fix the trailer in the afternoons. I and other people have worked very hard to fix our homes. And it seems very unfair to me that other investors come and take us out of our homes. Just because we have no protection. There's a lot of us that would be homeless. By personal experience I can tell you it's very difficult and very sad. When you cannot give your family a safe home. Thank you.

Gloria Contreras: Good afternoon. I'm gloria contreras. I live in shadow home mobile home park. At 7120 northeast killingsworth street. I have four children ages 16, 14, 13 and 7. For my family this is home. We have lived there more than 12 years. My children have made great friends and very good neighbors. We share a garden with the community and we also share the harvest. We take care of each other, our homes, and we take care of strangers. They are elderly people who know in any time of need or an emergency we will be there to support them and help them. We have access to doctors' offices, soccer for children, parks and a lot of things. For myself and my children, my neighbors are my community. That's just a little bit of my story. Thank you.

Monique Smiley: Good afternoon, mayor wheeler, commissioners. My name is monique smiley. I'm the communications and movement building director at welcome home coalition. As you know, we are a regional housing coalition comprised of over 65 organizations committed to working with local jurisdictions to advance new and emerging funding sources to create more affordable homes. I'm here today to show my support for the manufactured dwelling park project. This zone change will provide long term housing stability for about 3,000 low income families who could otherwise face displacement. This is an opportunity to redress inequities in the past on land use and preserve affordable homes and parks. As you know housing insecurity is touching everyone in our city and we don't have the rental stock needed. The biggest opportunity for folks who need affordable housing is the opportunity to live within their communities and preserve their existing homes. We have a vulnerable supply in our region and only a small fraction of affordable homes remain for families and communities of color. A study showed that in the largest 100 metro regions mobile home residents spend on average 40% less on housing costs than those living in nonmobile homes in the same metro area. As residents are hard pressed to find alternative housing mobile homes provide a solution which is why we need this zone change in order to sustain all mobile home parks that will continue to serve future generations. Manufactured housing is an essential, unique part of the affordable housing

August 22, 2018

continuum and must be preserved. They are a platform for success and the parks provide community gathering for residents. The welcome home coalition believes Portland needs to use all tools to solve the affordable housing crisis and we urge you to approve this.

Andree Tremoulet: Good afternoon, mayor wheeler, commissioners. Thank you for your patient attention today. I'm andree tremoulet, a 20-year resident of north of east Portland and a research associate at psu school of urban studies and planning. I can't tell you how thrilling it is to have a captive audience to listen to some words from my doctoral dissertation on the closure of manufactured housing communities from 2001 through 2007 during the last real estate boom. During that time approximately 2800 households were impacted when 69 communities closed throughout the state. Many of them in the metro area. While I can't match the eloquent presence of the last group, what I would like to do is to provide some facts that I learned from a detailed case study of the closure of the thunderbird mobile club in wilsonville. I discovered that that closure had both financial and nonfinancial impacts. Financially, three-fifths of the homeowners just abandoned their homes. Typically because they were too old to move safely, moving them cost too much, or because there was no place to put them. For many, it represented a loss of their largest financial asset. Some still had a loan on the house that no longer existed, and therefore 4% declared bankruptcy. Most lost access to affordable housing. Only 8% were able to move their homes to a new location at a 2007 cost of \$20 to \$30,000 per home. Equally important, perhaps more, was the human toll. Involuntary displacement triggered something known as relocation stress syndrome in many residents. Particularly older residents. Anxiety, apprehension, confusion, depression and loneliness. They experienced something now known as root shock. The loss of community and life affirming connections to people and place. Most tragically, 6% of the homeowners died, a rate likely higher than the expected mortality rate for that population. Even money can't fix those kinds of impacts on the human spirit. So now is the time to act. You know that. I just wanted to add these facts and a lot of pages to the hard work that's already been done in favor of this ordinance. Thank you.

Tremoulet: Thank you. I finished it. It was published in 2010. Sy adler was my dissertation chair. It was one of the few doctoral dissertation grants funded that year by the department of housing and urban development.

Wheeler: That's fantastic. Thank you for sharing that with us. Good afternoon.

