



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **24TH DAY OF OCTOBER, 2018** AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Saltzman, Presiding;
Commissioners Eudaly, Fish and Fritz, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Denis Vannier, Senior Deputy City Attorney; and Christopher Alvarez and John Paolazzi, Sergeants at Arms.

Item No. 1102 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 10:15 a.m. and reconvened at 10:22 a.m.
The meeting recessed at 10:53 a.m. and reconvened at 10:58 a.m.

COMMUNICATIONS		Disposition:
1095	Request of Sally Fronsman-Cecil to address Council regarding Portland Gray Panthers (Communication)	PLACED ON FILE
1096	Request of Dorothy Holland to address Council regarding Portland Gray Panthers (Communication)	PLACED ON FILE
1097	Request of Edith Gillis to address Council regarding Portland Gray Panthers (Communication)	PLACED ON FILE
1098	Request of Luis Balderas Villagrama to address Council regarding Portland Gray Panthers (Communication)	PLACED ON FILE
1099	Request of Lew Church to address Council regarding Portland Gray Panthers (Communication)	PLACED ON FILE
TIMES CERTAIN		
1100	TIME CERTAIN: 9:45 AM – Proclaim October 2018 to be Filipinx-American History Month (Proclamation introduced by Mayor Wheeler and Commissioner Fish) 30 minutes requested	PLACED ON FILE
1101	TIME CERTAIN: 10:15 AM – Increase transparency and accountability in City operations by requiring that employees disclose outside work (Resolution introduced by Mayor Wheeler and Commissioners Fish and Fritz) 30 minutes requested (Y-4)	37390

<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Ted Wheeler</p> <p>City Budget Office</p>		
<p>*1102</p>	<p>Authorize an Intergovernmental Agreement with Prosper Portland for economic development activities for \$6,540,664 as appropriated in the City FY 2018-19 Adopted Budget (Ordinance) (Y-4)</p>	<p>189229</p>
<p>Commissioner Nick Fish</p> <p>Bureau of Environmental Services</p>		
<p>*1103</p>	<p>Authorize the acquisition of 0.2 acres of real property at 4407 SE Umatilla St for \$250,000 to be used for watershed restoration purposes (Ordinance) (Y-4)</p>	<p>189221</p>
<p>Commissioner Dan Saltzman</p> <p>Portland Fire & Rescue</p>		
<p>*1104</p>	<p>Authorize Intergovernmental Agreement with Portland State University to perform data analysis, community outreach, strategic development, and create Blueprint for Success reports to proactively address community needs, at a not-to-exceed amount of \$21,000 (Ordinance) (Y-4)</p>	<p>189222</p>
<p>1105</p>	<p>Amend fee schedule associated with Fire regulations to increase the annual portable propane fee from \$25 to \$35 (Ordinance; amend Portland Policy Document FIR-12.01)</p>	<p>PASSED TO SECOND READING OCTOBER 31, 2018 AT 9:30 AM</p>
<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p> <p>Bureau of Police</p>		
<p>1106</p>	<p>Accept a grant in the amount of \$105,060, appropriate \$35,000 for FY 2018-2019, and authorize an Intergovernmental Agreement with Multnomah County for the Domestic Violence Enhanced Response Team to be partially reimbursed for a Police Bureau sergeant through September 30, 2020 (Second Reading Agenda 1081) (Y-4)</p>	<p>189223</p>
<p>1107</p>	<p>Authorize a Memorandum of Understanding with the partner agencies that constitute the Domestic Violence Enhanced Response Team for the stated project goals listed in the Office on Violence Against Women FY 2017-2020 Grants to Encourage Arrest Policies and Enforcement of Protection Orders grant program application and award (Second Reading Agenda 1082) (Y-4)</p>	<p>189224</p>

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1108	Amend a contract with Central City Concern to increase the not to exceed amount by \$375,742 to provide additional treatment readiness services, transitional housing, and follow-up retention support services to chemically-dependent, homeless adult chronic arrestees (Second Reading Agenda 1083) (Y-4)	189225
1109	Authorize application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a grant in the amount of \$391,694 for the Edward Byrne Memorial Justice Assistance Grant Program FY 2018 Local Solicitation to assist the Portland-Metropolitan area law enforcement and criminal justice community to prevent and reduce crime and violence (Second Reading Agenda 1084) (Y-4)	189226
Commissioner Chloe Eudaly Bureau of Transportation		
*1110	Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the SW Naito Parkway: SW Salmon Street to I-405 Improvement project, through the exercise of the City's Eminent Domain Authority (Ordinance) (Y-4)	189227
1111	Vacate a portion of an unnamed road east of NE 160th Ave and south of NE Halsey St subject to certain conditions and reservations (Hearing; Ordinance; VAC-10116) 10 minutes requested	PASSED TO SECOND READING OCTOBER 31, 2018 AT 9:30 AM
Commissioner Nick Fish Bureau of Environmental Services		
*1112	Authorize a contract with Synagro-WWT, Inc. for the Columbia Boulevard Wastewater Treatment Plant Biosolids Inventory Reduction Project at an estimated cost of \$7 million (Ordinance) 10 minutes requested (Y-4)	189228
City Auditor Mary Hull Caballero		
1113	Assess property for sidewalk repair for the Portland Bureau of Transportation (Hearing; Ordinance; Y1097) 15 minutes requested Motion to remove properties at 1825 N Rosa Parks Way and 5800 NE Columbia Blvd: Moved by Saltzman and seconded by Fritz. (Y-4)	PASSED TO SECOND READING AS AMENDED OCTOBER 31, 2018 AT 9:30 AM
DUE TO LACK OF AGENDA THERE WAS NO 2:00 PM MEETING WEDNESDAY, OCTOBER, 24, 2018		

At 11:54 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **25TH DAY OF OCTOBER, 2018** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Saltzman, Presiding; Commissioners Eudaly, Fish and Fritz, 4.

Commissioner Fritz left at 3:34 p.m.

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

The meeting recessed at 3:34 p.m. and reconvened at 3:42 p.m.

1114 TIME CERTAIN: 2:00 PM – Proclaim October 2018 to be Disability Employment Awareness Month (Proclamation introduced by Mayor Wheeler and Commissioners Fish and Fritz) 30 minutes requested	Disposition: PLACED ON FILE
1115 TIME CERTAIN: 2:30 PM – Consider the appeal of Deborah A. Byrne against the Hearings Officer’s decision to approve a Conditional Use Review for a new eight-space parking lot on Imago Dei Ministries property at 1404 SE Ankeny St (Hearing introduced by Mayor Wheeler; LU 18-174083 CU) 45 minutes requested Motion to tentatively deny the appeal and uphold Hearings Officer’s decision: Moved by Fish and seconded by Fritz. (Y-4)	TENTATIVELY DENY APPEAL AND UPHOLD HEARINGS OFFICER DECISION; PREPARE FINDINGS FOR NOVEMBER 7, 2018 AT 10:50 AM TIME CERTAIN
1116 TIME CERTAIN: 3:15 PM – Reaffirm support for the TV and Film industry in Portland, and direct staff to begin work on a Film and Video Universal Permit program (Resolution introduced by Commissioners Fish and Eudaly) 30 minutes requested (Y-3; Fritz and Wheeler absent)	37391

At 4:16 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

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Key: *** means unidentified speaker.**

OCTOBER 24, 2018 9:30 AM

Saltzman: Good morning, council will come to order on October 24, 2018, Karla, please call the roll.

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

Saltzman: Here, ok Mr. Attorney, please read the statement.

Denis Vannier, Senior Deputy City Attorney: Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and the decorum during the city council meetings so everyone can feel welcome, comfortable, respected, and safe. To participate in council meetings you may sign up in advance with the council clerk's office for communications to speak briefly about any subject. You can also sign up for public testimony on resolutions or on 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, and 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 that is said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do a thumbs down. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruptions, a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. After being ejected, a person who fails to leave the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected, and safe.

Saltzman: Thank you. Thank you. Okay. Let's move to our first type certain.

Moore-Love: Okay.

Item 195.

Eudaly: Do we want to call everyone up right now.

Saltzman: I think everybody signed up for the gray panthers.

Moore-Love: I will read the other two.

Item 1096.

Item 1097.

Item 1098.

Item 1099.

Saltzman: Okay. Thank you all for being here this morning, and we will start with you, ma'am, and all you need to do is give us your name, and you each have three minutes, and there is a clock there in front of you. So why don't you go ahead. Please pull a microphone up.

Sally Fronsman-Cecil: My name is sally Fronsman-cecil.

Saltzman: Can you take the microphone? Yeah. Move it over.

Fronsman-Cecil: There we go. Yeah. There we go. Is that better?

Saltzman: Yes.

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Fronsmann-Cecil: My name is Sally Fronsmann-Cecil. I am a member of Gray Panthers of Portland. Gray Panthers is historically an inter-generational and intersectional organization meaning that we work with a variety of people, not just elders you might assume from the name, but with elders and young people on issues that are of interest to us all, not just of all things that you might think of as issues for the elders. And I guess that I feel like we are here today to hold the people of Portland through their representatives responsible to meet what we consider the social contract that is not being held up for people, for elders at this time. I feel like people tend to think that the people on the streets are responsible for being there themselves. That they have chosen to be there or that they have drug and alcohol problems or some other kind of issue that would put them there. I am here to speak a bit for myself, so you will probably see me more than once and hear my story. I am fairly well educated, articulate. I am the widow of a college professor, and yet my family is terrified that I will be homeless. They have brought me here on an emergency basis, I live in a housing insecure situation with a family member who may at some point go into nursing home or die and when that happens, I will be homeless. My family figures that they cannot rescue me any more than they have already done. Now you would think that -- a lot of people seem to think if you are an elder that you have resources. I am not sure why this is because we have elders on the streets, but that is not the case. I have more income through my social security than most people have, however because I have that, I am not eligible for any of the safety net. I have all the expenses that somebody might have despite being in this insecure situation. I have medical expenses, thank good are covered by Medicare, which I support Medicare for all for that very reason, but, you know, at the same time we've been having more income since I don't qualify for things it does not help me with things like my car and my insurance, which I have to have because I have to look for work. I can't live on the income that I have. I have debt because I had to do an emergency move. I had to get rid of my house, which was pretty much literally falling down around me in Kansas. So I am now here in Oregon. I don't know that I have anything more to say about that, other than I think that people are not meeting the social contract across our society. They did not build enough housing for us, they did not anticipate it, and I think that actually they determined because they did not know about better healthcare, that they thought that we were going to die.

Saltzman: Thank you Sally. Do you want to go next, ma'am?

Dorothy Holland: My name is Dorothy Holland and I am a member of Gray Panthers. What I want to talk about as of last time is we have more development with the Home Forward and Home Forward is not coming forward to give us the right information that we need. They are saying one meeting was for renovations to our building and they kind of said "oh, well it will be this way", and then they changed their minds and said no it's going to be this way. We are going to have to tear up your apartments and blah, blah, blah, and you are going to be out of your apartments for six to eight weeks, and you have to pack up your stuff, completely, and a lot of us who have been there 20 plus years have a lot of stuff, but we will help you do that, and then you will have to put it in storage, and we will pay the initial payment, but you have to pay so and so and so. We don't have that money, that's why we are living in the housing that we are living in. So what do we do, and it's supposed to come under Home Forward -- under HUD, their Section 8 program because it's going project-based, but, there is no -- any of the meetings that we have had, there has been no HUD representatives there, it's all been Home Forward, and all Home Forward's policy forward and then they came into our apartment and took chunks of our floor and our wall to test for asbestos. When we asked what the testing results were they changed the subject entirely, so we don't know if we are living with this asbestos or what. You know and this building is like over 70 years old and at that time they did have asbestos, and they did use asbestos as, um, as insulation in walls and things, so we don't know. They won't let us,

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they are not coming forward and they are not revealing things that they should reveal, not even in any of the resident meetings when we asked about it. They changed the subject. So what do we do? They should have some accountability to us. We pay our rent on-time, you know, and everything, and some of us pay a lot of rent. A big chunk of our checks. When we get like a cost of living increase like this last time, I got \$20 cost of living increase in home forward to 12 of it. They are not supposed to do that. They are only supposed to take one-third. Not all of that. So what do we do? Who holds them accountable?

Saltzman: Thank you.

Fritz: Thank you for bringing this to our attention. Have you tried talking with the home forward board or getting a message to them?

Holland: Yes, we have -- I have tried to talk to Elise, who is supposed to be the, the head district manager, whatever, and she says well, talk to your manager and let them handle it. The manager is not coming forward.

Fritz: They have a board of citizen volunteers who help to oversee home forward, potentially contacting them, sending a letter to them will be helpful.

Holland: I have no information on how to do that and they won't -- they won't give me that information. So I don't know how to do that. If you guys know how to do that, I would appreciate that information, and then yes, I would get in touch with them.

Fritz: I have got your email in the communications, so I will have my staff --

Holland: I don't have a computer.

Fritz: Okay. What about a phone number?

Holland: Yeah. My phone number should be on your information, or I can give it to you.

Fritz: Don't give it to me in the public.

Holland: I will just leave it.

Fritz: That would be great, and we will give you the information on where to send that.

Holland: I appreciate it.

Fritz: I tell you what, I have got your address, so I will mail you that information.

Holland: Oh, great, thank you very much.

Saltzman: Thank you. Edith?

Edith Gillis: Good morning, I am Edith Gillis. When you are around as long as I am, you begin to see patterns, and you recognize and see that we go through developmental stages. Lew church is holding up a poster because my, my print shop kid lost the flash drive, and the originals, so it helps to have elders who keep working with people of all ages, and across different interests and communities. So with that teamwork across the ages, you see that we have developmental stages as individuals. We have developmental stages in how we respond to trauma and loss and relationships, and in group dynamics, and community and social movements. And one of the things that we are seeing that when you have people who have found being a good citizen, doesn't work, that the system, the official institutions are failing us, then there becomes folks who go into the next role of the reformer. When that does not work, they will then go to the role of the rebel, and then they may decide after this event, as in police killings or showing that there is unfair treatments and preference of some people against the laws, then there may be a lot of folks rebelling, getting angry, and they may make some actions, and then it may seem like they fail because they did not get the results as soon as they wanted. But actually more and more of the public is awakened, and is committed and is making changes, now in the role of social change agent. And we keep going through the eight stages, and the four roles. If you don't want people angry, don't do the things that anger them and what that includes is disrespecting their person and violating their needs. One of the things that I noticed as I've been phone banking and canvassing, I've been listening to folks across the continuum, everything from tea partyers who think that trump is too leftist, and wimpy, and people who are thinking that Bernie is too right. I am with people across the continuum. In all labels

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and categories. I am hearing them speak without it any prompting on my part and I know listen to them carefully as I ask open-ended questions, what do you like about Portland? What do you want changed? 100%, all these people whether they know anything about my bias or whatever 100% of them say that they are unhappy with the police. They are unhappy with the mayor and city council not policing the police and holding the police accountable to protect and serve. And 100% of them want you to reduce the budget for the police and increase it for the services that the city is required to do. When you have that we have trust, cooperation and teamwork, and you are more apt to get the funding and volunteering and nicer treatment.

Saltzman: Thank you, Edith. Lew, I guess you are next.

Lew Church: My name is law church I'm with the gray panthers. I wanted to thank Dorothy, edi and sally for speaking this morning. I was hoping that louis would come from Portland state, he's the student body president and a dreamer, so apparently he had other stuff to do student body president at psu is a busy and activist project at the moment with disarm psu as a campaign. Gray panthers advocates currently and in the past for elders for social justice, for what Robert Kennedy once said was the quest to seek a newer world as someone, myself, who worked with bobby Geary when she was a gray panthers organizer and I was a fundraiser at inter-agency food bank, bobby Geary presented and advocated for emulating the Maggie Kuhn model, the founder of gray panthers, to be an activist, radical, advocacy group. As gray panthers we look forward to seeing Jo Ann Hardesty join Amanda and Chloe on city council as the first ever three-women majority city council in Portland history, a bit like having Dorothy day, Bernadette Devlin and Maxine waters on our city council right here in river city. And while ballots are out, it is not too late for our housing and our police commissioner who looks to be absent today ted wheeler to join Amanda, Chloe, Alissa Keny-Guyer, Michael Dembrow and the activist unions and endorse Jo Ann Hardesty for city council. This fall we feel disarm psu and rent control in Oregon are vital campaigns and badly needed. We were disappointed to see both newt buehler the Portland tribune oppose the housing bond measure, the tribune and the Oregonian endorsed buehler for governor while buehler supports m105, the anti-immigrant, anti-sanctuary ballot measure, what planet is the tribune and newt buehler on. Immigrants and housing are vital components of our community, Buehler and the tribune are flat out wrong. As the make pusillanimous patriarchal propaganda from weinstein, cosby, trump and Cavanagh persist, gray panthers at least in Oregon are happy to support Jo Ann hardesty for city council, kate brown for governor, to support the housing bond, clean energy fund and campaign finance reform on our local ballots, we oppose the alt right capitalist encypto fascist statewide ballot measure, vote no on m103, 104, 105 and 106. Oregon belongs to all of us and in our city we believe in a dream that is Portland. Not the worlds ongoing nightmare that is trump land.

Saltzman: Thank you all. Thank you Portland, gray panthers. Thank you. Now we will move on to our 9:45 time certain. Proclamation.

Moore-Love: Do you want to do the consent agenda first?

Saltzman: Okay. Sure.

Moore-Love: We have had a request for 1102 to be pulled.

Saltzman: 1102. Okay. So yeah. Call the roll on the rest of the consent agenda.

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

Saltzman: Aye. And we will take up 1102 after the regular agenda. Okay. Welcome.

*****: Hi.

Moore-Love: I will introduce the item.

Item 1100.

Matt Lim, Bureau of Technology Services: Hi, so my name is matt Lim, I work for the bureau of technology services and the enterprise business solution division. I am also on

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the steering committee for face, that is the filipinx-american city employees. Today for the month of October we want to proclaim filipinx-american history month, and so to start us off we are having a live band play right here. Their name is adobe milolas, which means grandmothers adobo, and we have got Jonah, Jordan, and Juice, so if you guys want to go ahead and play, I guess go ahead.

*****: Thank you for having us we are adobe milolas. Today we are going to do an original Filipino song called tell me where it hurts by the band mymp, we hope you guys enjoy.

[song played]

Saltzman: Thank you very much and that's an original piece of music?

*****: Oh, no, from an original Filipino music and we have a drum solo that will be super quick.

[drum solo]

Saltzman: Okay, Matt, do you have speakers, also?