Andres Oswill, member Planning and Sustainability Commission: Mayor, council, i'm andres oswill, a member of the planning and sustainability commission. I'm speaking for myself today. I won't restate what others have said better than I could. I'll focus on sharing my experience. During the time that this proposal was at the planning commission living cully offered members of the commission to come and take a tour and I was fortunate to be able to see two of the mobile home parks in cully myself. I was later invited back for a community meeting and what I saw there showed me what the testimony today and research has told us repeatedly. These homes, these parks are not just inexpensive housing. They are also a source of community. They are places where families, older adults can live. Places for people with fixed incomes. The testimony we saw was incredibly inspirational. One of the largest turnouts we have seen, showed how important this is to members of our community. One piece in particular that resonated with me was a mother who was talking about how living in a mobile home park allowed her to not just have a housing she could afford but also to have a better quality of life for her kids. It allowed her to be able to take her kids to the movies, which is something that is easy to take for granted and often gets lost in conversations about meeting basic needs and necessities. It's a unique low barrier housing type. I think that something I appreciate about the policies is creativity allows a way to preserve these parks but also allows a financial incentive through density that could create forms of funding that would provide for maintenance that these

August 22, 2018

parks need. This policy is a good first step but further work is needed. We know there are problems with mobile home parks. They are not perfect but those problems deserve the city's attention and support. I believe this is also mentioned in planning commission letter but some areas in particular I would like to draw your attention to is increasing home repair funds. Now that this zoning changes would hopefully go into effect there's a sense of stability and permanence that makes them a more persuasive investment for home repair funds. These homes are older and many need repair and replacement. We saw with oak leaf trailer park the potential for community and nonprofit ownership. I think that this will hopefully be the first. We also saw through how complicated it is and I encourage you to continue exploring and supporting ways that we can keep these parks in permanence. We need further tenant protections on a state and local level. Lastly, organizational support. Not every neighborhood has the organizational band width that cully does. They need further help organizing and supporting the residents of the parks and even cully needs more resources. Thank you.

Wheeler: Thanks all three of you.

Wheeler: Good afternoon. Was there one other individual?

Moore-Love: If Rich coffman is not here, the last person who signed up is cameron herrington.

Wheeler: Is rich here? He's coming from downstairs. Very good. Thank you. Go ahead.

Lisa Rogers: Mr. Mayor, commissioners, thank you for hearing us today. My name is lisa rogers. I work with casa of Oregon. Over the last 12 years casa has been working to preserve manufactured home parks through resident ownership. To date we have converted 12 parks to resident ownership in Oregon and are working on our 14th. We believe it's the key to preserving affordability, building wealth and empowerment for residents of those communities. Manufactured housing is the largest supply of affordable housing in the country. According to a prosperity now 74% of all residents in mobile home parks own their homes. Why this is important is because manufactured housing or parks, it's a hybrid. You got homeownership and rental. In terms of you own your home but lease your space. If a park closes, that home is typically the only asset or largest asset that these folks have so not only are they losing their home they are losing any wealth they may have as well. We really urge you to go ahead and approve this. We applaud you for bringing it up. It is a very important piece of our affordable housing inventory in Oregon. Thank you.

Fish: Can I ask you one question? I know anecdotally that the manufactured home industry generally but particularly the prefab industry has taken off here in Oregon. Are we seeing more manufacturers of mobile homes here in Oregon providing safe and environmentally sound homes?

Rogers: They are building the homes to a higher level of efficiency as well as they are much better made than they were previously. I don't believe that there are more manufactured homebuilders in the community now than there have been.

Fish: But there are some.

Rogers: Yes.

Fish: When we did a project with some prefab units in lents about six or seven years ago, they were shipped up i-5 from a place outside of salem where they were actually built and they were beautiful. Then they were just put on, you know, trucks and shipped up the highway.

Rogers: Yes. We are really actually currently piloting a project in southern Oregon with energy trust of Oregon, usda development to replace one of the homes converted to resident ownership. It's a great collaboration and we believe we'll be able to replace many of the homes with a 1% loan and then a lot of down payment assistance through various sources to make it affordable. The residents in these parks are typically very, very low

August 22, 2018

income. So like I say if they lose this housing there's nowhere for them to go. There's no vacancies for anyone, let alone for poor people.

Fish: Thank you very much.

Wheeler: Thank you.