Lim: Yeah.

Saltzman: I thought we would do that after the proclamation, let's finish that and then we will let the band break down. We will take a five-minute recess for the band to break down.

Justin Quitugua: I am Justin Quitugua, and I sit on the board at the Filipino American association of Portland and vicinity. We are a nonprofit organization on 90th and Stark.

Angelica Lim: My name is Angelica Lim, I'm the former chairperson of Gabriela Portland which is a Filipino women grassroots organization here in Portland.

Emily Rice: And I am Emily Rice. I work as a senior i.t. manager for the port of Portland. Used to work for the city of Portland for over ten years. I am happy to be back, and I also serve on the board for the foundation of Philippine progress as well as a member of the ichip international coalition for human rights in the Philippines.

Saltzman: Okay.

Quitugua: So a bit about myself, I was born and raised here in Portland, actually born in California, but 20 years spent here, went to middle school, high school, and college. I was involved in a college organization, PSU, Portland State University and it was there when I learn about my identity as a Filipino, and the history about my family and a bit about me and my family, my parents migrated to the states in the 1980s after Marcos implemented martial law. My dad taught me that he wanted to move here to the states for a better life, and because at the time there was not a lot of opportunity for him and he thought that it was better for us to be in the states and go to college, and just for a better life in general. And PSU really helped me to develop what it means to be Filipino, and taught me, you know, about my history, and when I was in middle school and high school, I was -- I had trouble understanding that side of my life, right. And it's important that we have programs and grassroots organizations like Angelica and Emily are part of that are leading those, those things. I don't think without it those organizations that I would have been here today. Even like serving my community for almost six, maybe six years already, both in college and now, after I am done, and yeah and I would like to thank the council for having me here today.

Angelica Lim: Hi. Thank you commissioners for having us, my name is Angelica Lim. I have a kind of migration, immigration story as well, just like a lot of Filipinos here in Portland. I migrated from Alaska, born and raised in Juneau, Alaska. I decided to plant roots here because I had a son in 2006 and decided that Portland would be a really great place to raise him. I think that the proclamation today is imperative in the sense that it invites the city of Portland to really engage with the Filipino community, as the former chairperson of Gabriela Portland which I mentioned earlier is a Filipino organization. We really do our best to organize around issues that impact Filipino women, and so that has to do with Filipino women here in Portland, in Oregon, and also across the United States, and Filipinos who immigrate from the Philippines. I don't know if you knew this but there is

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6,000 Filipinos who leave the Philippines every day, half of those are women looking for quote/unquote a better life in the United States and Saudi Arabia, and what they sometimes come to find when they migrate to the United States, they are met with intense discrimination, intense racism, and exploitation around the work that they end up doing, so here in Portland alone, we have many Filipino women who are undertaking domestic care work and being exploited with wages so a lot of what Gabriela is intending to do is organize with Filipino women to solve their issues. I raise this as a mother and as a Filipina, which is a Filipino woman. As a concerned citizen that I think that the proclamation comes at an important time where currently in the Philippines many are experiencing the war on drugs and extra judicial killings from President Duterte currently Senator Merkley condemned Duterte's actions, so with the city's proclamation on Filipino-American history month I think that's an engagement and a commitment to take up understanding the impact that the United States has on the Philippines and why Filipinos migrate to the United States. I think that holds the city of Portland accountable to really engage with the history, so education like Justin was saying in public schools, understanding how many Filipinos are in the city of Portland and also in Oregon, and what kind of jobs do we take up? You will know Filipinos as nurses, doctors, accountants, janitors, and that is part of our rich history of contributing to this country. We are also talking about the labor history, too, and how Filipinos have had an impact when. I think that if you did not know this, Filipinos are the third largest Asian population in the United States and yet we are still very well-known, so I think that this is also an encouragement for the city of Portland to really take up and understanding the history of migration, migration patterns all the way from California through Oregon to Seattle. It's an honor to be here. I think that right now I feel a little emotional to understand that having a son, a Filipino son here living in the city of Portland, I can say to him that his city actually supports his life, supports his identity, supports his existence, and supports his future, and I think that -- this proclamation also speaks to the accountability for Filipino migrants, Filipino mothers, Filipino students, we have come a long way as Filipinos, we have a large population in the United States, a large population of -- a large culture of vibrancy but we also have a lot of healing to do with the relationship between the United States and the Philippines, so I think that this city proclamation is actually acknowledging that healing, but inviting us to build a stronger future.

Saltzman: Thank you, Emily.

Rice: I am Emily Rice as I mentioned and I am -- it's with great joy and pride that I am here to celebrate this occasion with my former city colleagues as well as members of my community. A bit about my story. I was born in the Philippines and I am from an indigenous community in Luzon. My parents moved to Oregon when I was less than a year old. Seeking out economic opportunities that they did not have, under the martial law by then President Ferdinand Marcos. Growing up in the Portland metro area, I witnessed the pressure my parents experienced to assimilate into the majority white American culture. I witnessed my mother being ridiculed for her Filipino accent, and enduring racist and sexist comments, devaluing her identity as an indigenous Philippina. My mom did everything she could to protect me from experiencing those painful things, but for her that meant that I grew up not learning my family's language. Even without it the languages I felt a deep connection to my heritage and culture. I didn't see many other Filipinos in my school or represented in this society. In high school and college I tried to learn more about the history of the Philippines and the Filipino Americans. My textbooks didn't have much to offer me, but I was fortunate to have a high school teacher help point me towards good sources on Philippine and Filipino American history. I learned about the Filipino American war at the turn of the 20th century following the Philippines' brief independence from Spain. I learned the tactics and weapons developed including water boarding, cult 45 which were used against Filipinos and the courageous resistance by Filipinos struggling for freedom in

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their home land. Just across the street from the Portland building in Lansdale park there is a statue commemorating the American soldiers who died during the Filipino American war, but what it does not mention is that for every one American soldier killed there were 50 Filipinos who were killed. Over a quarter million Filipinos were killed as they struggled for their freedom. I learned about the Lewis and Clark exposition held right here in Portland at Guild's Lake where over 20 Indigenous Filipinos from the same region as my ancestors were brought, likely by force, to be put on display here and what was essentially a human zoo. Along with other indigenous people. They were brought to show Americans attending the expo that Filipinos were savages who needed to be uplifted through American colonization in the Philippines. I learned that there are painful moments in Filipino American history. As I learned about these things, however, I also learned about hope. I learned about people power and powerful resistance of the Filipino and Filipino American people through organizing against repressive governments, against the systemic oppression, racism, sexism, xenophobia, labor exploitation here and around the world. Filipino American organizers were an instrumental part of the u.s. labor movement in the 20th century, and they are a treasured part of our legacy, which lives on to this day. Filipino American organizers advocate for not only fellow Filipino Americans, but also for black and brown people in our country facing racism and xenophobia. Filipino organizers advocate in solidarity with indigenous people in the Philippines, and all around the world who face land grabbing and the destruction of their ancestral lands. Filipino American organizers work to uphold human rights and end the flow of u.s. tax dollars for further militarization in the Philippines. Filipino American organizers advocate for Filipinos in the Philippines suffering in a society of extra judicial killings, which have been normalized under the president's Duterte's drug law. Drug war. As a board member of the foundation for Philippine progress and a member of the ichirp, I am proud to make an impact in my community here in Portland and throughout the world by continuing in this vibrant tradition of Filipino American organizing. I am grateful there is more Filipino Americans here in Portland today than there were when I was growing up, and I am grateful for this proclamation. My hope is that people continue to learn our history, more people will honor and adopt our spirit of the power, people power, and community organizing that the Filipinos and Filipino Americans histories have lived out for centuries. Thank you.

Saltzman: Thank you Emily and angelica and Justin. Appreciate it. And I will now read the proclamation, and then colleagues, may want to make some comments and we will have a picture right in front afterwards. Whereas the city of Portland is proud of its diversity and draws strength from the rich cultures and traditions of all community members; And whereas Filipino-American heritage month is an opportunity for all individuals and organizations to recognize the contributions of Filipino Americans to the development and defense of our country as well as the cultural, civic, and economic life of Portland for over 150 years; Whereas Filipino-Americans come from a complex and diverse mix of many languages, belief systems and ethnicities, including the Bicolano, Cebuano, Ilocano and Hokkien; And whereas filipinx-american's in Oregon are presiding over the adversity of exclusion, incarceration, and displacement; and now therefore, i, ted wheeler, mayor of the city of Portland, Oregon, the city of roses do hereby proclaim October 2018 to be Filipino American heritage month in Portland and encourage all residents to recognize, celebrate the vibrant history, cultures and contributions of our Filipino American community. Thank you. [applause] do we have any comments? Take a picture? Let's get up here. Come through. Get a picture. Then we will take a five-minute break.

At 10:15 a.m. council recessed.

At 10:20 a.m. council reconvened.

Saltzman: We will come back to order, Karla will you read 1101, please.

Item 1101.

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Saltzman: Commissioner Fish.

Fish: Thank you, president Saltzman. I am proud to introduce this item on behalf of myself, mayor wheeler and commissioner Fritz. The resolution before us is yet another reform designed to strengthen transparency and accountability in local government. Here's the background. The city has a policy concerning outside work or so-called moonlighting. It states that employees can have a second job, provided they do not, one, engage in an actual or perceived conflict of interest, or two, give so much time to their second job that they are not fulfilling their duties as a city employee. As we have learned, the city's written policy confusing and complicated. It does not give employees adequate guidance to ensure they are following the rules and places the burden on employees to decide if a potential conflict needs to be disclosed and significantly, the consequences of breaking these rules can be severe. We can and must do better for our workforce. The resolution before us today is modeled after national best practices from Dayton, Ohio to the federal department of health and human services, to the states in Nevada and Alaska and even to Multnomah county in our own, in our own backyard. It pairs clear guidance with mandatory disclosure of outside work, and it directs that an updated policy, training materials, and a disclosure form come back to us within 90 days for review and adoption. Now in our research, we found jurisdictions that prohibits staff from engaging in outside work, but we are not proposing such a prohibition. In fact a prohibition would put us at a competitive disadvantage in recruiting the workforce of tomorrow. With that I would like to invite my co-sponsor commissioner Fritz to share any opening comments and then we will invite our city attorney Tracy Reeve and our chief administrative officer Tom Rinehart to briefly share their perspectives about this policy and how we can best support our employees.

Commissioner Fritz?

Fritz: Thank you commissioner Fish, and also thanks to your chief of staff Sonia Schmanski for the work that you have done with my chief of staff, Tim Crail on this policy, and thank you for your work on it. This as commissioner Fish says is about transparency and accountability, and for the people of Portland to know how their public employees are spending their time if they are engaged in outside activities that earn money, so thank you very much.

*****: Thank you.

Fish: With that Mr. President we will turn it over to our distinguished city attorney, Tracy reeve.

Tracy Reeve, City Attorney: Thank you. Thank you president Saltzman and commissioners I am tracy reeve, I'm the Portland city attorney. I am here to urge your support for this resolution directing my office and the chief administrative officer to develop revisions to city rules and to clarify employees and managers' responsibilities regarding outside employment. One of my responsibilities under the code as city attorney is to seek to ensure that the city employees comply with their -- the legal and ethical requirements of public employment by providing advice, direction, and opinions, this resolution would assist my office in meeting that responsibility. The city has been reviewing and clarifying policies and training in a number of areas pertaining to legal compliance, conflicts of interest, and ethics. For example last November this council passed a resolution regarding city boards and commissions that resulted in greater clarity and training on the rules pertaining to conflicts of interest for members of the city boards and commissions. As another example, we also regularly provide guidance to employees and managers on obligations under state and federal elections laws. We recently issued an updated memorandum to all city employees clarifying those obligations. The city's rules regarding outside employment would likewise benefit from an update to make it clear to employees what their reporting obligations are and clarify the managers' roles in evaluating outside employment. Current rule 4.05 puts the entire of identifying a conflict on the employee. Little practical guidance

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to employees on when they must report outside employment and no guidance for managers on what to do when employees do report outside employment are some of the problems that we think that would benefit from an update to the rule. We believe that revising the rule to clarify that all employees should disclose outside employment and that non-represented employees should obtain written approval from their manager will benefit employees, the city, and the public in the form of greater transparency.

Fish: Thank you very much. We have the chief administrative officer tom Rinehart.

Tom Rinehart, Chief Administrative Officer, Office of Management and Finance: For the record, tom Rinehart, chief administrative officer, good morning, council. I don't have much to add to my colleagues excellent introduction besides the fact that anything that increases government transparency and credibility, we should be looking at, so I urge your passage of this. I also want to say that one of the three pillars of the office of management and finance's strategic plan is adopting 21st century business practices. This is clearly one of them that needs to be reviewed and potentially revised. I look forward to working with our colleagues and the city attorney's office and bringing you recommendations that we have. So without any questions, from council.

Fish: Colleagues?

Saltzman: So the rules would require a sign-off by a supervisor for an employee's extracurricular work?

Reeve: I mean, we will have to come back with the specifics of the rule, but the now therefore be it resolved section from council would direct us to look at requiring written approval for non-represented employees, but not for represented employees. And the reason for that is a, some of the collective bargaining agreements already address the situation, and obviously, we would need to have further consultations with the unions about it if we were changing the rules in that way for represented employees, also the non-represented employees, not exclusively but on the whole, tend to be the more managerial supervisor level positions. The higher level positions.

Fritz: Is the intent to have the information posted so that the public can review it, as well?

Reeve: I think one of the transparency goals would be, whatever format that the disclosure takes, it would be a public record. I can't think of an exemption from the public records law that would apply.

Fritz: As you develop the recommended rules, I don't think that the public should have to ask for public records requests. It should be posted somewhere so that it's available.

Fish: Okay. That concludes the presentation.

Saltzman: No other panel?

Fish: Nope, I would like to publicly thank Tracy and tom for the collaborative way that they have worked with the council to develop this resolution, and dan, frankly, this resolution is taking a page out of your playbook where we sort of set the stage, but direct that the policy, the policy and written documents come back to council, so today we are teeing it up, and we will have a second hearing when it comes back to council and we will have a chance to review and approve whatever recommended policy and documents this team brings back to us.

Saltzman: The only other question that I have, content neutrals a popular phrase these days. So will determinations about the propriety of outside employment be content neutral?

Reeve: Content neutral, you mean in terms of the actual outside employment?

Saltzman: Say I am an exotic dancer outside of my job.

Reeve: So the standard -- the goal is to have more clarity and to have objective standards, and the only test will be whether it gives rise to an actual or perceived conflict of interest, which is you know, set forth under state law or whether it is so time consuming that it would interfere with the employee's ability to do their jobs, but there should not be any

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judgment, other than those standards. There should not be any judgment about the type of outside employment.

Fish: We anticipate commissioner Saltzman that there will be a small universe of people that trigger the actual or perceived conflict of interest issue. There are plenty of city employees that have outside business activities that have absolutely nothing to do with their day job. It gets a little closer if there is any overlap between parties that they regulate in their day job and parties that they are contracting with in their outside work, and then it gets -- the gray becomes things like actual or perceived conflict, that's where we think in those rare instances, and an interactive process with the supervisor is to the benefit of both the employee and the city.

Saltzman: Thank you.

Rinehart: Can I add one thing? I think this conversations with my team one of the things that came up is that with the changing nature of work and the fact that we have hand-held computers, that people can be doing business and creating their own businesses and running their businesses on public transportation or walking around or at home, it does behoove us to look at this. I think particularly as we attract and recruit the next generation of workers for the city's workforce, this will continue to come up. So the clearer we are around making sure that employees understand the expectations and that managers understand, you know, our role in educating and holding people accountable and increasing the transparency, I think that it's just a good practice for us to get ahead of. So I wanted to add that.

Saltzman: Okay. Thank you. Karla, do we have anybody signed up to testify?

Moore-Love: Yes, we have six people signed up. The first three are shedrick j. Wilkins, Edith Gillis and lightning super creativity.

Shedrick J Wilkins: I am shedrick j. Wilkins, and I would not want to see this become a witch hunt. Public employees are looking for the city, making extra money. It's hard for me to explain this, but sometimes when I look at the situation in the Philippines there is a large air force base there. I believe that the united states navy and world war ii at the battle of the midway beat the Japanese and allowed the Philippine people to have a certain amount of freedom. One could take the liberal position that if I worked for intel, and intel has a second job makes computers that are sold to the air force that I want indirectly suppressing the people in the Philippines because of the manila air force base or if I worked for sony, sony, I sell playstations as a second job for city employees, sony is owned by japan. So I am working for companies like the air force or the united states air force which suppresses the Philippine people and it still goes to my opinion that the united states navy beat the Japanese at the battle of midway at the pearl harbor and allows the Philippine people a certain amount of freedom, and people who work for private companies, they are like intel, or sony are not working in the interests of japan. Thank you.

Saltzman: Edith.

Edith Gillis: Hello again. I support ever improving policy, regulation, rules and practices. I commend you for the good vocabulary, and I am hoping that the good intentions in the follow-through on improved clarity, transparency, ethics, accountability, fairness, credibility, and this improves the trust and the willingness of the citizens to cooperate without it which we cannot have a city working. I really am excited about the possibility of Portland leading the state, county, and the nation with inspiring best practices as we did about the ban for the fossil fuel infrastructure, and I expect us to do this to Portland clean energy community benefits initiative. I agree that we need to watch out for actual and perceived conflicts of interest in time to do the job. I want us to also include thoughtful consideration of those not just ours, but the levels of stress and risk to the employees and by them, especially those caring weapons or used to forcing their will on others. Police and security. Now I realize that what is stressful for one may be enjoyable or calming for another, but we have to be

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careful because over and over we are seeing horrendous terrorism and trauma and losses in our society because, for example, police, who are working multiple hours. I want us to have a citizen review board that is respectful of confidentiality and workers rights, but also of transparency. I want us to have posting the public records, especially of police and security where they have increased the rights and the power and increase risk to society. Thank you.

Saltzman: Thank you very much.

Lightning Super Creativity XXIPDX: I am lightning I represent lightning super creativity, xx1, pdx. I have concerns on this, number one, from my position, I don't want to -- them to be allowed to have any outside work or moonlighting. Some of the concerns that I have is really coming down to the actual agreements that they are going to sign, and from their other employer, exactly what are they bound by? What can they do and what can they disclose? And another concern that I have is that also when we are dealing with nonprofits, if a city employee is also then affiliated with this nonprofit, and we are giving them grant money, and they are taking their time also with this nonprofit, I have some concerns on that as far as where that grant money is going, and then also in the grant agreements on the p.r. clauses, on what can be stated negatively against the city, but they are also being employed by maybe someone else, so I have concerns on that for those reasons. Again, like I say from my position, I also want to have an understanding if I am a city employee and I am moonlighting or have an outside job, am I allowed to do that by the charter? Does a charter have anything in there that says that I cannot do that? So I would like to have that.