Mary Kyle McCurdy: Good afternoon, mayor wheeler, members of the city council. I'm Mary Kyle McCurdy deputy director of 1000 friends of oregon. 1,000 friends urges you to support this ordinance before you. We were actively involved in the anti-displacement Portland coalition which advocated for the anti-displacement policy that the city has adopted in its comprehensive plan and is reflected in plan policy 5.37, which specifically refers to preservation of mobile home parks. Not only is this ordinance a key component to turn that policy into action but it's also helping the city carry out obligations under statewide planning use goal 10 which requires Portland and all other cities to enact landed use measures that encourage adequate numbers of needed housing units at pricing ranges and levels commensurate with the incomes of Oregonians. Needed housing includes specifically manufactured dwellings. You have heard from many eloquent speakers of the human benefits of preserving the existing mobile home parks as one of the most cost efficient and immediate impact steps you can take so I won't go over those but I do want to address the issue of measure 49, which has been raised before you. We have submitted written testimony to the planning and sustainability commission and I have copies here of testimony to the city council as well addressing this in detail. I'm sure you've heard from your city attorney on this also. Briefly we do not believe measure 49 poses a barrier to the city adopting this proposed ordinance. Among other things it qualifying to make or show a measure 49 claim is more challenging than was described earlier. But nonetheless this ordinance has built into it ways in which the value of these mobile home parks will increase to the mobile home park landowners through increased density, transfer development credits, density bonuses for affordable housing, that sort of thing. But just as importantly, if a mobile home park landowner was able to establish a grounds for compensation under the measure 49 statute, the city has the ability to authorize the claimant, the landowner, to use the property without application of the land use regulation to the extent necessary to offset the reduction in the fair market value of the property. This gives we believe the city of the flexibility to tailor application of the zone to address compensation issues. Complete waiver may not be necessary. In other words you have flexibility for how to deal with this if a case does arise on a case-by-case basis. But adopting it now also sends a message for the future and future new mobile home park landowners because if you buy the land after this ordinance is passed if passed there is no measure 49 claim available then. Thank you.

Wheeler: Thank you. Appreciate it. Good afternoon.

Rich Coffman: Hi. I'm rich coffman. I don't have a script or anything. I just kind of have a unique experience. Lived in texas, and close to the austin area. I keep hearing this measure 49. It seems like they went that path. They built condominiums and put profits over people. What happened is the reason people come there, they are the culture, the nice living, those people left. Now if you look at the statistics of, you know, how much money austin is making, it's way downhill. I don't want to see Portland do that. And texas ran out of water before california did. I watch lakes disappear to streams and streams disappear. And huge forest fires. I knew I had to get out of there. My only agenda is to stay alive. I live on a very small fixed income. You know, all of us, we come in today, we see the smoke. California's burning. Washington is burning. This is the place that has water. This is the place that is still here. This is why i'm here. I came here. I bought an old trimet bus that was used in the trimet busing system that had been converted to a coach. That's the depth that i'm involved in this Portland idea. I think if we start putting profits over people it's not going to end well. You already have had a huge influx from california. You're going to have another. You're going to have one from Washington and maybe canada.

August 22, 2018

This is not affordable housing. This is keeping people alive. You know, everybody wants to float around numbers and this and that. Who cares if someone loses \$10,000 if someone else loses their child? You know? How long until the redwoods burn? It barely hopped over them this time. This world is really changing, and some people can sit and kind of a gilded cage and say no, it's not. No, it's not. I'm here to say it is. When forest fires get right to your house, a light turns on. When your county runs out of water and they keep -- it goes from your toilet to the water treatment to your faucet to your toilet to the water treatment to the faucet -- you change. You become human again. I guess be human.

Wheeler: Thank you. Appreciate you being here.

Saltzman: Question for Mary McCurdy. There's one mobile home park being left out of this. That's the Fox Run. Apparently it's in prime industrial land meaning that if we were to extend this protection or the incentives in this proposal to that property, we could be sued for taking prime industrial land without finding replacement land. So two questions. Is that something thousand friends of Oregon would likely appeal if we made that decision and secondly, who else would likely appeal that decision or who would likely appeal that decision?

McCurdy: I cannot answer the second question. I don't know who might. Well, on the first one, I'm not familiar with the details of this particular site. Its size, where it's located. Is there something unique about it like an oil access pipeline or is it zoned industrial that's fairly fungible.

Saltzman: I think it's a fairly nice park. It is on industrial land, yeah.