Fish: I can answer that question.

Lightning: Yes.

Fish: The charter does not prohibit outside employment. The only class of workers or employees at the city that are prohibited from outside employment as you know are the elected officials and part of the oath that we take when we are sworn in includes our commitment, our disclosure that we have no outside undisclosed business interests. So the charter makes -- contains a prohibition for elected officials having outside employment, but does not have a provision that prohibits employees, which is why the city has customarily allowed it, and now what we are doing is just making sure people understand what the rules are and that they are followed.

Lightning: Thank you for clarifying that. Another issue I do agree with commissioner Fritz this needs to be hosted for the public to have easy access, and again just from my position, it's kind of the perception of the conflict of interest, the perception of the impropriety on this situation, which I think is an area that you can get into that I would like to restrict that. I would like to have more of a clear understanding from that individual. Why do you need this other job? Is it because you feel that you are not getting paid enough here? Is it -- what is the real purpose of this? Because if you are not making enough money to pay your rent, your other living expenses, then maybe the city needs to really look at that from that position also and make some changes because it just really concerns me of the look, itself, and will it be monitored effectively enough, the review by the auditors or who is going to inspect this or who's going to watch this real close, I have some concerns on this. So I am going to have to say that I go against this and I want more transparency but I don't want the moonlighting or the outside jobs, and I think that it's just too much of a conflict of interest. That's my own opinion. Thank you.

Fish: Thank you.

Saltzman: There were three others?

Moore-Love: Yes.

Maggie: Hi there. I would like to talk about --

Saltzman: Give us your name.

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Maggie: I am sorry, Maggie so I would like to talk about this conflict of interest thing as it relates to the county, Liam frost works for Deborah kafoury, who is the, you know, joint office of homelessness and home forward, and he's the housing policy advisor. Well he's an American citizen who was originally from wales, and when he offered to help me to find housing because I was criticizing the salvation army, I asked him to publicly state that he's not connected to the salvation army, and he talked circles around me, and then he disappeared for three days, and he stopped talking to me. And it seems to me that when you have got the salvation army who has -- who puts people who are in wheelchairs outside because they have overstayed their number of emergency nights, and this person has to go to the hospital because their catheter gets infected because they are out sleeping outside next to the door of salvation army, when you have got lice and bed bugs and kennel cough and mercer in there, and you have got people with high blood pressure, diabetes, and you know, walkers, wheelchairs, and all sorts of disability in here because the nonprofits you know, housing alternatives, uses the same template as these faith-based units, which is we are going to put the least disabled into this subsidized housing and will take the most disabled and we are going to put them in the shelter. That's why they are building this new shelter for housing alternatives, but back to Liam frost, back to this idea that you should not be connected to a contractor that has horrible human rights abuses in these shelters, and then you are advising the joint office of homelessness, the head of joint homelessness on housing policy. That is not good and then ted goes in and does this. Everything sounds fine and here's the money, and there is mercer and lice and bed bugs and kennel cough and people are crammed in like sardines, oh, but it's all okay, if you are not sick when you go there you will be sick when you get in there. To leave a woman in a wheelchair outside at night, you know, she's probably got bed sores by now, she's been out there for two nights in her wheelchair. You know I tried to help this women find disabled housing, but aging and disability needs to come in and to help her. They are not doing it because no ombudsman is allowed to go in there.

Saltzman: Thank you, Joe, Mr. Walsh.

Joe Walsh: Good morning my name is joe Walsh, and I represent individuals for justice. No, you seem to be presenting and argument that doesn't have a problem. You're going to argue that 30% of your workforce is working two jobs and they are exhausted and they are not doing their jobs. And that's what you found out so this is maybe a good thing, do you think that the cops are going to okay this? They are employees of the city still today. Aren't they?

Fritz: Its for non represented employees not the represented.

Walsh: So we're selective. So, we're taking a piece and saying that we cannot get it through with the cops because they would blow their tops because some of them make \$30,000 and \$40,000 a year on overtime is, working for other people.

Fish: Joe, can I clarify something?

Walsh: Don't interrupt me, please. You can say what you want afterwards. I know your attitude there commissioner. You don't like us here, you don't like anybody saying, wait a minute. This is a problem that does not have -- I mean, how many people do a you know that are working second jobs?

Fish: We don't.

Walsh: How many people are there? Are there three? So you are going to do an ordinance? You are going to do a resolution? You are going to -- you are going to clamp down on them? And you are going to make this supervisor say yea okay, you can go and you can't go. First of all, I don't think that that's legal. I don't care what your city attorney says. They are wrong most of the time anyway. Why would you get involved in this? You are going to vote this, someone is going to drag you to court and you are going to lose. I am telling you. One mocha, anybody want to take a bet? One mocha. You are going to

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lose this in court, you cannot say to an employee, you cannot make extra money outside of your job. You cannot do it, its a violation of their rights. They have a right to do that. You have a right to say, you are fired, but you cannot say to them you cannot work two jobs. You can fire them, you can discipline them and do all that, and it holds up in arbitration, you are good to go. I don't think so. I think you are screwing up big time and you don't have a problem. What is the problem? Would someone tell me? Just tell me. Tell me how many employees Amanda are involved in this.

Fritz: That's the problem, we don't know.

Walsh: You don't know. You don't do this without it knowing.

Fritz: It requires reporting, and that's what we are going to find out, it does not prohibit the employees from doing outside work.

Walsh: You're going to do something without knowing what you're doing? That's what your doing, you're as doer. You like that word, doer, its like do diligence. I don't know who the hell came out with that one, but you are the doer.

Eudaly: There we go.

Saltzman: Thanks, Mr. Walsh.

Charles BridgecrAne: Good morning commissioners.

Walsh: Thank you commissioner you're so wonderful, I want my vote back.

BridgecrAne: Good morning, we are not even to 11:00, imagine that. Good morning commissioner, for the record charles bridgecrane johnson. Along with mr. Walsh's critique of the city attorney's office I want to note that miss reeve did say that as was asked, I think, by commissioner Saltzman, that this is content neutral. The only two -- if this goes fully through, which there is a strong point that it's not a good investment of the city's time, I think that you really sometimes overstep the bar too high for yourselves, especially when you say increased transparency and accountability in city operations. If you were really doing that, you would at least have disclosed -- you have some knowledge, I think that, I think that you actually have been under informed by staff. You have an idea, a nebulous idea of how many unrepresented employees and how many represented employees are moonlighting. And you have got a potential rule coming forth where you're going to be content neutral where you will not interfere with your moonlighting unless they are doing so much of it that it impairs their work or if they are working for airbnb or uber or lyft giving inside information on how the companies can continue to be under-regulated and cause crisis capitalism to flourish in the city of Portland. There is some need to be aware of that, definitely but I think it's covered under state ethics law, and the existing 4.05. So when, as this process goes through as commissioner Fritz has asked it to be open, I think it will be sad when we realize this much energy is going into a very small percentage of the city workforce, and it's not really equitable. There is going to be a discrepancy problem because as noted the represented employees, especially the police department, which is the most moonlighting entity in the history of the city of Portland, right now moonlighters are prancing around inside the apple store with the city finance police car parked within one block, just in case that there is an emergency during their eight hours of overtime. So when you fulfill this, it should include reporting about that. If you are going to harass your lowest paid unrepresented workers, you should also, yes, I do believe Chloe, listen, you have chosen to go with the people that work here, we don't know, is this going to apply to phc janitors and also, shouldn't it be brought in to include employees, the city contractors at the transition projects?

Eudaly: Mr. Johnson, our unrepresented employees include bureau directors which are often paid more than commissioners as well as upper management. The idea that we are persecuting low paid employees who need to have second jobs because they can't afford to live on their city paycheck is absolutely false. And once again, I am in a position where I have read this resolution, and the testimony I am hearing makes me think that you all have

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read an entirely different document because you are giving testimony on something that does not exist.

Walsh: Read the agenda item.

Eudaly: You read the agenda item. I do that every week, it's my job. You are being disruptive and I am not speaking to you. Mr. Johnson, proceed.

Johnson: Now therefore be it resolved, this will be required, required disclosure of all outside work and compliance with state ethics law. Written approval in all circumstances. For non-representative employees who wish to participate in outside work.

Fish: Non-represented. Thank you.

Saltzman: Thank you all.

Fritz: Commissioner Fish.

Johnson: I thought we were going to have a recess.

Saltzman: I have a few more questions.

Fritz: Before you do that, I have an amendment we need to introduce and that is my trusted chief of staff.

Saltzman: We need to deal with this.

Moore-Love: Are we going to recess.

Saltzman: Let's take a three-minute break.

At 10:53 a.m. council recessed.

At 10:58 p.m. council reconvened.

Saltzman: We will resume deliberations on item 1101. Commissioner Fritz did you want to.

Fritz: It turns out that short recess was helpful because I could confirm with the lead sponsor and I will state it on the record rather than proposing an amendment and that is that it is not intended these regulations would apply to seasonal workers. So when you come back with the rules, we don't need to know what people are doing the other three months of the year when not doing this even if they are not represented. Thank you.

Fish: Are we on the record?

Saltzman: Yes.

Fish: Thank you for flagging that issue we will take a look, and I want to make sure that we get it right, so we will come back and brief you on what we learned. That concludes our presentation.

Saltzman: I had some additional questions. So maybe miss Schmanski should also come to the table since she gave me the answer during the break, and I want to put it on the record. So the resolution states that the Portland police commanding officer's association and the Portland police association are exempt from this, but it does not say anything about the Portland firefighters association. So I was wondering about that.

Reeve: So the Portland police association.

Fish: Tracy, bring that down.

Reeve: The Portland police association and Portland police commanding officers association already have greater restrictions on outside employment that are provided by other -- by city law that's generally applicable to the city employees. They have to affirmatively get permission, and there is very limited types of outside employment that they can do, it's the most restrictive in the city other than elected officials. Portland fire does not have anything more restrictive than general city law, and so that's why they are not carved out, and police are.

Saltzman: So Portland firefighters are subject to this -- to these rules then?

Reeve: Yes, that's the current intent, obviously we will bring the final rule back.

Fish: If I could just say, we have tried to be cautious here, dan, and careful about this, and in effect we are phasing it because there is open questions about the level of consultation we may have to have with our labor partners and there's some open questions about what

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are existing practices and protocols. So we don't want to trip any of those wires and so what we're saying is everybody's going to have to disclose whether they have a conflict, but we're going to be focusing in the first phase on no represented employees where we'll do a deeper dive and we'll figure out how we address other employees over time.

Saltzman: And my other question is does it require written approval for outside work?

Reeve: For represented employees.

Saltzman: For non represented employees.

Reeve: Non represented employees.

Saltzman: So what happens if that written approval is not given and there's a dispute I guess, how is that.

Reeve: So we haven't currently envisioned how that would happen, as I mentioned the intent is that - that the standards governing that decision be as clear and objective as possible. I think one of the good things that we should be discussing before we come back to you is what would happen, does there need to be an appeal mechanism, how would that work, but that has not been sorted out.

Fish: For example I don't think it would a big lift to just provide that the bureau director has the final say, so there could be an appeal to the bureau director. We anticipate this coming up rarely.

Reeve: Yes.

Fish: But I think Dan's point is if your dissatisfied with your supervisors review of the matter is there some higher authority and I think we should strongly consider have that be the bureau director.

Reeve: Yes.

Fish: I think this is going to be a rare instance.

Reeve: Yes and I concur it would be appropriate to have that decision that if there's a dispute as to the appropriateness of the decision to have that decision made at the bureau director level.

Saltzman: Is that something fair game for the civil service review board or whatever that's called.

Reeve: Um that would be possible the civil service review board could definitely handles or has authority over many classified service employee appeals - there are a few non represented employees who are civil service exempt so we would need to look at whether they would fall through the cracks.

Saltzman: I think its probably going to be rare that in those rare circumstances where it happens its probably going to be explosive. So maybe something more impartial then a bureau director or a step beyond the bureau director might take a look at it.

Fish: We'll take a look at it.

Reeve: Great feedback and we will definitely take a look at that.

Saltzman: Thank you. Any other questions.

Eudaly: I have some questions, first I just want to clarify a few things that I think are being misunderstood. This is a resolution not an ordinance, this directing the cao and the city attorney to review and revise our current policy as necessary to develop a clarified rule and training materials.

Reeve: Correct.

Fish: And those will come back to council for review and approval.

Eudaly: UI do want to say other than a conflict of interest where someone is using their knowledge or connections or resources that they have at the city to benefit them in their outside employment or they are participating in that outside work during work hours I don't think its any of our business what their job is or what their second job is. So I am not sure if I am reading this correctly. We are considering requiring disclosure of all outside work of

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non-represented employees, and that written approval will be required in all circumstances.

Reeve: The current proposal is that all employees represented and non represented would have to disclose if they had outside employment, but only non-represented employees would need the written approval.

Eudaly: And is that at least in part because that - for representative employees, that would be part of the bargaining?

Fish: We don't know enough to answer that question, and we don't want to make a definitive statement on the record on that, but that is a valid concern and question. That's why we have -- my chief of staff has been talking to all of the labor partners about this and consulting with them. That's to be determined whether it would have to go our bargain.

Eudaly: So, I mean, commissioner Saltzman got up an example of an exotic dancer. Perhaps we have city employees who have outside work that is legal and legitimate and there is no conflict, and they simply don't want their supervisors or bureau directors or commissioners in charge to know what that job is. I guess that I am thinking that I would rather see a disclosure of outside work, sure, and maybe a checklist where if there are red flags that come up in that checklist, then the full disclosure happens. If there is no conflict of interest happening outside of business hours then I'm not completely comfortable with requiring full disclosure of everyone.

Reeve: There are different possibilities, Multnomah county, for example, has all employees disclose whether or not they have outside employment, its just a yes or no question and then there can be follow-up, if needed to determine what that is. So certainly, for represented employees, that would definitely be a possibility. I think the more high level the position is, the more its important to take a look at what the outside employment is to determine whether there is an actual or perceived conflict, and so we have to evaluate how would the manager have enough information to make that decision versus protecting employee privacy, and so I agree we have not settled on a proposed recommendation yet, but those are competing concerns to grapple with.

Eudaly: It may be rare, but I think it may be more common than people realize, and I want to point out to everyone in the room that we are not giving specific examples because these are sensitive hr issues, we're not going to give you the name and the circumstances you know, situations that have arose that have prompted us to want to be more thorough about this, but I guarantee you if it came out in the news that a highly paid public employee was moonlighting, and somehow benefiting from their position here, or working during business hours, that the public would be outraged that we have no protections in place to prevent that. So I do, in general, support this. I would also want to point out, I have one more question. What if it's a bureau director? Who do they report to is the big question?

Reeve: The commissioner in charge.

Eudaly: All right.

Fish: And there are, in fact, bureau directors that have outside employment, I am aware of some instances where they have absolutely nothing to do with their day job, but, and I want to thank my friend and colleague for the comments that she made a moment ago because what she said, in effect, was we are contemplating improving our protocols and strengthening our mechanism from forcing conflicts of interest, after a scandal and audit, and we are criticized for always being reactive to the moment. And one of the things that I am proud of here is that we have had the opportunity to take the time to canvas how other cities are addressing this and forward looking cities that recognize that increasingly the workforce of tomorrow is going to have side work, that you are competing against people that particularly as the work week shrinks are people become contingent, they will have outside business interests, and we owe it to them to have a rational system for making sure that they are aware of what our conflict of interest rules are, that they don't want to

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follow them, that they get adequate training, and in those rare instances when there is a conflict, that there be a process for trying to resolve that. That's what this is about, and I appreciate you calling out that we are doing this again without it a scandal or an audit driving it, and we are doing it up the stream, which I think is where we ought to be more often on these kinds of matters.

Saltzman: Okay. Thank you very much and Karla please call the roll.

Eudaly: Aye.

Fritz: Thank you all for the work and for the discussion, aye.

Fish: So I have a few thank yous, first I want to thank my chief of staff, Sonia Schmanski, who has been working on this for quite some time, and I also want to call out or summer intern Sheila panium. Some of you met Sheila when she was here. She's a university of Washington undergraduate, but most important she was a Lincoln graduate and a member of the championship, we the people program and that's how we learned about her. She spent the summer doing research. Looking at other cities and counties and federal governments for best practices and she was very resourceful. When we found out that Dayton, Ohio, was the national leader and Dayton of all places, she got in touch with their city manager and managed to get copies of their written policies and their deliberations, so a big thank you to Sheila for the work she did. I think few interns have had the kind of impact she's had and she really drove a lot of the research. I want to thank my co-sponsors for their collaborative work on this and support. I want to -- one of the people who testified made a comment about this may not be a good investment of the city's time to ensure no conflicts of interest. I would say respectfully that there are few things more important for us as leader of the city than to ensure that conflicts of interest are avoided. I think that's one of our most important responsibilities. What I came to appreciate when we did a deep dive around this is that the combination of policies that were less than clear, the absence of training even regular much less regular training of our employees, combined with a system that is basically an honor system that you disclose if you thought you had a conflict of interest but you were required to do so even though in my judgment you probably didn't have enough information to make an informed judgment. All of those convinced us that this is a problem that we need to get in front of. I'm therefore particularly grateful both to the chief administrative officer and the city attorney for the work that they've done to help us get to this point. We look forward to seeing your work product in 90 days. Thank you all. Aye.

Saltzman: Aye. Resolution is adopted. We'll move on to the regular agenda. Item 1106.

Item 1106.

Saltzman: This is a second reading, vote only, Please call the roll.

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

Saltzman: Aye. Ordinance is adopted or the grant is accepted. Item 1107.

Item 1107.

Saltzman: This is a second reading, vote only. Please call the roll.

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

Saltzman: I just once again want to thank the Portland police family services division for the great work they are doing to combat domestic violence and child abuse. Aye. The ordinance is adopted. 1108.

Item 1108.

Saltzman: Again second reading, vote only. Please call the roll.

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

Saltzman: Aye. The ordinance is adopted. 1109.

Item 1109.

Saltzman: Okay, this is a second reading, vote only. Please call the roll.

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

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Saltzman: Aye. The ordinance is adopted. 1110.

Item 1110.

Saltzman: Commissioner Eudaly.

Eudaly: Thank you. We have Marty Maloney who I believe his title is right of way agent. Which I really like that title for some reason.

Marty Maloney, Portland Bureau of Transportation: Thank you. [laughter]

Eudaly: Welcome. I'm going to let you take it from here.

Marty Maloney, Portland Bureau of Transportation: Great. Good morning. Commissioners, my name is Marty Maloney, with pbot right of way.

Saltzman: Pull the mic a little bit closer.

Maloney: The agenda item is to authorize eminent domain authority and offer just compensation for needed property rights associated with the southwest naito parkway improvement project. The property rights in question are needed for ada ramp and traffic signal upgrades at various intersections along the project limits. I would like to add that all affected property owners have been informed about the city's needs for the property rights and were invited to attend today as well. If council has any questions at this point I can try to answer those.

Saltzman: Questions? Thank you. Is there any public testimony?

Moore-Love: No one signed up.

Saltzman: This is an emergency ordinance, so we will call the roll.

Eudaly: Thank you, Marty. I vote aye.

Fritz: As always very careful when we are considering using eminent domain hoping it will be friendly and also the acquisitions are all very, very small. Aye.

Fish: Aye.

Saltzman: Aye. Ordinance is adopted. Item 1111.

Item 1111.

Saltzman: Commissioner Eudaly.

Eudaly: All right, we have Karl Arruda here from pbot, another right of way agent.

Karl Arruda, Portland Bureau of Transportation: Yes, two in a row. Good morning. I'm Karl Arruda with the.

Eudaly: Districts, section?

Arruda: No, different projects I work on. Yes. This ordinance is a proposal to vacate a piece of an unnamed street off of northeast 160th avenue. This proposal was initiated as they often are by two of the adjacent property owners. The ordinance would vacate most of the road. This slide shows northeast 160th avenue and the road such as it is mostly undeveloped serves as a gravel driveway right now, and the lines that I added in here show the approximate boundaries of the road heading east there. The owners own the parcels north and south of the road and then this is most of the road that would be vacated here, this is 160th avenue running north and south here. As part of the process, we contacted the usual city bureaus and outside public agencies and utilities and mostly there were not many comments but there was a result that we will be reserving a walkway and bicycle easement across part of this and acquiring a dedication and that will eventually when and if development happens in this area create a new pedestrian and bicycle connection from 160th to 161st avenue, which is down a little bit lower over here 161st. That actually is in the city of Gresham. This map if you can see there is a bluish line in there. That shows the city limits and to the east of that is Gresham and to the west of that is Portland. So this area is a little different in that it is right up against the city boundaries and so that when and if development happens there there would be a pathway across there that bumps up against the boundary with Gresham. So this map, the yellow area is what would be vacated, no longer a city street, but then the narrower path is what would be the walkway easement. This north-south corridor here would be dedicated and that

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would also be part of the walkway-bike way, again when and if development were to happen in here. We would be acquiring those rights as street vacation.

Fritz: Why isn't the place in the corner where the arrow is, why isn't that shown as continued right of way or --

Arruda: This piece up here?

Fritz: Yes.

Arruda: So this piece is part of the existing road and is not -- is being left unvacated, being left as city right of way so it will be part of the future walkway-pedestrian bicycle way.

Fritz: Thank you.

Arruda: If there were more houses built it would connect upwards towards the driveway that might occur to the north as an option. The total area being vacated about 14,000 square feet. The zoning is r10, if you're curious. I will be happy to answer any questions.

Saltzman: Questions? Okay. Thank you. Testimony?

Moore-Love: Yes. We have two people signed up. Charles bridge crane and maggie.

Saltzman: Maggie, this is about a street vacation.

Maggie: Well, yeah. I know -- it's about taking it from one use and putting it to a public benefit.

Saltzman: Right.

Maggie: I'm all for that. I tried to come and put my money down for ted on all these 30 properties with the water board for the public benefit of housing homeless people. So I had to go across to county and do it at county. I have got these public records now, and I would like to have my offer accepted by you guys. I would like to put homeless people on this -- on all the properties, actually, but particularly on the three-acre property that is between Lombard and Willamette street on the east side of the river that is -- there's a bike path and 6631 Siskiyou boulevard. The reason I put the offer on the properties was that the housing, the shelter housing, the violations of the fair housing where the most disabled end up in the shelter housing and they get sick in there, I would like to take these people and put them on the three-acre property currently owned by the city that I put an offer on and have a healthier environment for these people and to for the benefit of the citizens of Portland. Just like this guy wants to vacate this thing and have it publicly benefit Portland.

Saltzman: Thank you.

Lightning Super creativity: Yes, my name is lightning I represent lightning super creativity. One of the issues I have is that when we're doing the vacation area here and we're also going to allow a walkway easement and bike path, so I understand is that the property owner on both sides of this property owns -- is the same owner. What you're proposing here is that is there an amount of money that's going to be given, exchanged on this vacation of the property? Because it's my understanding currently does not the same owner on both sides of this property own this property in the center? Is that not correct? Or am I completely incorrect on that?

Saltzman: I'm not sure. We'll ask Karl to come back up.

Lightning: I wanted an understanding cause it sounds to me like the same property owner owns both properties on both sides of this, and I was wondering where the motivation is or what was really agreed upon to do this because obviously they pointed up to 161st, but that won't be connected but maybe down the line, so what is the motivation here of that property owner that owns on both sides of this?

Eudaly: I can --

Lightning: If someone could explain that because I don't quite understand this. Thank you.

Eudaly: So if Karl can come back up and I'll take a shot and you can elaborate, this property owner does own the property adjacent to the street. They want to develop it.

Arruda: Yes.

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Eudaly: They are paying for -- its cost recovery project paid for by the petitioners.

Arruda: So it's a husband and wife own the property to the north and to the south. I'm not sure if they both own both properties or how they have it divided up, but it's a husband and wife that own the two properties. They are looking to potentially subdivide it one way or the other if the city will approve it to build a few additional houses. Yes, so under state and city law for street vacations it's a cost recovery process so they pay for staff time and other expenses but not for the land because public streets, the adjacent property owners still theoretically own a small slice of the rights in the street, so when its vacated it goes back to their property and I think in this case the street vacation area - it's the county that determines where the street reverts when vacated. In this case I think it's probably going back to the property on the south because that's where it came from in the 1960s, when it was dedicated by the county. I think part of the motivation on both sides is that if the land was subdivided and houses were built, they would build a private street or driveway that has different standards than a public street, and that without the street vacation they would be required probably to build a full city street with some kind of cul-de-sac or turn-around and you would have a pbot public asset that's not really providing a lot of public benefit other than to the handful of houses that were built there. So both sides agreed that a private road with a walkway easement seemed to make more sense in this situation. With this process we were able to get the connection for the walkway to 161st also.

Eudaly: Thank you.

Saltzman: This is a first reading. So it moves on to second reading next week. Then our next item is 1112.

Item 1112.

Fish: Mr. President, colleagues, the Columbia boulevard wastewater treatment plant serves more than 600,000 Portland residents cleaning wastewater, capturing and recycling biosolids and other waste products including biogas. The that stores biosolids lagoon is filling faster than designed creating a risk of overflow and the resulting risk to the plant's effluent discharge permit not to mention public health. This ordinance would authorize environmental services to remove excess biosolids to protect public health and to comply with our permit. We're joined by Steve Behrnt, environmental services manager of the Columbia boulevard wastewater treatment plant, to give us a brief presentation.

Steve Behrnt, Bureau of Environmental Services: Good morning commissioner, president Saltzman and commissioners. My name is Steve Behrnt the wastewater operations group manager I'm joined today by Muriel Gueissaz-Teufel, supervising engineer with bes. As a wastewater operations group manager it's my responsible to manage the operation and maintenance of wastewater and stormwater collection pumping and treatment facilities and the Columbia boulevard wastewater treatment plant is our largest facility. A primary part of collection and treatment is managing the solids portion of the wastewater stream. In July we determined that we are virtually full at our -- in our storage capacity of biosolids in available facilities at the Columbia boulevard wastewater treatment plant. Before I get into more background about how we got there, I just wanted to acknowledge the tremendous work of dozens of employees in bes who have really worked hard to determine how -- to understand and plan and effectively address being full of biosolids and remedy -- find a remedy to get out of this situation. I think we caught it in time. Biosolids management is science, it's engineering and partly art and it requires excellence in all. We have been really supported by those staff and staff from the commissioner's office and from procurement services and others in other bureaus. We believe that the strategy that is identified and outlined in the ordinance provides the best opportunity to assure protecting water quality and meeting the terms of our permit. The approach supplements the bureau's biosolids land application program by providing continued funding for contractor who is already on site mobilized and currently working to

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extract the water transport and properly dispose of the excess biosolids. The combination of the bureau working hard keeping up through a land application process with the contractor helping us catch up is necessary that we reduce the risk of permit violation that's meant to protect water quality and the environment. We don't have the capacity to with existing facilities catch up. We have never installed that kind of capacity to remove excess biosolids. However, we're nearly 20 years into a program to build that capacity to manage solids and be able to keep up in a sustainable manager including catching up to some degree we're addressing the storage space. We have been limited for a number of years, and we will for a few more years due to a great project to rehabilitate the biosolids lagoon, lining the lagoon cells to protect groundwater, dewatering equipment is old and needs to be rehabilitated, replaced with new technology that is physically newer and has greater capacity. Our digesters adequately treat biosolids, but also need maintenance and reinvestment and our land application program is one of the best anywhere but we will need to plan for the next generation of growth. So we got into this situation due to a few key factors. We had a plan but we didn't fully appreciate how challenging it was going to be for operation and maintenance in this five-year window during the construction, the rehabilitation of the lagoon. We have never done this before and in retrospect even though we had a plan we needed to do more planning because we didn't fully anticipate some of the factors like we didn't have enough data to understand the inputs and outputs adequately to know how risky it was going to be if we got behind. We didn't anticipate that there was going to be a fire in the gorge that closed down interstate 84. That's our transportation route to our land application sites and it closed it down for a number of weeks. That meant we couldn't haul biosolids and we had to store. There was back to back years of unusual snow and ice events that closed down the gorge for weeks at a time, typically we only get a day or so of outages and that transportation route being closed down meant we also had to store solids. This is during that phase of the lagoon rehabilitation project where we only had a portion of the lagoon available for use. So that storage impacted that space. There was a construction start-up delay in the next phase of the project which means that there's more extended time that we have to have a limited capacity in our lagoon. Most notably we have old infrastructure, outdated, undersized system so we have no ability to catch up. Once we got behind due to some of the factors I mentioned there was no way for us to catch up with our facilities. That's why we need a contractor to help us catch up and manage those excess biosolids while we continue to keep up with the current inputs. So we're solving these issues. If we stay on course we will have a system that's able to manage those solids on a real time basis, if its the right infrastructure, sustainable operating plan, we'll have the appropriate resources and we should have those in place for the next generation by 2024. I guess I would ask Muriel if you have anything to add.

Muriel Gueissaz-Teufel, bureau of Environmental Services: No. Thank you. I'll answer questions.

Behrndt: Thank you for your consideration. We will be glad to take some questions.

Saltzman: Questions?

Fish: Thank you for a very thorough presentation on biosolids.

Saltzman: Any public testimony?

Moore-Love: Yes. Three people signed up. Joe walsh, lightning super creativity and maggie.

Saltzman: Come on up. Okay Mr. Lightning we'll start with you this time.

Lightning Super Creativity XXIPDX: Okay. Yes, my name is lightning I represent lightning super creativity. One of the concerns I have is police union president daryl turner calling our city a cesspool. Well, let me say this to you, sir, you very well might be correct. What we see here is that if we do not have the capacity to handle what we have at this

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point, we could run into some serious problems if I'm correct. Due to maybe fire, due to maybe transportation problems, due to maybe not having things online as fast as we thought we would, due to maybe having more biosolids and not having the capacity to handle it, we could experience a serious problem in the next six months to a year if I'm correct. What we have to have an understanding here is I think this could be something that really needs to have a lot of data provided on this because if we don't have the capacity and we're not able to transport in a reasonable manner, then what is the worst case scenario for Portland? Did we miscalculate on our calculations? To me, this has been labeled an emergency declaration signed September 11, 2018, so obviously I don't have a problem with this company coming in. I understand it's currently on the site and beginning aggressively to enter what I would call a catchup phase. I could care less what you have to pay them to get this done because it has to be done. So yeah, I have real concerns on if they can't really get caught up in the manner that needs to be, what happens? What's the biggest problem that could happen because of this? How serious could this get? So maybe I just want to have a little understanding on that and as you know it's been declared an emergency as of September 11th, 2018, so I hope to get some answers on that, thank you.

Saltzman: Maggie. Keep it on --

Maggie: A little caca generated by the city. I would like to bring up the engineer, the bioengineer --

Saltzman: Just say what you have to say.

Maggie: Okay. Well, if we're talking about managing the volume and dealing with having the capacity to deal with biosolids, he spoke about the ability of digesters to manage biosolids, and I think that these digesters do a good job. If we have 20,000 homeless people and we house them in tiny houses with compostable toilets, a very nice, expensive compostable toilet that do an excellent job with the bio processing of digesting waste, we're helping to reduce the waste of the city. Helping to manage the ability and the capacity of the city to deal with their waste. So this idea of taking the city property that I put offers on and putting little tiny homes that cost less than \$8,000 with all the shower, the toilet, the sinks and everything, is doable and it would help the city deal with their biosolids because it would reduce the volume that the city would have to deal with and it's already having trouble managing, it doesn't have the capacity, it has reduced capacity. So this would be an excellent way to get the homeless into a more healthy environment and deal with the capacity issues that the city has been dealing with solid waste.

Saltzman: Thank you. Mr. Walsh.

Joe Walsh: My name is joe walsh I represent individuals for justice. There was no way to stop this. You have to do this. There's no way for us to hear and say no, you can't do this. However, when I look at the impact statement I'm always interested to see if there's any citizen involvement in this stuff. This is \$7 million bucks you're going to spend. There's zero citizen input. Zero. When it comes to citizen input it talks about trucks being on the street a little bit more. What is that? Come on, guys, you're spending \$7 million and you have no citizen input on this. Nobody is sitting at a table that's an engineer that understands this stuff that we could get? Say, what's the alternatives? Somehow we screwed up or the environment screwed up or god screwed up. We got stuff up to the top. What do we do? You want to leave it to just one bureau? \$7 million? Probably 11 when you finish. That's our objection on all of these things. We also would agree with mr. Lightning that these emergencies are so weird, you know, we don't understand how you come about an emergency. I know all four of you have to vote on it, and I know it goes into effect immediately, so you don't have to screw around with it for a while and obviously there is an emergency, we're not arguing that. We don't like the position we're in. We would ask some pertinent questions of how we got here, that we have to spend \$7 million

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on this. You know? \$7 million is a lot of money to me. I don't know about you guys. It's a lot of money to me. I don't spend that at lunch or dinner. I have never seen \$7 million. It's a lot of money and you guys just -- and the fact that you had a contractor on site and you're giving it to them without any citizen input makes me very nervous, that how are we supposed spread the wealth with all these contractors and how are we supposed to make sure minority contractors are involved in this stuff? They could do a little bit of the work. It's \$7 million. There's got to be something in there, maybe a little sweep-up or whatever. But if you don't have citizen input you have nothing. You have the bureau telling you what to do with our money and the people should get really upset over that. That's our objection.

Saltzman: Thank you. Please call the roll.

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

Saltzman: Aye. The ordinance is adopted and item 1113 is next.

Item 1113.

Sherree Matias, Office of the City Auditor: Good morning.

Saltzman: Good morning.

Sherree Matias, Office of the City Auditor: I'm Sherree Matias from the auditor's office.

Lee Munson, Portland Bureau of Transportation: Lee Munson from pbod sidewalk repair.

Mike Zeller, Portland Bureau of Transportation: Mike Zeller, I'm a sidewalk inspector in maintenance operations.

Matias: This ordinance is for sidewalk repair on property that is required by the city. I received one remonstrance for this proposed assessment which has been removed from this ordinance.

Saltzman: Okay. Any additional comments? Okay. We'll see if there's anyone here that wishes to testify on this. Item 1113. Ms. Riggs? Welcome. You just need to give your name then you have three minutes each to testify.

Kristen Riggs: Hi, my name is Kristin Riggs here in representative of the ownership for 1825 north rosa parks apartments llc. We received the notification for the sidewalk assessment on Friday, and our ability to submit by the 16th last Tuesday is why I'm here today. We're actually already replacing the sidewalk and just wanted to make a point to have these additional fees and our inclusion removed.

Fish: Are you filing a remonstrance?

Riggs: Yes.

Fish: Your basis is that you're telling us you got notice after the cutoff date for filing remonstrances?

Riggs: Correct. We already filed a building permit that we will be replacing the sidewalk.

Fish: Have you asked the auditor's office to remove you from the list?

Riggs: That wasn't part of the instructions so --

Fish: They are here today. The other party that filed the remonstrance has been removed. Could you take a moment and confer with them? We'll be guided by what they tell us.

Riggs: Absolutely.

Vyacheslav Karhhu: Good morning, commissioners my name is Vyacheslav last name is Karhhu. I'm a property owner 5800 northeast Columbia I believe the sidewalk was repaired but it doesn't need repair. If you look at the picture there's nothing wrong with it. If you go ten blocks down the street on the same road there is no sidewalks. There's a bus station that people there's no buses on my street. Why channel city resources on something unnecessary when those resources can be channeled tracking down people that set the building on fire at the same time the neighbor's building on fire was set. Two blocks down another building was set on fire, junk yard was set on fire. Yet city of Portland looking for this mosquito somewhere somehow. Thank you.

Saltzman: This is on northeast Columbia?

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Karhu: Yes. We're dealing with squatters we call the police they don't show up. I come to my property they are shooting dope and nobody do nothing about. This is -- let me ask you straight forward question, please. Why are we paying taxes?

Fish: Did you file a remonstrance?

Karhu: What is remonstrance?

Fish: Did you object when you got the notice of assessment?

Karhu: To whom?

Fish: Did you get a document in the mail?

Karhu: I got it, next thing they do the job that's it. I got the bill right here. I got the picture showing the sidewalk perfectly fine.

Saltzman: Thank you.

Karhu: There's a little part of damage I'm okay to pay for that, but why fix it if it's not broken?

Fritz: I think we should take that as another remonstrance.

Saltzman: Okay.