McCurdy: So I believe that your staff said although I don't want to speak for them that it's not -- you could do it but you would have to make findings about it and relate them to the requirements to provide sufficient industrial land. I'll speak to it generically, not that piece of land in particular. A city has an obligation to provide up to a 20-year land supply for all urban uses and if you were to convert industrial land that brings you beneath the amount in the planning period you would have to make that up in some way. If I heard it correctly this will bring you close if you were to apply this to that piece of land. However, I believe it's on Metro's regionally significant industrial land map. Like I said, I just was hearing more details of it today when I came in. There may be other steps to go through with Metro and ICD, but it's something you could do. We're not contemplating appealing that or suing the city on that. Whether anyone else would I don't know. I don't know who owns the land or anything about it.

Fritz: In general can the city change industrially zoned land without any findings in the ordinance?

McCurdy: I think -- I'm going to defer to your city attorney but I think you would have to make findings. Yes? Yes. There are specific state statutes and administrative rules related to industrial land conversion and the need to make findings. Is this regionally significant industrial land? There's probably a higher standard. Probably. You make findings every day.

Fish: Can I just ask another question not related really to the legislative matter before us. Over the last few years I have increasingly seen a divergence, almost a disconnect between industrial land and job creation. We're seeing applications for use of industrial land that don't promote a job creation agenda. That includes storage units or facilities that operate autonomously and independently. Is it at some point in the future is it time for us to take another look at goal 9 and update it?

McCurdy: Commissioner Fish, yes, past time. There's something about the economic activity generated by land, the employment generated by land --

Fish: Seems like some of our assumptions are wildly out of date.

McCurdy: A few years ago Metro did a study looking at large industrial employers and large lot industrial users, and those are not the same as you mentioned a warehouse uses

August 22, 2018

a lot of land. It may not have a lot of employees in it. A hospital which sometimes is zoned industrial land employs a lot of people. They are not all the same and we should be looking at them in a more sophisticated manner. A lot of industrial goes on in buildings that look like office buildings and they are downtown. We need to.

Fish: This is separate and apart from the matter before us today but we have seen this time and time again come forward. Seems like we need to update our thinking about the jobs nexus.

McCurdy: I agree having seen a great growth in storage units in pretty good locations for other uses.

Wheeler: Thank you. I understand we have one more.

Moore-Love: Correct.

Cameron Herrington: Good afternoon. Here to thank you for the efforts of your offices, your staffs and specifically the staff at the bureau of planning and sustainability to get us to this point today. I think in addition to the content of this policy being an excellent example of equity in action, the process of developing this proposal is an example that other bureaus should learn about and follow. The bureau staff led by joe zehnder, tom armstrong, leslie loam proactively worked with community members with mobile home park residents, hired temporary staff to canvass parks around the city to make sure they understood the content and implications of this proposal, and it was that work that that made this process which would otherwise be complicated and confusing for anyone people understood what the implications were for them and for their housing. So I would like to commend the bureau and as well as the staff of your offices for their work behind the scenes to get this on to the agenda and get this to the vote today. I also would like to again point out that this really is an example of the city prioritizing equity and prioritizing interests of those people who would otherwise have the fewest options. As we have heard today, most people who live in manufactured housing parks don't have as many options as you and I do in terms of where we can live. It is incumbent upon the city to take this action today to prioritize, to proactively protect those homes and those communities. The roots of today's actions I think we can trace back to the equity commitments made in the Portland plan and those were made more concrete in the comprehensive plan as commissioner Fritz referred to and today to actually implement those commitments in a very concrete way. I believe is a strong precedent that we can apply to other kinds of policy in the housing realm and other forms of policy. I also want to highlight that none of this would have happened if it weren't for the organized efforts of manufactured housing residents across the city coming together, meeting with you and your staff, meeting with the bureau, door knocking in parks across town from the ones where they themselves live in order to get the word out about this policy and many of those folks are here in the room today, but hundreds of others were not able to come down to city hall during the afternoon. But they have all signed a huge banner that we have downstairs that says we love our mobile homes. After the conclusion of this hearing we will gather downstairs.

Wheeler: Very good. That was good testimony. I want to make sure you got credit for it. Could you state your name for the record?

Herrington: Cameron herrington with living cully.

Wheeler: For those of you who made the sign I apologize. I know there was an interest in bringing it into chamber. We have some rules on the size of banners but i'll be delighted to see it downstairs. Thank you for bringing it. That concludes our public testimony. Do we want to bring staff up for further questions?

Saltzman: Yes.

Wheeler: Please come back up if you don't mind, tom. Commissioner Saltzman.

Saltzman: Okay, so mayor, I support this proposal but i'm not prepared to support it today unless we have a clear path to provide the same protections and incentives for mobile

August 22, 2018

home park owners in this package to the owners of the fox run and residents of the fox run. It's not equitable to include everybody but one mobile home park for sort of academic paper pushing planning type speak which the residents if they find out that the property gets sold from underneath them will never understand. I would never be able to explain it to them. In order for me to support this package today I need a clear path that culminates in a time certain before this body that will consider the fox run providing the same incentives to the owners of fox run and the protection to its residents.

Armstrong: The option that I would suggest that we do is that you pass the ordinance as amended today and that what we would do is bring forward a separate ordinance for a map change for fox run itself. That would have to go as a legislative project through the planning and sustainability commission which would require -- one of the problems in addition to the findings and amending the findings today and/or tomorrow to include it in this package is that owners...

Fish: He isn't proposing that. He's just asking for the path forward.

Armstrong: The path forward would be to excepted it to the planning and sustainability commission, we'll send out the required 35-day notice. We'll find a time in september or october for planning and sustainability to make a recommendation and we'll bring it back to you later this fall as soon as we can get it through the psc, back here with just the fox run and just the map change for that.

Saltzman: Refresh my memory. If it doesn't pass the psc, it could still come to us for consideration?

King: If council directs them to bring it to the planning and sustainability commission it will come back.

Armstrong: Do they need to amend the ordinance with that direction?

King: Yes, we can amend the ordinance to include the directive. Let me draft something.

Saltzman: Late fall we could have this in front of us.

Fish: My suggestion we not amend the ordinance and keep this clean as proposed. If there's a commitment made to commissioner Saltzman that it will come back to council i'm confident it will come back to council. His office between now and january 1st would be highly motivated to make sure it comes back to council. We have been given clear sense of keeping this as unencumbered as possible.

Armstrong: I would say given the level of support that we saw at the psc, I would not have concerns about it not getting out of psc, and back here in an expedited manner.

Saltzman: In a timely manner. That means october?

Fritz: You can't do that.

Armstrong: To the psc in October. We still have a 35-day notice to sent out before the psc can hear it.

Fish: Commissioner Saltzman ends his term -- [speaking simultaneously]

Armstrong: We're aware of that.

Fish: Did you give us some sense that it will come back to council while he's a part of the body.

Armstrong: I can't promise given council's agendas and the way they get congested at the end of the year but we will make our best effort to get back here.

Wheeler: Or we'll have to go to dan's house. Good. Does that verbal commitment satisfy your requirements, commissioner?

Saltzman: Not really. But I mean I appreciate the efforts but I also see, you know, the clock easily running out on this and me being in no position to influence it to get it before this body while i'm still here. [speaking simultaneously] I don't have a lot of comfort this is going to get back to us in a timely manner. I think it's important. I'm not talking about myself so much. I'm talking about people who live in fox run.

August 22, 2018

Wheeler: I think it's a principled stand and I will make every effort as mayor to make sure this comes back to the council prior to your departure, that you'll have a chance to see it through.

Saltzman: Okay.

Fritz: I agree. It's a principled stand. 56 of these properties, 55 of them desperately need this advancement today to provide some incentives to the owners to keep the current uses. I just want to remind you about 3rd and Harrison, a third of an acre that we could not rezone from industrial because of appeals by the industrial property owners. So rezoning and also harbor of hope at terminal 1. Rezoning industrial land is really difficult, and should be considered in the context of the whole community, and the economic needs of the city. This is prime industrial land as has been said, in the harbor district and airport way district. I don't know whether I will support adding this when it comes back. I don't know if planning commission will either. I think what we're committing to is that planning commission will send us a recommendation whether yes or no then we'll have council discussion and a decision yes or no.

Wheeler: Nor can we make that finding today.

Fish: I wasn't here earlier at the beginning. Have we adopted the amendments?

Wheeler: They are on the table.

Saltzman: I appreciate the discussion. Appreciate commissioner Fritz reminding us how difficult this is but I think we owe those residents a shot at taking it.

Wheeler: Hear, hear. Any further questions of staff? We'll call the roll on the technical amendments 1 through 6.

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

Wheeler: Aye. The amendments are adopted. The main motion as amended. Please call the roll.