Fritz: This is a nonemergency, right?

Saltzman: Yes.

Fish: How many total assessments are included in this particular ordinance?

Matias: This one has I believe 100.

Fish: We have had two people who testified council will treat as a remonstrance. What is your recommendation?

Matias: I recommend that we take these two out and we pass the rest to second reading.

Fish: I would concur in that judgment.

Fritz: I'm concerned if the notices didn't have enough time for people to respond, I know sometimes I don't open my mail for a week. Is there a flow in the process people have not been given a few weeks to do a remonstrance?

Matias: The process has stayed the same for quite a while. They do have -- let's see. Eight days once they receive the notice to send in a remonstrance.

Fritz: I would like you to look into this cause this is happening with increasing frequency. As I say, I often don't have time to look at the mail once a week. I think that's a problem.

Eudaly: We're looking at this larger issue --

Munson: Dates and times are set in code, so code would have to change.

Fritz: We can do that.

Matias: We'll definitely look at that.

Fritz: Thank you.

Saltzman: Do we need an amendment to formally remove the two?

Matias: Yes. I will produce an amendment to the assessment, ordinance. Yes. I will file it with council clerk.

Fritz: I'm just concerned, though, these two testifiers took time off work and were able to get here again with fairly limited amount of time. In the other 102 properties there may be still others lagging behind. Is there a way to extend it out or allow for other objections to come in later?

Fish: Commissioner, one thing I want to note is we're talking about billing people for sidewalk repairs that have already been done. So people have had actual notice that they have been assessed, they have been identified, the work has been done, they have gotten a bill. They are now having a chance to have an objection to the bill. It seems to me that's different than being first advised that you may have a problem with the sidewalk. I would be interested in making sure we give people adequate time to object at that point, but according to this item it says assessed property for sidewalk repair. So the work has been done. Now the question is whether people object to the quality of the work or to the cost of

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the work. But they have had notice that the work has been done unless they are an absentee owner is that correct?

Matias: Correct.

Fritz: Were they told how much it was going to cost?

Fish: They are told in the original notice cause I got one once. They are told what the city's costs will be if the city does the work.

Zeller: That includes estimates for the cost of the repair, permits and auditor charges are 10% on top of that. That's all --

Fish: If I could note given the notice I once received that gave me the option of doing the work myself or paying the city to do it, it was not a close call. My neighbors and I got together, we hired a private contractor and we did it at a fraction of the cost that the city was -- not a fraction but significantly reduced amount. But the notice clearly said if we didn't do that then the default was the city would go ahead and do the work and bill us.

Fritz: Thank you. That's helpful clarification. Not having a sidewalk outside my home unfortunately I'm not in this category.

Saltzman: This moves on to second reading and the two properties, owners that testified today, will be considered remonstrances and removed from the assessment for the time being.

Moore-Love: Do we need a motion for that? To remove the properties?

Zeller: For the remonstrance? Yes.

Fritz: I second the motion.

Saltzman: I made the motion and it was seconded by commissioner Fritz. Please call the roll.

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

Saltzman: Aye. Okay, thank you very much. The last item was the pulled item, 1102.

Item 1102.

Saltzman: Who pulled this item?

Moore-Love: Mr. Lightening did. He may have left.

Eudaly: He's not here.

Saltzman: If the person who pulled the item is not here we don't need a presentation. Please call the roll.

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

Saltzman: Aye. The ordinance is adopted. We are adjourned until 2:00 p.m. Thursday.

At 11:54 a.m. council recessed.

October 24-25, 2018
Closed Caption File of Portland City Council Meeting

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Key: ***** means unidentified speaker.

OCTOBER 25, 2018 2:00 PM

Saltzman: Welcome to the October 25, 2018 city council meeting. Karla, please call the roll. [roll call taken]

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

Saltzman: Lauren, please read the statement.

Lauren King, Deputy City Attorney: Yes. Good afternoon. Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during city council meetings so everyone can feel welcome, comfortable, respected and safe. You may sign up in advance with council clerk's office to speak briefly about any subject. You may also sign up for public testimony on 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 is not necessary. Please disclose if you're a lobbyist. If you're representing an organization, please identify it. Presiding officer determines length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left, a yellow light goes on. When your time is done a red light goes on. If you're in the audience and would like to show support for something that is said feel free to do thumbs up. If you want to express that 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. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Saltzman: Karla, please read item 1114.

Item 1114.

Saltzman: Commissioner Fish.

Fish: Thank you, Mr. President. First let me acknowledge all our guests here today in council chambers. It's actually quite rare on our afternoon session to have this many people. So thank you for taking time out of your busy lives to be with us today for this celebration and the reading of the proclamation. As you all know we just had great event in the atrium celebrating national disability employment awareness month where we talked about the importance of removing barriers and creating a more inclusive workplace. When we do so, everybody wins. We were joined by many local leaders, advocates, including our good friend bob, former executive director of disabilities rights Oregon. He announced he will spend most of his retirement in Washington D.C. Attending meetings of the social security administration look out for our interests. Again, on behalf of the council, bob, congratulations on your retirement and thank you for your service. We're going to follow up on the celebration this afternoon with some invited testimony and then commissioner Saltzman will read a proclamation the mayor has issued for this occasion. I want to take a moment to thank someone on my team who has been working on this and many other related issues. Asena Lawrence. Thanks for your great work. Before we hear from our invited guests both commissioners Fritz and commissioner eudaly would like to say a few words. Let me turn the mike over to commissioner Fritz.

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Fritz: Thank you, commissioner Fish. Thank you, everybody, for being here. This is a good day to be celebrating some progress and to affirm we need to make much more. So I very much appreciate each of you being here. Remembering that in 2011 we established the office of equity and human rights. I believe we're still the only such office in the nation that recognizes disability rights as human rights and as part of an essential part of our program in the office of equity and human rights. I'm excited to be back in charge of the office and mayor wheeler with his partnership. By the way, he's on vacation this week, so he's i'm sure sorry that he's missing this event. In 2012 the city council unanimously adopted the employer model strategic plan to increase employment opportunities for people having a disability. In 2016, with support from the Portland commission on disability, the council approved two disability equity focus positions, one in the bureau of human resource, the other in the office of equity and human rights. There are many, many city employees who are fundamental to this work and who are dedicated to this work. So I will just thank claire adamsic in my office for helping put together this presentation and also the staff in the office of equity and human rights, all the equity managers in the city and the partnership with the bureau of human resources. We are very grateful that we are starting to recognize that much more work needs to be done to put people to work. So because we know that people who identify as experiencing disabilities have twice as high at least twice as high rates of unemployment as people who do not identify as having a disabilities, and meaningful work is important for all of us for many, many reasons, particularly so that people can -- for many reasons. We all appreciate a meaningful job that pays the bills is a fundamental experience that everyone should be able to have. Thank you, commissioner Fish, for leading this work in announcement today.

Fish: Commissioner eudaly?

Eudaly: Thank you, commissioner Fish. I'm really proud to be part of the city that recognizes disability rights as human rights. To have colleagues that take this charge seriously and are making meaningful efforts in their bureaus. Removing barriers seems to be the theme of the year for me, and even today earlier today I started my day out driving a snowplow learning how we remove frozen water barriers. That was exciting. I didn't run anyone over.

Fish: See any snow?

Eudaly: There was also no snow. There were cones and I didn't hit a single cone.

Fish: Very good.

Eudaly: Of course today we're here to talk about disability employment awareness month, so I want to again thank everyone who serves on the Portland commission on disability and I want to give special shout-out to my constituent relations specialist josiah barbur who mc'd the event downstairs and is my liason to pcod, thank you for being here today. This month is a chance to recognize the significant progress we have made for those living with disabilities, to honor the lasting contributions and diverse skills that people with disabilities bring to our work force. I don't want to repeat everything I just said downstairs because most of you were there. I will just mention once again that the 2018 national disability employment awareness month theme is america's work force empowering all. When we empower all we crate opportunities for everyone. Thank you again. I look forward to working further with pcod, and disabilities advocates in our community to achieve and sustain workplace inclusivity in Portland.

Fish: Thank you, colleagues. Now it's my honor to invite us to the up to the dias -- first is buddy mozyrsky, gail horton, ken dodge and ryan mcbee. If all five of you can come forward, we'll add a chair if necessary.

Fish: Do you want to kick us off? If you could bring the mike as close as possible.

Saltzman: Give us your name again also.

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Nadim Mozyrsky: Hello. I'm nadim mozyrsky. I appreciate this opportunity to recognize a very important occasion. First of all I would like to thank kaufi desue who has been very helpful on behalf of ohr in organizing this event and claire -- at city hall, the commission on disability, many of whom are here today without whom this event would not have been organized as well as it has. Portland draw is strength from the differences of its people from a vast range of thoughts, experience and ability. People of disability enrich our community. They are leaders, entrepreneurs and innovators with points of view to express. During national disability employment awareness month weeing knowledge this culture and renew our commitment to build a work force that offers inclusion and opportunity for all. In the decades since the passage of americans with disabilities act much progress has been made. However, the unemployment rates for people with disabilities remains high as noted several times. Many of are related to people with disabilities. Many of us associate with disabilities and identify with disabilities. Many have friends with disabilities. I think it's incumbent on all of us to do what we can to change that statistic. Sitting at the table today are individuals that are using their considerable talents to improve economic opportunities for people with disabilities. We have ana keenum, resource and employment specialist. As part of the bureau of human resources she's working with city stakeholders to create and sustain employment systems for job applicants and employees with disabilities. Next to me is vail horton. Vail is a motivational and inspirational speaker, founder of keen health care and insight, a nonprofit has raised more than 12 million for education, employment and independent services for people with barriers. Two people down from me is ken dodge, who is the work force service manager at Oregon commission for the blind. He supervises a statewide team of staff who engage with businesses and ocd clients to achieve the best possible competitive integrated employment outcomes. Prior to that he spent 17 years working for Portland community college as director of work force development and with him is mr. Ryan mcbee, rehabilitation assistant. Ryan graduated in 2014 from western Oregon university with a degree in political science. Thank you very. I will cede the floor to anna.

Anais Keenan, Human Resources: Good afternoon. So i'm ana e. Keenan. I work at bureau of human resources. National disability employment awareness month is a wonderful opportunity to celebrate the hard work and accomplishments of all employees with disabilities across the nation including those here at the city of Portland. So as we know, people with disabilities encounter significant barriers to employment. A report from the Oregon office on disability and health noted that Oregonian adults with disabilities are employed at less than half the rate as those without. In response to this challenge the city has committed to being a model employer and employer of choice for the disability community. The purpose of the city's disability employment program to develop and sustain equitable employment systems for job applicants and for employees with disability. A part of that we are strengthening our combination systems, helping facilitate and welcoming work environment and working to build a tracking system to measure our progress in this area. Also we are starting the second year of the first pilot. Our entrants will be starting their assignments next week with the bureau of human resources and Portland parks and recreation. In closing I would just like to thank city council for all of their support. National disability employment awareness month as well as helping start the disability employment program in the city. I look forward to continued growth of the work in this area and i'm so excited that we are continuing to support applicants and employees with disabilities. Thank you. [applause]

Vail Horton: Hi, there. Thank you for having me. I'm vail horton. It's a privilege to be here. I tend to talk in a way that is -- my wife calls it a little future oriented, a little down the road. I preface that because some of the things I say haven't been said before or said differently than you're going to expect. I was born without legs. This arm doesn't touch my face, this

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arm looks like this. In addition i'm a type 1 diabetic who takes insulin all the time. I have half my hearing in my left ear and three-quarters in my right ear. My bladder stopped working about a year ago, so I have to drain my bladder in a way that feels like a car accident every time I do it. I tell you that because those aren't my disabilities. Zip, zero, zilch. My disabilities are that i'm a control freak or that I eat to feel good and that's why i'm overweight. My disabilities are that I push my kids too hard or sometimes come across as not being very empathetic. I would like to propose that title for next year while this year it's focused on barriers and changes to those barriers I would like to propose a topic for next year that there needs to be a culture change. The fastest way you get people with disabilities employed is to create a level playing field. When you go into businesses, private or government, and you were to say that procrastination and being negative and being late, whatever they are, as well as being on a skateboard, we're all disabled. When you create that level playing field, you can really start to move the needle of employing people with disabilities. Insight is a nonprofit that has a lot of neat people dedicated to helping you create ideas on how to do that. We employ people by the tens, by the hundreds. We do that through job fairs, we do that through education to businesses, just today we spoke to 150 managers and executives of the port of Portland and at the beginning of that speech I asked who here is disabled. We got one or two hands. By the end of the speech, everyone raised their hand because we all have a disability. It's really important to have government play a role in diversity and inclusion and all of that it's also really important that government understands that tricky balance of when help becomes preventing that person from unlocking their potential. A lot of people with disabilities are locked into welfare. I know that because I was adopted at birth and when I was 18 years old and no longer a part of california medicaid, then I needed to go find my own health insurance so I went to the government to say I was born with a disability, how can government help me? They said, how much money do I have? At that time I was 18 and had \$16,000 in my bank account because my first job was at ten years old. They said, you have to give away your money to someone you can trust to get health insurance in order to get a monthly income that would provide for yourself. You probably know a little bit enough about me to know that I turned my head to that, right? I did not accept that. We're not just talking about jobs and we're not just talking about people with disabilities. A job provides independence. When people have independence they are happy. People in jails have disabilities. People affected by the opioid epidemic have disabilities. People on welfare have disabilities. People with disabilities have disabilities, but we're all in this together and the goal is how do you change the culture to really motivate and change people's thinking to where hiring people with disabilities is a great thing. You can walk three blocks from this building and see now hiring signs. There's enough jobs for people with disabilities. But there needs to be a combination of removing the barriers but also changing the culture. We don't want to end up in a country where every parking spot is a disabled parking spot. I remember when I grew up and i'm only 41 years old there was only one handicapped parking spot. You go to costco and there's 50. We need to change the way we look at people with disabilities and realize everyone has a disability. A job is important for everybody. What do we need to do to move the needle? That's my diatribe. Insight has phenomenal people that are willing to spend time with you to create innovative ideas. Don't just move the needle a little bit. We're not talking about hiring disabilities one or two at a time. Employ people with disabilities ten, a hundred and a thousand at a time. Thank you for your passion toward this topic. It's an important one. [applause]

Ken Dodge, Oregon Commission for the Blind: I'm ken dodge. I work with the Oregon commission for the blind. Our remarks today really are going to echo what you heard from the other speakers. We are invested in changing the culture of business community, the culture of government agencies, changing the culture of the communities we live in to

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create opportunities and to be able to demonstrate the value of working with hiring people with disabilities and the contributions folks can make to the overall economy. The specific remarks from the commission I would like to turn it over to my colleague ryan mcbee.

Ryan McVee: Thank you, ken. Thank you, members of the city council. As has been said we're celebrating disability employment awareness month as part of october. So what does this mean? This provides us an opportunity to celebrate, educate, discuss and advocate for employment tunnels for people with disabilities. The Oregon commission for the blind is tremendously appreciative for the opportunity to participate in this event with the city of Portland today and so many of our community partners. It embraces the dual customer approach to work in fulfilling our mission which is to empower Oregonians who are blind to fully engage in life. The first component of this customer service approach is helping Oregonians who are blind get and retain employment which allows them to support not only themselves but also their families. How do we do this? By offering our clients training an orientation in mobility, independent living skills and assisted and adaptive technologies. The second part of our approach is partnering with local businesses by offering them training in disability awareness and etiquette, advice for creative strategies for inclusive outreach or retention and recruitment. We also provide guidance to these employers in the categories of accessibility, accommodation and assistive and adaptive technology. We provide demonstrations and consultation for these skills as well. The Oregon business committee can really benefit from working with the organizations like the Oregon commission for the blind by creating inclusive strategies for recruitment businesses can greatly increase their chances of finding a highly qualified candidate for a difficult to fill position. A business's potential customer base can dramatically increase by demonstrating a commitment to inclusion. As has been said earlier today, nearly 19% of the u.s. Population identifies in some way as having a disability. What does this mean to employment? This can translate into billions of dollars of revenue, businesses as has been said can benefit financially from hiring individuals with disabilities through financial incentives such as the work force opportunity tax credit and other federal reductions by enacting accessible workplaces. The last part I just want to say as someone who has benefited as a client from the commission for the blind, as someone who as I have gotten older my eyesight has gotten worse and I have turned to the commission for the blinds to get the help I would need. As it was said in my introduction this afternoon, I got my bachelor's degree in political science from western Oregon university. That's something I wouldn't have been able to do without the help and support of the commission for the blind. I just want to conclude and say that my story is not unique. There are hundreds of blind Oregonians who would like to be employed, just give us a chance. Build that relationship between the employer, available resources of the commission for the blind and our staff members to make that employment a reality. I just want to say thank you to members of the city council for allowing us to have this discussion on national disability employment awareness month and we look forward to talking to you in the future. Thank you.

Saltzman: Thank you very much. Any questions? [applause] I have a question. Could you tell us more about the work force opportunity federal tax credit?

McVee: Sure. I know that ken works with it all the time. He could get into the exact specifics but there are resources available to employers who hire individuals with disabilities. They can get tax credits and all the training and consultation is something I believe the commission does as part of their free service.

Saltzman: Consultation with employers?

Dodge: Absolutely. We can meet with employers to talk about adaptive and assistive technology, ways to streamline and create a welcoming work environment and there's

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financial incentives and other federal deductions that exist to create accessible workplaces.

Saltzman: Is itvail or val?

Horton: Vail like colorado. Like horton hears a who.

Saltzman: Your firm is insight?

Horton: Yes.

Saltzman: Does it also work with employers on issues like this?

Horton: Absolutely. Yes.

Saltzman: Great.

Horton: We do -- we help people with disabilities get employed on a monthly basis through a lot of different programs that we have, but then also we have an entrepreneurship program where we're making investments and helping people with disabilities start their own business.

Saltzman: Good. Okay.

Fish: At this point commissioner Saltzman, president of the council, is going to read a proclamation. Following that, we're going to gather in this part of our area for a group photograph.