Saltzman: Is this on the final package? Thanks, everybody, for your advocacy and the bureau of planning and sustainability and the psc commission and all the residents who worked so hard to get this proposal before us in such a timely manner. This is an important step we need to take and I'm pleased to support it. As I just said a minute ago I hope we will provide the same protection and incentives to the residents and owners of the Fox Run development. Aye.

Eudaly: I would like to thank Cameron Herrington and Living Cully, all the advocates and community members who worked on this issue. And everyone who came today to give testimony. Thank you as well to the staff at BPS to my colleagues who supported and facilitated this work, to my staff, of course, I vote aye.

Fritz: As Mary Kyle McCurdy says these zoning changes uphold a number of specific anti-displacement policies in the adopted 2035 comprehensive plan. Cameron Herrington pointed out that grew out of the Portland plan. So thank you, Mayor Wheeler, Commissioner Eudaly, the council for joining me in championing this effort which began with the previous city councils. Thank you Tom Armstrong, Susan Anderson, Joe Zehnder, all the staff. A lot of work has gone into getting this done. There was a complaint in my emails this has been done way too quickly. I think two years is pretty darn quick for what all the hoops that needs to go through. Thank you for making sure we go through those hoops. Lauren King in the city attorney's office, thank you. Claire Adamsick and Tim Crail in my staff have been particularly meaningful and helpful. Claire was very much a part of crafting the policy in the first place. Thank you to all the community members who came here today. My notes say you had to juggle work or family obligations to be here. In one case you had to juggle the family obligation of having that young man on your shoulders. It was really wonderful. So thank you. That was my favorite image from today. Thank you to the translator who facilitated many people to participate fully and to everybody who arranged for that. Finally thank you to Pamela Ferguson in Hayden Island who took me around their manufactured

August 22, 2018

home community there. I may have been one of the few candidates for city council who has canvassed not once but twice in mobile home communities. Ed Gerin was also part of that community. These are wonderful communities. Wonderful places to live. With a real sense of belonging. I'm very happy that we just opened the new park in cully built with verde and living cully. That is very close to several of the manufactured home parks on Killingsworth street and how wonderful that we're providing parks where wonderful communities are. So thank you very much for all of your work. Aye.

Fish: Commissioner Fritz, I can't believe you mentioned ed gerin. In 2008 I think I got the tour following your tour. It's not yet 3:30 so someone in this room is going to say we have just handled a big lift around a legislative change and we're about to conclude final adoption of amendments and speeches in an hour and a half. What I would like to say in response to that is this thing has been cooked for a long time. It is carefully constructed. It has broad community support. And there's a sense of urgency for us to act today. That's why this is moving with some speed and dispatch. I want to thank the bureau of planning and sustainability for their work. Joe Zehnder, congratulations, joe, on taking on the interim director title. Wish you best of luck. I want to thank my colleagues for their leadership on this issue. I want to thank the community for coming out and testifying today. Especially community members under the age of 10. I think we had a lot of them here today. This is democracy in action so you got to see how we operate and your presence here was greatly appreciated. We're taking up a proposal today to broaden the incentives for affordable housing. It's one of a number of key initiatives taken up by this council. I'm proud of the progress we are making. We have more work to do. Today I vote aye.

Wheeler: I'll be brief. Portland as you heard has 57 manufactured dwelling parks citywide providing affordable housing for nearly 3,000 households. The vote we're taking here today because I can count the votes honors the intent of the comprehensive plan through this action. It also increases the diversity of affordable housing options that are available in this city. There are so many people to thank and I know i'm leaving people off this list. I hope collectively we have hit most of those who are certainly deserving of our thanks. First of all I want to thank my colleagues on the city council, particularly commissioners Fritz and eudaly, who brought this forward with us today. I want to thank my staff, in particular kyle chisek and cupid alexander, who worked tirelessly on this. The bureau of planning and sustainability staff. You guys always impress me. Tom, joe, the whole team. I know that the housing bureau was well represented here. They have been active contributors to this process, and at the end of the day we're ensuring a very important balance and increasing housing options and all of this of course is supported by the findings. So I think it's a great package. It is supremely important. It's yet one more tool of many that are in the tool box to ensure that the people who work in this community can afford to live here. I vote aye. The ordinance is adopted as amended. [cheers and applause] thank you.

At 3:28 p.m. Council adjourned.