Saltzman: Here goes the proclamation. Whereas in 1945, congress first declared october as a month dedicated to employing people with disabilities. And whereas in 1990 president george bush signed into law the americans with disabilities act, a comprehensive civil rights law that prohibits discrimination based on ability. And whereas the city of Portland is committed to being a model employer by removing barriers in the workplace, providing meaningful access and services, and building a work force of people of diverse abilities who strengthen our bureaus, our offices, and our work. And whereas the city of Portland has programs dedicated to increasing employment of people with disabilities including the city's new disability employment program, disability power pdx, the project search internship program, the upcoming watch of access to work program and much other resources and opportunities within our bureaus. And whereas the Portland commission on disability is an advisory body that seeks to broaden outreach and inclusion of people with disabilities in our community and facilitate increased collaboration and information exchanges between people with disabilities, city bureaus, and city council. And whereas the city of Portland recognizes there are many forms of disabilities and that people with disabilities come from all backgrounds, ages, social classes, sexual orientations and gender identities, and whereas this month we dedicate more than 70 years of progress and look forward to continue building upon that work and are proud to uphold the theme of this year's national disability employment month, empowering all. Now therefore i, ted wheeler, mayor of the city of Portland, the city of roses, do hereby proclaim october 2018 to be disability employment awareness month in Portland and encourage all residents to observe this month. [applause] if we could gather where we are standing and we'll get a photo.

Saltzman: Item 1115.

Item 1115.

Saltzman: Okay. We need our city attorney to make some announcements.

Lauren King: Good afternoon. This is an evidentiary hearing. This means you may -- sorry. This means you may submit this is an on the record hearing. You must limit your testimony to materials and issues in the record. We will begin with a staff report by the bureau of development services the appellant will go first and will have 15 minutes to present her case. Following the appellant persons who support the appeal will go next. Each person will have three minutes to speak. The principal opponent, the applicant, will have 15 minutes to address city council and rebut the appellant's presentation. If there's no rebuttal after the principal opponent the council will hear from persons opposing the

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appeal. Each will have three minutes. The appellant will have 7 minutes to rebut. The council may then close the hearing, deliberate and take a vote. If the vote is a tentative one the council will set a future date for adoption of findings and final vote on the appeal. That will conclude the matter before the council. For on the record hearings I would like to announce guidelines for those addressing city council. The evidentiary record is closed. This is an on the record hearing. This is a hearing to decide only if the hearings officer's decision made the correct decision based on the evidence that was presented to him. This means you must limit your remarks to arguments based on the record compiled by the hearings officer. You may refer to evidence previously submitted to the hearings officer. You may not submit new evidence today that was submitted to the hearings officer. If your argument includes new evidence or issues you may be interrupted and reminded to limit your testimony to the record. The council will not consider the new information. It will be rejected in the final decision. Objections to new evidence. If you believe a person has addressed the city council today improperly presented new evidence or a legal argument that relies evidence not in the record you may object. Objections to new issue. Under state law only issues that were raised before the hearings officer may be raised in this appeal to city council. If you believe another person has raised issues today that were not raised before the hearings officer you may object to council's consideration of that issue. The applicant must identify constitutional challenges to the conditions of approval. Additionally, if the applicant fails to raise a constitutional or other issue related to the proposed conditions of approval with enough specificity to allow council to respond the applicant will be precluded from bringing an action for damages in circuit court. I would like to make two announcements. One is that if everyone can -- both council and public state their name before speaking that's an accommodation council has requested. I would like to remind you as well. Before speaking please state who is speaking. Then the other is that we have received information from -- excuse me statement from the appellant both initial submittal and rebuttal in your packet. As identified in the applicant's testimony then also confirmed by staff there are a couple of pieces of information considered new evidence that we would like you not to consider today. Specifically there's a reference to a phone call to 911 about homeless issues, media interview confirming applicant's interest in allowing car camping and a city auditor's report from 2017. If you, council, could please refrain from considering that evidence. It was not included in the record before the hearings officer.

Saltzman: Thank you. Do any members of council have any conflicts of interest to declare? Do any members of council have ex parte contacts to declare or information gathered outside of this hearing to disclose?

Fritz: No.

Saltzman: Have any members of council made any visits to the site involved in this matter? Seeing nobody, okay. No.

Fritz: I believe I have been to the site on a previous occasion but not in the last several years. I'm certainly not in relation to this application.

Saltzman: Do council members have any other matters that need to be discussed before we begin the hearing? Then we will begin the hearing. We'll start with the staff report.

Andy Gulizia, Development Services: Good afternoon. I am andy colitza, planner with the bureau of development services. This is an appeal hearing for a type 3 conditional use review, a surface parking lot. The hearings officer approved it after public hearing and that was appealed. The appeal was based on impacts from the use of the church property by persons experiencing homelessness, on the impacts of tree removal and impacts to traffic safety and availability of on-street parking. My role here is to present the hearings officer's decision. So this is the site. This is inner southeast Portland between southeast 13th and 15th avenue one block south of east Burnside. It contains two existing church buildings. There's an existing 12-space parking lot in the southwest corner of the site at the corner of

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13th and ash. The proposed parking lot would have eight spaces at the northeast corner near the intersection of 15th and Ankeny. This is the zoning map. Most of the site is designated with the r1 multi-dwelling residential zone. Southeast corner is designated r2.5. Churches are conditional use in each zone. Generally, the neighborhood east and south of the site is zoned residential and to the north and west have commercial zoning. To the north and west are developed with apartment buildings. This is the applicant's site plan. You can see the existing 12-space parking lot in the lower left and proposed parking lot upper right. There are seven trees shown for removal including one in the public right of way. Four of the seven trees are less than six inches in trunk diameter so under the tree code they could be removed without a permit. The other three include a 16 inches tree in the public right of way, a 12-inch tree on the property, which is a southern most tree shown for removal on this plan. The largest tree shown is a 33-inch black pine tree. That's the northern most tree shown for removal on this plan. Next, I'll review photos of the site and surrounding neighborhood. On the right side of each slide you'll see a map with an arrow indicating where the photo was taken from. This is a photo of one of the existing church buildings viewed from the corner of 15th and ash streets. This is a photo of the existing surface parking lot in the southwest corner of the site. This is viewed from southeast ash street. This is a photo of the northeast corner of the site where the new parking lot would be constructed if this were approved. Behind the sidewalk on the right side of this photo you can see the 33-inch black pine that would be removed for the new parking lot. This is a photo looking across the street from where the new parking lot would be on the east side of southeast 15th avenue just showing the residential neighborhood there. This is a photograph looking northeast from where the new parking lot would be. Southeast Ankeny is a bike boulevard. This is looking to the west from where the new parking lot would be. You can see on the north side of southeast Ankeny is an apartment building across the street from the church. The conditional use approval criteria for institutional uses in residential zones are here. The first criterion is proportion of household living uses, specifically that the overall residential appearance and function of the residential area will not be significantly lessened due to increased proportion of nonresidential uses. In this case the site is already developed with a nonresidential use, the church. The proposal would not increase the number of nonresidential uses in the area or the intensity of the existing church use. The new parking is intended for existing level of parking demand from the church. Of it would accommodate some church related parking currently happening on the street. So, for these reasons the hearings officer found criterion a was met. Criterion b, physical compatibility. Specifically, that the proposal will mitigate differences in appearance and scale with the adjacent residential development. This is the applicant's landscaping plan for the new parking lot. There would be rows of evergreen shrubs and ten new trees in addition to the existing street trees between the sidewalk and the street all but one of which would be retained. The applicant's plan shows most of the parking lot with perimeter landscaping setbacks that are deeper than the five feet minimum that's required. Concerns were raised to the hearings officer about tree removal and especially loss of the 33-inch black pine tree. The hearings officer found beyond the tree code requirements which the applicant's proposal would meet out right tree removal us an applicable however the hearings officer found even with the proposed removal the landscaping plan around the parking lot would be sufficient to promote physical compatibility with the residential area for purposes of this criterion. Maintaining a green edge for this corner of the site and replacing the seven streets to be removed with ten new trees. Concerns were also raised that the new landscaping would block views into the new parking lot from outside the site, but the perimeter landscaping requirement is not intended to fully screen views into the site. The new trees would be spaced more than 15 feet apart and the shrubs along the outside perimeter would be about three to four feet tall in maturity. So, for these reasons the

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hearings officer found criterion b was met. Criterion c, for livability, there would be no significant adverse impacts related to noise, glare, late night operations, odors, litter, privacy and safety. The hearings officer found that the new parking lot would not have significant adverse impacts for any of these factors. The parking lot would have only eight spaces so the number of vehicles entering, exiting or maneuvering through the parking lot at any time would be minimal. The parking lot would be separated from the nearest neighboring properties by 60-foot-wide street rights of way. Concerns were raised to the hearings officer about the traffic safety impacts of a new driveway in relation to the intersection of southeast 15th and Ankeny. The Portland bureau of transportation or PBOT analyzed the proposal for safety impacts and found the proposal would not have adverse safety impacts on the adjacent streets. So, the hearings officer found criterion c was met. D, adequacy of public services including for transportation system. PBOT evaluated the transportation study submitted by the applicant and PBOT found the transportation system is adequate for the proposal. PBOT found the new parking lot would absorb some of the existing parking demand from the church that's currently accommodated with street parking. Some neighbors raised objections that the drive way access to the new parking lot would remove two on street parking spaces currently available for neighbors and on street parking already being very tight. The hearings officer reviewed pbot's findings and the transportation study and found it would improve the parking situation in the neighborhood during the times the church activities and the hearings officer found even when there are no church activities the loss of the two on street parking spaces for the new driveway would have only a small impact on the overall availability of street parking in the neighborhood. The transportation study indicated there would still be some unoccupied street parking spaces in the surrounding neighborhood after the new driveway was constructed on this block. While the hearings officer agreed the evidence showed street park is already tight, he did not find the evidence in the record to show that this proposal would be a tipping point that would worsen street parking availability to the point that the transportation system could not be found adequate for the proposal. In addition, the water bureau, police bureau, fire bureau and bureau of environmental services all evaluated the proposal for adequacy of public services and none of the bureaus raised concerns. For these reasons the hearings officer found criterion d was met. Criterion e, consistency with adopted area plans. This site is within the buckman neighborhood plan area. The hearings officer found the proposal consistent with relevant policies from the neighborhood plan because it would increase off street parking capacity on the church property from 12 spaces to 20 absorbing some church parking currently happening on the street and the church implements other measures such as four-day work weeks for all employees and maintaining shared parking agreements for use of some neighboring offstreet parking lots during sunday services. For these reasons the hearings offer found e was met. Each of the approval criteria was met so the hearings officer officer approved the conditional use review. One concern was that the church may intend for the new parking lot to be used for overnight camping in vehicles by persons experiencing homelessness. In response to that the hearings officer stated in his written decision that he reviewed the applicant's proposal as written against approval criteria and since the proposal did not mention overnight camping the hearings officer found any potential for camping was not relevant to his review so he did not address that in his decision. That's concludes my presentation. I would be happy to answer questions. I also want to mention pbot reviewer is here to answer any questions.

Saltzman: I have a question. You said because the applicant did not mention overnight camping in the application?

Gulizia: Right.

Saltzman: The hearings officer found that not to be a concern?

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Gulizia: The hearings officer stated in his written decision that he felt bound to review the proposal submitted by the applicant and not comment or consider speculation from others of what the applicant may intend.

Saltzman: Okay. Thank you.

Gulizia: Sure.

Saltzman: Questions? Okay, then we'll hear now from the appellant.

Deborah Byrne: Am I to sit here?

Saltzman: Yes. Karla will help you.

Byrne: It's going to take me a minute to set up my system. I am legally blind. I have no central vision. During my presentation there will be pauses because I will be listening to my notes.

Saltzman: Okay.

Fritz: Under the circumstances we would allow more time if necessary, right?

King: Commissioner Fritz, we have made that accommodation based on her request. Typically she would have been allowed ten minutes. She's being allowed 15 minutes. That's the amount of time she indicated she would need. Certainly if more is needed --

Byrne: This is a new computer for me.

Byrne: I want to start by --

Saltzman: Give us your name first.

Byrne: Deborah byrne. I live one block from the proposed project. I have also been a parishioner in the church for four years. What I want to first address is the on record limitation and it seems timely given what was just presented to you, the commissioners, before this appeal that I had been profoundly blocked in making an appeal based on my disability. I don't know if you know this, but the appeal. [audio not understandable] offers residents in an area or whoever wants to review a land use application they are supposed come in in person to physically look at the documents that the applicant has submitted. Those documents were not made available to me until after the hearing officer made his decision. I did not receive a timely notice about this application. I found out about it two days before the hearing. So as I understand it i'm being required to limit my presentation based on information I could not even obtain. I feel that's really inappropriate. It's discriminatory. I spoke with danielle brooks in the office of equity and human rights with the city of Portland, and they told me that the bds has been flagged before about not having an ada coordinator. They still don't have one. In order to be compliant the bds should have made these documents accessible at the same time they made them accessible to people who are sighted. I object to the expectation that I am limited in responding to this application with information that I was against my will prohibited from having until the whole works had been proceeded. Once it went to the hearings officer's office I asked for the documents and I was told I could not have them until the hearing officer made a decision. I reached out to the applicant's attorney and asked them for good faith copies of the documents and they were not provided. Were not required to by law but when you look at the totality of what happened this is really unjust. So i'm going to go ahead with my presentation. You can stop me if you feel i'm talking about something not on the record. I'm going to jump to the safety issue. I think that is the most significant. There's a microphone there.

Fish: This is nick Fish. While you're waiting to continue can I ask you a question?

Byrne: Sure.

Fish: I'm reading off of the materials that we have which includes the decision of the hearing officer. It says that the hearing was held on august 13, 2018. Is that correct?

Byrne: That sounds right.

Fish: It lists a number of people testified at the hearing including deborah ann byrne. That would be you?

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Byrne: That's me.

Fish: It says the record was held open for an additional week for new written evidence. Until a week beyond that for any rebuttal. So is that a fair statement, that you were given a week following that hearing that you testified in to present any new written evidence?

Byrne: Yes. I was given a week but without any of the applicant's documents.

Fish: When did you come into possession of those documents? Approximate.

Byrne: Bds gave them to me one or two days after the decision was made and then it took me another two days to get those transferred into an accessible format.

Fish: Thank you.

Byrne: I want to talk about the traffic safety hazard. I have to admit I haven't seen the pbot -- Portland department of transportation finding, but I have seen the report that the applicant uses. This is really unique. It's a diagonal. I hope you're able to see it on the image that you have. Traffic traveling east on ankeny has no stop sign. They turn right, and some of them are going quite fast. It's like a funnel. They are funneled to the right. My concern as I explained was that the driveway would be too close for a driver particularly a bad driver to stop in time to not crash into somebody who has slowed or stopped to turn into the driveway. Additionally the traffic on the other side of the lane has no divider to prevent them from turning into the driveway from there either. In the traffic impact study that they did, only talks about -- they base the decision that there was no hazard because there would be no increased trips based on the parking lot. That's the only measure if you read the report that they are using to say it's safe. They are not talking at all about there's no stop sign, the speed, stopping distance time or how -- the visibility line is or the distance of the driveway. In the public hearing, the applicant said that the driveway would be 50 to 60 feet. In this legal brief that I just received yesterday, they are saying that the middle of the parking lot is where the black pine tree is. I was told that the driveway would be in the middle of the parking lot, at the public hearing, so I don't know which is true. The black pine is about 30 feet from ankeny street. So if that driveway is even shorter there's even more of a danger. Hopefully the applicant can address that whether or not the brief or the argument was correct. So I feel that a traffic study needs to be done before this is accepted that really takes into consideration speed of travel, the time, the visibility so that we can reasonably take steps to mitigate the possibility of harm, bodily harm.

Fish: Can I ask a question of counsel? It's nick Fish. I'm trying to make sure we follow the guidance that you gave us. You gave us very clear instructions. We have just heard a presentation about traffic and traffic safety. I don't actually see that issue raised in the notice of appeal nor in any of the narrative forms. To what extent can we consider that and to what extent is that new evidence?

King: I'm going to defer to staff and the applicant as to whether or not they think something is new evidence that was not presented to the hearings officer. My understanding from staff is that traffic safety was discussed before the hearings officer, so that issue is not necessarily a new issue. However, whether or not specific details or any facts or numbers are new that might be new evidence. Unless the applicant objects, you can continue to listen and the applicant has the ability to object at any time.

Fish: I just want to be clear because I don't know the answer to this. It's an issue that was before the hearings officer, so it's relevant and there was testimony.

King: Yes.

Fish: To what extent are we to be guided by the fact that it is or is not included in the appeal filed by the party?

Byrne: It should be in the appeal.

Fish: I don't see it in the written appeal. I want to make sure -- maybe it doesn't matter. Maybe because it's an issue before the hearings officer had doesn't have to be flagged. I need to know what the ground rules are.

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King: Staff identified that it was raised in the addendum to the appeal, so the second letter

--

Fish: The addendum?

King: Well, the appellant filed an addendum to her appeal earlier this week at the end of last week and it went out to council on monday.

Fish: And staff has concluded that that framed that issue?

King: Yes. The traffic safety issue has definitely been framed. Thanks for checking.

Fish: Thank you very much.

Saltzman: Ms. Byrne?

Byrne: How many minutes do I have?

Saltzman: Eight minutes 20 seconds.

Byrne: I want to address the issue the homeless camping in this area of the proposed project. Most of the church's parishioners do not live in the neighborhood. This area has been a long established area for people to sleep, and I could say more about that, but i'm not sure if i'm precluded from. So when I got the notice I had a reader read me the notice I went to rick johnson, who does land use for the buckman neighborhood association, and that is when I learned that the church had already used public news to announce that ben sand was working on the project of getting churches in the area to use their parking lot for up to three stalls for people homeless living in a car to park. And that I believe that in the initial hearing, I mentioned that I had information that they had publicly gone with news to say that this was their intent. It wasn't until after the hearing I did some research I found out the actual news presentation which the staff attorney said shouldn't be considered. I did bring up the issue of media in the open hearing. They have been public, very public about this intent. My objection is that it was not included in their application. As was not the fact that it's already being used for people to sleep in. I mentioned that kim, who gave written testimony, had identified too that she had seen -- had problems with racial slurs coming from someone there. Defecation odors and seen the church kept picking up defecation in this area. So my objection just not that i'm against homeless car pilot, so it's an experimental new thing, my objection is that in that case the neighbors weren't really told about that intention. In the brief that was disseminated yesterday said that I should be precluded from evidence that the police have the statistics that police have on the various 911 calls to this area that prove these previous issues. The question really is, for me, if we go ahead and put this parking lot here, one, there's already a population of people who live there. How is the church going to maintain they not being there at night. Two, well, let's see. How are they going to do that if they don't live there. If one is there to do that, if it's not managed, not supervised. The second which I brought to my appeal, if there are people camping in their cars, what kind of situation will occur between the people who are just camping outside and the people who are in their cars? Most recently in the last legal brief yesterday the applicant says they would be willing to have no outside camping there. I just would like clarified what that really means and how they would enforce that. That's pretty much what I have to say.

Saltzman: So you're finished?

Byrne: Yes.

Saltzman: Questions?

Fritz: This is amanda Fritz. Thank you for your presentation. There's already parking on this site, right?

Byrne: Parking on the what?

Fritz: The church has some parking.

Byrne: They have parking on 13th. They -- what this is about is they have 20 staff members. They sold their 26 parking lot on the west side of 13th therefore not having enough parking for their staff. They got 2.2 million for that and now they want two more of

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our very, very rare public spaces just to be clear they are building a parking lot that will be private. So there's objections around that. They are selling their parking to make a profit, then taking from the neighborhood to try to compensate for that.

Fritz: Okay. The car camping issue, they could already do that on the parking spots they have got.

Byrne: That's correct.

Fritz: So in what way are you concerned that these additional spots increases that possibility?

Byrne: Well, so this is not on the record, my neighbor pasha went and talked to ben, who admitted, yes, they were thinking of putting the car parking in this new parking lot.

Fritz: Okay. Thank you. I understand. I'll have questions for transportation staff later. Thank you very much.

Saltzman: Next we'll hear from supporters of the appeal. Do we have anyone signed up?

Karla: No one else signed up.

Saltzman: Anyone -- okay. Then we will move on to the principal opponent, which is the applicant. They will have 15 minutes. Welcome. If you could give us your names.

Renee France: Good afternoon. I'm renee france, an attorney with the law firm of parks and alexander.

Fish: Could you move that mike closer?

France: I always see people who are too close. I'm leery of that. I am here this afternoon on behalf of the applicant. With me is chris bremer from kittleson and associates who did the transportation evaluation. Also in the room with me is jane hanson of lango hansen, the landscape architect on the project. Ryan milcouski who did the engineering work and jeff marsh, a representative of the ministries. They are available to the extent council has any questions in those areas. At the outset I would note first of all recognize that the land use process can be difficult and especially difficult for those with disabilities. Ms. Byrne did participate in the hearing in front of the hearings officer. She also submitted written communications during the week allowed for new evidence. As we noted in our letter that was submitted yesterday, there is new evidence contained in her appeals statement and the addendum to the appeals statement. I would also maintain that there's new evidence included in the discussion today about the alignment of the intersection, about the news information, and her response to commissioner Fritz's question on the existing parking. All of that being said, I raise it as a procedural issue. I think that even if you were to consider that evidence, that you would still find that this application meets all of the applicable approval criteria. I would say on the transportation issue because there was new traffic safety issue, let me correct, was new evidence submitted on that. That to the extent that that evidence is considered that our experts on the traffic safety be given some leeway to respond to the arguments raised on the traffic safety context that contained new evidence. So as staff indicated in their report, in this case the church has requested conditional use review for modest change to establish and existing conditional use. The subject site has been used as a church for over 40 years and the church is requesting to add a small parking area. The church is not proposing to add any building or change its operations. Hours or services. The new area will provide parking for church staff and visitors and at the same time additional offstreet parking will help alleviate the onstreet parking conditions around the site as noted by staff. Chris bremer will talk about that a little more in just a moment. It has always been the fact that church is developing off street parking for church employees and visitors, clearly stated throughout the process. That is the purpose of the project. The purpose of the project has never been to create a space specifically for those experiencing homelessness. However, to confirm that that is the case and to avoid claims that additional impacts should have been or need to be considered as part of this application we have requested a condition of approval that would prohibit overnight

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camping as an accessory use in the new parking area. To answer commissioner Fritz's question, we believe that the car camping program still could occur on the existing parking lot but you're limited to three spaces understand the accessory use program anyway, so there's not an intent to have overnight car camping on the new lot.

Fish: Nick Fish. If I could jump in for a second, because there's some issues here that are sort of first impression for us. I just think we need to have some guidance.

France: Sure.

Fish: The council has declared a state of emergency around housing. We have in I was the author of the pilot which allows under certain circumstances faith institutions to use parking for overnight camping subject to certain protocols.

France: Yes.

Fish: I understand that's not the issue before us. But I guess since it's been raised in the supplemental materials and we're shadow boxing with it, the question I would have for you is, in light of the council action authorizing this use under certain circumstances, is this even relevant to a condition of approval for parking? Tomorrow the council could modify that pilot, it could rescind it, strengthen it. Just forgive me for asking a very basic question, but is it even relevant to the condition of approval if it's something that the council makes available to anyone that has church parking?

France: It's a good question. I believe that the answer to that is that it's not relevant. That being said, this is somewhat of a unique situation where you have a conditional use evaluation that looks at impacts on surrounding properties. Because the church is not intending to allow overnight camping on this parking lot, we didn't evaluate the potential impacts of overnight camping on this particular parking lot as part of the conditional use analysis. To avoid any claims that there could have been improper findings or incomplete findings and evaluation of the full range of impacts that could occur on this lot, our proposal is a simple condition that would preclude overnight camping as an accessory use on this particular lot. Now, if at some point in the future the church wanted to allow that, they could come back in for a conditional use application and do that evaluation. I understand that that's against the intent of the policy of the city. But in this case, it is protective of the church interests to make certain that this conditional use decision is not subject to challenge.

Fish: Just to be clear, nick Fish, if you're offering that condition of approval and that takes that issue off the table, it's the only issue left for us to consider the traffic impact?

France: I think the traffic impact, there's miss Byrne in her written addendum also raised concerns about the loss of trees specifically the larger black pine. So we're happy to address that. I will likely address that because as she has rebuttal, she could identify that. But it would be -- that issue and then the traffic issue.

Fish: Thank you.

France: I think basically we agree with the conclusions reached that applicant satisfies all applicable approval criteria. I won't run through them again but the parking lot was carefully designed to ensure that it is physically compatible with surrounding residential uses. The size of the parking lot was minimized, there was expensive vegetation. The stormwater garden avoids the need for connection to the are stormwater sewer. There's extra interior landscaping. The perimeter landscaping meets standards and as pointed out by staff doesn't create a solid vegetative barrier to address safety issues raised by appellant. The project will improve the safety and pedestrian experience because the church is committed to updating curb ramping at six areas to meet ada standards as part of the project. In terms of the tree removal, the church did design the parking area to preserve as many trees as possible. We did note that the location and configuration of the existing buildings on the site leave the northeast corner the only remaining place for the parking lot. The large black pine that is there is centrally located, not directly in the middle

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of the site. But would be impossible to develop a parking lot that would have the functionality and safety it needs to function as a parking lot and save that tree. The church is saving the vast majority are of the trees on the site, 85% of the onsite trees will be preserved. 71% of the onsite trees that equal or exceed 12 inches in diameter will be preserved including four mature black pines that range in size from 22 to 28 inches in diameter. I think that presence and number of mature trees demonstrates that the church values the trees on the campus and has been a good steward of those trees. The church is also preserving 97% of the street trees surrounding the site. Finally they are planting ten new trees which exceeds the title 11 requirements and zoning code landscaping standards for parking areas and as those trees mature over time they will contribute to the neighborhood. With that I will turn it over to chris bremer to discuss the traffic issues unless there are further questions for me.

Eudaly: I want to make sure I understand, so the percentage of trees preserved does not include the ten trees being added. There will be a net gain in the number of trees on the site.

France: That's correct.

Eudaly: Thank you.

Chris Bremer, Kittelson & Son: Good afternoon. I'm chris bremer, a licensed professional engineer representing the firm kittleson and associates, co-author of the traffic report that is in the record. I want to try to walk the line responding to issues that's within the constraint of the record and we can see if we need to go further than that. First quickly talk about the parking impact. The traffic study we prepared looked at three days, Sunday, Monday and Wednesday, trying to understand what the impact of the site development parking lot with respect to on-street parking would be. The short story results from that study are that the area of the parking lot proposed reflects the area that was most densely used of the on-street parking so we're putting the parking lot in the right place in terms of where that need is most acute. As you heard during the staff report there's eight parking spaces proposed on site. Two parking spaces would be lost on street to accommodate the driveway access. So an overall increase of six parking spaces which will then mean those six vehicles are not seeking on street parking during the church events. So from a parking perspective that was the conclusion there. With respect to driveway spacing and answering the question where the driveway is located within the record the last exhibit in the hearings examiner's report, c-2, has a landscape plan showing the driveway location and that has a scale to it. The driveway is approximately 70 feet south of ankeny street curb line. City code requires a minimum 25 foot spacing. So we're more than double the city code in terms of spacing. We did observe the diverter during our traffic analysis that was in place at the time. We did not flag any safety issues associated with that. We did know in our report that visibility would be looked at in the context of the public works permit project. Assuming this land use application goes forward consistent with any other land use application at the time of the public works permit process there is a requirement to verify the site distance is acceptable, making sure those vehicles coming around the corner can be seen and stopping sight distance is adequate and safe. From my perspective I believe the system is safe. I believe the driveway can be provided as proposed without a safety impact. I believe pbot has concurred with those findings. I'm going to stop there. If there's a need to go into more detail i'm happy to try to do that.

Saltzman: Questions? Okay. Apparently that was sufficient. So does that complete your presentation?

Bremer: It does.

Saltzman: We will now ask our supporters of the applicant that wish to testify. Anyone signed up?

Karla: No one signed up.

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Saltzman: Okay. So we will now go to rebuttal by miss byrne. You have ten minutes for rebuttal.

Bryne: Thank you. I did not see in the report that the driveway was identified as 75 feet. Or that there would be an additional visibility study. So that answers some questions. I would like to address the tree. The argument being presented here is that by adding additional smaller trees that it more than makes up for the loss of the tree, and in my appeal, I mentioned that the neighborhood is a Victorian neighborhood with lots of trees, most of the big ones are elms, which we have been losing to elm disease. The significance of this particular black pine tree that is it would not be subjected to this disease. And so, in my thinking, the one larger tree has more value than ten smaller trees. I'm perplexed by the applicant's identifying that there are already 97% of trees remaining on the site. I guess that by this they must be including the entire two city block area and the street between their two blocks because I think of the site as being actually the part of the application that relates to this proposed parking lot in which it would not be accurate that there are 97% of the trees remaining. So to me and to other neighbors the value really is on this one particular old tree, which we would like to keep. Beyond that, I wish that this information about 75 feet distance would be expressed sooner. It seems to conflict with the legal brief yesterday saying that the black pine tree was in the middle of the parking lot, 75 feet away is not in any way where the black pine tree is. The parking lot is supposed to be in the middle of the parking lot. I'm not seeing how that adds up and that the block is not 150 feet long, so how is that exactly that the driveway is in the middle of the parking lot when that would be required to be the longer than it is. So I hope that in your assessment of this application that you look at some of these contradictions. I don't have the information before me to know any kind of certainty where this driveway really is. I just would like to emphasize how important it is that land use applications are really evaluated in terms of safety hazards. I guess it's in your ballpark now to look at that visibility line, what that is, in terms of the speed. Because this traffic is funneled. People enjoy speeding through it because they don't have to stop. It's really beyond the information I have given this new information which was not presented at the hearings -- the open hearing. We were told it was 50 to 60 feet. We'll have to trust you to make that evaluation.

Saltzman: Okay. Thank you very much. Now we'll move to council discussion.

Fish: I would like to make a motion.

Fritz: I was going to ask if we could have the Portland bureau of transportation come up.

Saltzman: Sure.

Bob Haley, Bureau of Transportation: Good afternoon, council, bob paley, bureau of transportation.

Fritz: I'm assuming that pbot did look into the location of the driveway.

Haley: We did. The minimum is 25 feet back from the property line on ankeny. As you've noticed ankeny is a greenway. Greenways are posted at 20 miles an hour. The diverter is there to keep speeds and volumes down on ankeny and divert cars off of the bikeway to keep it at less than 1,000 vehicles a day. So if there is speeding going on, it's not part of the approval criteria. That's one of a motor vehicle violation than it is a criteria to look at unless we had a place with bad sight lines and speeding going on we would give it consideration but given it's a low volume, low speed street and the driveway is twice as far back as it needs to be we don't anticipate any safety issues at all given also that it's only eight spaces. If it was 150 with a garage we would start doing a queuing study and visual study how that interfaces with a street, but not an eight-space parking lot.

Fritz: Thank you. Commissioner Fish, I would like to point out from the hearings office decision on page 5 the hearings officer is not allowed by Oregon land use law to speculate or anticipate matters not directly referenced by the application. The hearings officer finds there is no reference related to possible homeless encampment therefore the hearings

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officer will not consider opposition testimony and argument related to the possible impacts from a possible homeless encampment. Then on page 11, the hearings officer cannot legally consider the possibility that someday in the future that the applicant would permit a homeless encampment would exist on the new parking lot. Similarly, while I appreciate the good faith offer of the applicant to put in a condition of approval, we don't have the legal basis, conditions of approval can only be added if they are necessary to approve the application.

Fish: Thank you. I do not intend to condition a proposed motion on a condition of approval. Thank you for going to the record and citing that. That was missing in what I was going to propose. This is the point in the proceeding where we take a tentative roll to see where the council is. I want to say just speaking for myself to the appellant, you have raised some issues about barriers to accessing this process and potential accessibility questions. The bureau of development services currently reports to the mayor. The mayor unfortunately is not here. But I intend to raise those concerns with him. I think you have identified some issues that we need to take a look at. Nonetheless, after hearing the testimony and reviewing the record I offer the following motion for consideration. That we deny the appeal and uphold the hearing officer's decision to approve the proposal.

Fritz: Second. Tentatively coming back later with findings.

King: That's correct.

Saltzman: Moved and seconded.

King: I would like to set a date and time certain for adopting the findings as part of your motion.

Saltzman: Part of the motion you want that? [speaking simultaneously]

Saltzman: Discussion of the motion or is there any discussion?

Eudaly: Well, I would just like to agree with commissioner Fish. I'm concerned and disappointed to hear the challenges that the appellant faced in accessing information that should be available to all members of the public and however that doesn't change how I'm interpreting this case. I do think we need to make a real commitment to following up on that, ensuring that everyone has a full access in a timely fashion.

Saltzman: No further discussion, please call the roll.

Eudaly: Aye.

Fritz: Ms. Byrne, thank you for bringing these issues to our attention. We are sincere as we showed by our previous discussion earlier. To improve how the city provides services to everybody and so that's something that we will look into. However I support this motion because I believe the approval criteria have been met. Aye.

Fish: Aye.

Saltzman: Aye. The tentative decision has been made to approve the application. Then we need to set a date for findings to come back to council?

King: Yes. Thank you.

Fish: How much time do we need?

King: Two weeks.

Karla: Would november 7, wednesday morning, at 10:50?

King: That's fine.

Saltzman: Okay.

King: Wednesday, november 7, 10:50 return for a final decision. Ms. Byrne, council made a decision on the application. The staff will now prepare a final decision that reflects what be council's decision is then come back to vote. There will be no public testimony or additional evidence in the record. There will be an opportunity for council to finalize and vote on the findings and make the decision final.

Saltzman: Thank you all. That concludes item 1115.

Fish: Could we take a two-minute break?

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Saltzman: We'll recess for two minutes.

Saltzman: 1116, please.

Item 1116.

Saltzman: Commissioner Fish.

Fish: Thank you, mr. President. Colleagues, today marks my first formal action as the city council liaison to the Portland film office. In September of this year, in recognition of the importance of this growing industry, mayor wheeler asked me to serve as the first council liaison to the tv and film industry. For the past five years, I have served at the arts commissioner, and through my role as liaison to the regional arts and culture council, as well as the small business commissioner through my role as liaison to venture Portland. The tv and the first industry fits nicely in the overlap between these two roles. Every year, this industry supports thousands of jobs, pumps hundreds of millions of dollars into our local economy, and continues to cement Portland's reputation as a accumulative hub. After years of laying the groundwork, we are ready to begin the next phase of support for this industry through the creation of a universal film permit. With us today are Jamie Dunphy, senior policy director from my office, and Brian lord, with the Portland film office. I have some thank you that I will come back to at the end, but I want to begin also just acknowledging thank commissioner Eudaly who now serves as our arts commissioner for co-sponsoring the matter before us today. Jamie, take it away.

Jamie Dunphy, Fish Policy Director: Good afternoon, city council. I am Jamie Dunphy, senior policy director. And his new liaison to the Portland film office. For before you today is a resolution that does a few things. First and foremost, it is an acknowledgment the huge role the tv and film industry plays here in Portland. Portland has become a hugely desirable place to put on screen. The film industry in Portland employs thousands of people in our community, supports hundreds of small businesses, both directly and indirectly, and contributes nearly \$200 million to our local economy every year. We have been lucky to see our city up on the screen for years on shows by Portlandia, Grimm, and the librarians. We have seen dozens of new productions such as "leave no trace," set in Portland's forest park, "i lean on Pete," as well as tv shows and new original streaming content like Disney's, and Netflix's "American vandal." this doesn't include the pioneering work done on virtual reality, animation and commercials as well as new interactive web obeyed content and a healthy YouTube creator economy. Our success is remarkable when considering the intense competition to attract these productions. Oregon doesn't have the tax credit incentive you one might find in Georgia or British Columbia.

Productions want to be in Portland and we're glad to have them. So, the second part of today's resolution is specifically focusing on what else with he can do to help industry that so badly wants to be here. Today's resolution takes the first official step toward a plan that we have been working on for quite some time. It directs staff from PBOT, parks, OMF and the city attorney's office to begin working with prosper Portland and the Portland film office on the creation. Universal film permit. The Portland film office is going to become a one-stop shop for film productions in Portland processing cons area service specifically geared toward the demanding timetables every film production is subject to. Our goal is to no longer make a producer run from one office to another to get permits for an otherwise routine production. We also hope this will lighten the burden of our different permit offices at parks and pbot by taking those low-level permits off their plates and letting them focus on the more complicated permit requests. We also want to assure the Portland film office is be able to -- able to financially support itself for the long-term and grow and scale to meet the needs of the film industry in Portland. We need to right-size this office to be able to ensure quick turnaround times, smooth production schedules and encourage future productions to come here instead of heading north to Vancouver, b.c. With the rapidly changing face of entertainment and unprecedented investment in tv shows and

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productions, the time is now to carve out our space on the screen, create well paying jobs and support the artists, actors and creatives in this any who call Portland home. With me today is brian lord, director of the Portland film office. He is here to talk more about what his office does, our vision for the future of his office, and the film industry here in Portland more broadly. After brian, we have also invited two pillars of the local film community to speak, juliana kasich, and lisa cicala is the executive director of the Oregon motion picture association. With that I will turn it over to brian.

Saltzman: Welcome.

Brian Lord, Portland Film Office Manager: Good afternoon, city council. My name is brian lord. I am the program manager for the Portland film office. The resolution before you today offers important benefits to the city of Portland including renewed commitment to the film industry, as an economic driver for Portland, a path forward to increase competitiveness for film, production, through a universal film permit, and a thriving local industry contributing to our economy facilitated by a properly resourced film office. First we can speak to the question of why commit to the industry? Why the film office and why at prosper Portland? As jamie noted film has a substantial footprint in the forward economy. We work with 180 unique productions which generated \$200 million to the local economy and provided about 2100 direct jobs within the metro area. Film is one of Portland's premiere cultural exports. Our neighborhoods, parks, and spectacular views have been on display in numerous productions from "feast of love" in 2007 to this year's "leave no trace." "Portlandia" which pokes at our noble traits is top of mind when you talk to people about Portland. And most important it put us on a place on the map as place to do film. The film office is housed at prosper Portland which as the city's economic development agency is the right place to facilitate this growing industry. With this resolution the film office seeks to build its capacity to grow production and revenue that creates access to an equitable economy. The Portland film office has also aligned its works with the shared strategic priorities of the Portland city council and prosper Portland and continues to build relationships with public and private partners to work. Examples of implementing those priorities include working with outside the frame, who is changing the way homeless youth see and are being seen, a port inner -- partnership with the Oregon media production association, a travel grant. And to connect with decision-makers, find distributors and develop their knowledge and showcase their work outside of Portland. We work with cast iron studios on talent diverse initiative, a response to a need for more diverse actors for "librarian" and "grimm." we are financial sponsors with open signal's black film maker initiative which addresses the stark lack of black voices in the television and film office. And we completed our post production film grant for small local film makers using local studios. We will be announcing the winners, the four winners of that 5k grant shortly. Support of the Portland film festival, the northwest film maker festival, and the Portland international film festival among others. Now I would like to talk about the path forward via this resolution and what a universal film permit can do. The film office work falls into three cycles. The day-to-day immediate response in the form of a quick turn around permitting. The long-term talent development initiatives that feed into industry needs, and overall stewardship of the resources to build sustainable industry development in the long-term. This resolution, which is a result of 18 months of feedback from industry, public partners, impacted residents, proposes the first step in giving the film office the authority to be an effective facilitator of both production and industry development, no longer just a traffic controller. For the bureaus and offers a tool in the film office's toolbox towards a more frictionless and competitive film environment to grow and recruit production activity. The film office can become a self-sustaining service provider that prioritizes production growth and most importantly supporting short-term needs will provide resources for long-term business development. A centralized approach in our online application process will

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position Portland at the forefront of industry services. The permitting revenue redirected from parks and pbot to the Portland film office would be supplanted with fees and projected increases for production on public right of way. These revenues and centralized function would allow us to analyze the true cost and benefit of film permitting in the city of Portland and ultimately shift the film office expense from general fund to permit income support. Portland becomes more competitive with other film friendly cities and has increased capacity to grow the local industry. The film office must balance the needs of the city, the residents, and the industry to help it grow and efficient centralized permitting process creates stewardship and a communication strategy to minimize the impact upon adjacent residents. Nationally, the film industry is evolving and growing. Netflix is putting out \$14 billion in content. Amazon and Disney are pushing hard to stay out of second place. The definition of film production is changing as an entry via technology is giving new opportunities for youthful and diverse expression. We can capture this activity and do it within a business development frame bureau with the proper resources. We are working to grow the talent, the firms and crew here in Portland. The Portland film office can create the things needed to be competitive. Work force development, improved recruitment and marketing with the help of travel Portland, talent development for underrepresented communities, programs like the loan grants and infrastructure investments that we have with other programs within prosper Portland, and city-level investment to insulate from the ups and downs from the larger industry. It's just a chance to be nonreactive, to have more long-term strategic investments. Today's action leverages Portland's strengths, livability, small business support, cultural impact, stewardship, economic growth and competitiveness. It marks a path forward for a right-sized film office that can do its mission effectively and is resourced to support the industry as a force in our local economy. The next steps, with the passage of today's resolution the film office is prepared to execute on the following goals in the coming year. An analysis of staff time for work being proposed and already being done. The IGA process with the city bureaus and a buildout of the universal film permit program. A policy buildout needed to keep business moving and impacted residents safe and informed. Continued financial sponsorships, and continued relationship management and referral to local resources. Our success in increasing capacity and efficiency points to an important point of growth. Ultimately, the film office is likely to be doing 2-fte worth work. More staffing will be needed as well as resources to mundane business development. Our expectation is that the revenue the office generates will pay for its activities. We need to take this important first step. Thanking our partners at the ompa, Oregon film, travel Portland, open signal and the bureaus and thank you to the leadership that you have all shown on -- and particular thanks to commissioner Fish and his staff for their partnership. And the prioritization of this work as a benefit to the city and its economy. And a quick plug for the local events including Portland film festival which started Monday and then the northwest film maker festival is starting next Wednesday. Thank you.

Saltzman: Thank you.

Fish: Thank you, brian. Jamie, do you want to reintroduce our next panel?

We have juliana kasich and lisa who is with the Oregon media production association.

Fish: We welcome you both. Please come forward.

Saltzman: Welcome. Who wants to start? Juliana?

Juliana Lukasik, Owner At Lage Films: I will defer to Lisa.

Lisa Cicala, Executive Director Oregon Media Production Association: Thank you, commissioner, for welcoming me here today to speak. And for your ongoing support of our industry. 68 as mentioned, I am lisa cicala, executive director of the Oregon media production association, known as ompa. We are promote the film and television industry for the professionals in our state. With 90% of the production work in the state occurring or

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originating in Portland metro. We know that the film and television industry create living wage jobs, brings economic spending across a range of businesses, supports our creative culture and highlights in a positive light Portland and Oregon on a national and international stage. I am here today and in my role every day to ensure that the industry continues to grow and stay competitive. We know that it takes a team including the support of the city of Portland and the work of the Portland film office to keep this creative industry thriving. In 2002-ompa was awarded a grant that started a one-stop permit for Portland. We understand the tremendous value of creating an environment that is welcoming to productions and having a single point of contact that can effectively service this industry's unique needs. With your support, with partners across the industry, and with deliberate effort, the industry has grown tremendously over the last 10 years. In fiscal year 2005 to 2006, there was \$10 million in tracked spending for about 500 jobs. Last year, there was \$189 million in tracked spend, \$200 million if you include the commercial work as well. So 18 to 20 times more. Accounting for 4,700 jobs. Roughly half of that in-state spending so about \$100 million is spent on local labor. These are well-paying jobs, generally enjoying benefits. The other half is spent on local Oregon vendors, mostly Portland-based small businesses providing cameras, lights, catering, hardware, locations, warehouse space, just to name a few. My organization represents professionals and businesses who make these films, television and commercial productions possible. These individuals and business owners are hardworking, passionate creatives who are part of the fabric of this city and we want to make sure they keep working and creating here. We know there's nothing inevitable about Portland's success and the city must act deliberately to help support and grow this booming creative industry. The Portland film office meets the unique needs of the industry which is critical to making us competitive. Ompa can help attract the work to Portland in part through producing source Oregon, the production directory that highlights the people and resources of Oregon, but with the support of the city of Portland, we can make sure that when the productions do come, there's a single point of contact, their needs are managed efficiently and they return. The Portland film office and the universal permit program can ensure Portland stays competitive in this industry. Thank you, commissioners, for your commitment to keep the film and television industry thriving, to keep driving economic spending in our city and keep people working.

Saltzman: Thank you. Juliana?

Lukasik: Hello, everybody. Commissioners, thank you so much for having us today. It's very fun to come and talk about the film business, which is my love and passion and career versus the central east side. I'm thrilled to be here.

Saltzman: We enjoy that, too.

Lukasik: I think you guys -- yeah. You like me better in this role, I know. And I want to also particularly thank commissioner Eudaly for your support, as arts commissioner. Because I know that that is a new role for you and it's exciting to see that you and your sponsors are very excited to hear you are co-sponsoring this. He I appreciate that greatly. We talk a lot about the important economic impact of the film industry. And I think that Lisa and others have really demonstrated that. And I wanted to sort of come to you from an owner of a production company. So I am a commercial director and owner of a production company called at large films based here in Portland, Oregon. I have had that company since 1999. And we do work for our biggest client, Nintendo, among others. And as, when I work with Nintendo, we are frequently on location. That is the bulk of the business that we do. There's a lot of competition from other cities that was mentioned earlier. For me to take that work elsewhere. And the reason I am able to convince my client to stay here is because of several reasons. And an important reason is the ease of doing production in the city. So it would be a home run for me to be able to continue to sell coming to Portland to my clients if we had a universal film program. Excuse me. Permit program. And that's

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really critical because it's not just a cost savings on a really budget level. It's a staff time. You know, having your team pulled in many different direction, having to go to different offices really is a challenge for production companies. Also I want to note that the importance of the office itself, and the universal permit program, affects local companies like mine just as much as it affects the ones coming in from outside. It is a huge part of why a city can be competitive, especially when you can't always apply a ton of incentives as you can on a state level. But if you can streamline the process and become very film-friendly, the companies will notice and they will come and they will repeat. And that's really important. And as far as the local companies, we really thrive when we can have the same services that we just, that I just mentioned. But the influx of the talent that's provided by the larger productions that come has a very positive impact for us. So Portland is in a really unique position because we have, with the success of the film industry in the last 10, 20 years, we have one of the most established, respected, incredible crew bases that you would find in any city. And certainly in any city, you know, bigger cities don't have anywhere near the crew base that we do. It's amazing. I have shot all over the country. And it is definitely saying that the crews in Portland and Oregon are superior. So this is all really important stuff. There's a reason why it's so competitive with other states and cities to bring this kind of work. Because it's a very attractive economic kind of economic business to have here. So I strongly commend you all for supporting the film office. I was around when the Portland film office started. I'm dating myself a little bit but that's true. And it has helped significantly to grow my own company. And the continued support is absolutely critical. And so I appreciate the efforts. And I ask that you pass this, that you move forward with these concepts we are talking about today. And to do a universal permit process would be absolutely essential to creating a competitive environment. And I strongly encourage you to do that as well. And thank you for your consideration in all of this. Thank you.

Saltzman: Thank you. Thank you both.

Fish: Jamie?

Dunphy: And this concludes our presentation this morning-afternoon.

Saltzman: Does anybody wish to testify?

Karla: We have one person. Lightning super.

Saltzman: Welcome.

Lightning Super XXIPDX: Thank you. Yes, before my time starts I am going to do about a one-minute presentation. And then I will do a two-minute video just to put that on record. Again, my name is lightning. I represent lightning super creativity xx 1pdx. The film industry, what I think I want to see focused on the most is going to be the no animals were harmed during the production. And I want to make very clear that I want to have representatives come in and make sure that the animals will be taken care of properly during the film production. Now, as you know, there are American humane association, which has some very detailed guidelines on this. Actually 130 pages of guidelines. And I want Portland to understand the importance to a lot of people in the community if they see an animal in a movie, they just want to make sure the animal was taken care of. Everything was done properly, and they want to feel good about that. And that's very important for people in the city of Portland, in the state of Oregon, to be able to have that certification on these movies. Could you start the video, please, Karla? Thank you.

It's quite literal. The animals were not put in any danger, they were not hurt in any way and that they were content and well looked after. I just wanted everyone to know that the movie "the lucky one" was lucky enough to have the American humane association with us to protect all the animals on set. The thing I kept emphasizing from the very outset was that the horses have to be safe. Not even a scratch. The horses had to be safe. And so I just didn't want any horses getting hurt. I didn't want that sword of Damocles hanging over my

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head the rest of my life. I did not want any of the horses to be in harm's way. I loved knowing the American Humane Association was on set making sure no animals were harmed. It's a big endorsement to get that from the American Humane Association. Really they are very conscious how the animals are treated. They are on set every day making sure the animals were provided safe facilities and safe transportation and they can only work a certain amount of hours. And they're just the happiest animals. You can tell. They did it the way we are supposed to and we got the shot we needed and everybody was happy. There are always shortcuts that will be more cost effective. You have to make sure there's somebody there to make sure that, to be a voice for the animals. I think especially with exotic creatures who are out of their own environment, I mean if the idea of abusing them is so disgusting, it's nice to know that there's a company that, literally looking after the maggots, checking out the maggots were being treated right. Have the American Association is a nice note of confidence that we are doing something right. I think the animals are taken for granted a lot of the time. When the American Humane Association is able to help you give them everything they deserve. Nothing should be harmed to make a movie. It's a movie. Nothing should be hurt, nothing should be killed. You don't want to go to bed ever with that on you. So give yourself a break. Have American Humane there. There's a long history of sag aftra and before it was sag and aftra working with AHA and I think it's a really remarkable history. There are many, many years of productive collaboration regarding organizations.

Saltzman: Ok, Karla. Thanks for the film. I enjoyed it.

Lightning: Could I make one more statement and I will be done real fast?

Saltzman: 10 seconds.

Lightning: I should have sat down. But what I would like to see on the permit process, if we could have that included in the permit process at least to review the guidelines, to have them understanding what the guidelines are and then if we want to have outside representatives come in and enforce that, so that's something to look into on this universal permit type process.

Fish: We will take a look at it.

Lightning: Thank you very much.

Fish: That concludes our presentation.

Saltzman: This is a resolution. Please call the roll.

Karla: Eudaly.

Eudaly: Well, Mr. Lightning, you are often full of surprises and today I would just like to thank you for bringing so many cute, cuddly animals into chambers. I really needed that. Thank you. Thank you also to Commissioner Fish and Jamie Dunphy for your work on this project as well as Prosper Portland and the Film Office. As the Commissioner in charge of PBOT I strongly support this resolution, the universal permit will provide a one point of contact system for the TV and film industry to easily navigate the permitting process with all relevant city bureaus from PBOT to Parks to Police. Portland is an active hub for TV and film production which as we heard is a very competitive industry. And one that provides thousands of jobs and significant economic activity for our local economy. So this ordinance reflects our adaptation to the growth we've seen in the last couple decades and our commitment to supporting the industry. I vote aye.

Karla: Fish.

Fish: I want to begin by thanking Mayor Wheeler for carving out a specifically eight slot for film and TV. And I am honored to have that role. He's on vacation this week. Otherwise he would be here joining in this celebration. I want to acknowledge that there's some other people in the audience that we didn't hear from who are crucial to the success of this big team that we've put together to support film and TV. I want to first start with Tim Williams who runs the State Film Office. That's the shorthand. That's how we refer to it. Tim is among

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many things, is really a genius at recruiting new films to our state. Marketing Oregon as a great place to do business, and then one of his jobs is to make sure that the legislature keeps funding the tax credits which allow us to be competitive with other jurisdictions. So, tim, thank you for joining us and thank you for your partnership. I want to accept bobby lee from the Portland development commission. I wholeheartedly agree with what brian said about putting, keeping the film office in pdc because so much of their work is about economic development. And we appreciate that partnership. I want to thank lisa from ompa and juliana from at large films and I am going to stay agnostic about which role you come to council. I think you do a great job in both. I think you have a great political future but you do a great job in both. I also want to really acknowledge the work that jamie dunphy and brian lord have done. We're very fortunate to have brian leading the city's film office. And I can tell you that all the time, unsolicited I hear positive feedback about the work he's doing. So we want to really call that out and say thank you and appreciate your good work. And jamie, who keeps changing his look hoping to get a gig as an actor, jamie actually his cv says authentic Portland look. So if you are looking for someone, jamie is also a musician and he's working, willing to work for scale. [laughter] I have some other thank yous but before I do that, I just want to say that what I have observed here locally is just a tremendous team effort built upon collaboration between the state, the city, industry, and all the various industry players. And it's really a pleasure to play a role, a small role in this team. And I think it was brian or maybe it was lisa, I forget who said, you know, we should never take for granted, we can't take for granted this moment. And juliana reminds us it's taken some time to build the momentum to get to this point. But we are in a very competitive environment. I heard the other night over dinner that in pennsylvania, they have a \$50 million tax credit program and we also know we have a competitive states and cities that have tax credit programs without caps. So people, netflix recently decided to open some studios in albuquerque. It's a very competitive industry. And there's nothing preordained about us continuing to be a location of choice. It's going to take efforts like what we are talking about today of thinking about ways of streamlining the permit process as a way of providing better cons area services to companies we hope to business here. Jamie and brian, thank you very much. Commissioner eudaly, thank you for your partnership on this effort. Thank you for the strong commitments you have made on behalf of pbob, the bureau you lead, and for co-sponsoring this. I also want to acknowledge and thank the staff at parks and omf and prosper Portland for their partnership. And their willingness to work together. This is what I hope is the first of a number of actions we'll take to clearly signal that we want to be the most welcoming city in the country and we want to continue this success story about people coming here and making films. And finally, I know tim has been auditioning for a job in the federal government because he was recently quoted in an article where he kept refusing to say anything, claiming there's some gag rule. But I did read that we may be home to as many as three world class productions including pinocchio around, I think it's called stop something animation. Stop motion. And here we are growing another portfolio and becoming the go to places. And the most recent announcement involved a director who last year won the academy award. So we are very, very proud of what's happening here and the city wants to be a good partner and that's what today's resolution is all about. So thank you all. Pleased to vote aye.

Karla: Saltzman.

Saltzman: Well, I am going to congratulate commissioner Fish on his leadership on this effort. And it is very important industry. And I do think that juliana mentioned, we have really built up a base of talented people now. I think it's really gives us an edge up. It's an edge we can't let our guard down on. I do want to strongly endorse what mr. Lightning brought before us that we should as a condition of permit some sort of endorsement by the american humane association. And I won't be here to weigh in on the final of that but I

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promise you, if you don't, I will unleash my sisters on you and you will regret it. I think it makes a lot of sense. Oregonians expect nothing less of treatment of animals in film. And then finally I just want to thank juliana for her modestly and not touting the fact she did my first campaign commercials, award winning campaign commercials, at large productions so thank you for your modesty on that point. I am pleased to support this effort and I think it's going to serve Portlanders and Oregonians very well in the future. So thank you all. Aye. The resolution is adopted. And we are adjourned until next wednesday. Halloween.

Adjourned at 4:16 p.m.