



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **30<sup>th</sup> DAY OF JANUARY, 2019** AT 9:30 A.M.

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

Commissioner Eudaly arrived at 9:31 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Heidi Brown, Senior Deputy City Attorney; and Dorothy Elmore and Christopher Alvarez, Sergeants at Arms.

Item Nos. 73 and 81 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 11:30 a.m. and reconvened at 11:31 a.m.

<b>COMMUNICATIONS</b>		
<b>65</b>	Request of Robert Patterson to address Council regarding Homeless Bill of Rights (Communication)	<b>PLACED ON FILE</b>
<b>66</b>	Request of Shana Mita Canote to address Council regarding school resource officer (Communication)	<b>PLACED ON FILE</b>
<b>67</b>	Request of Mary Bowers to address Council regarding unlicensed/fraudulent recovery homes (Communication)	<b>PLACED ON FILE</b>
<b>68</b>	Request of Stan Herman to address Council regarding ask the same old question (Communication)	<b>PLACED ON FILE</b>
<b>69</b>	Request of Sharon Nasset to address Council regarding citizen comments having interruptions, and a way everyone can be accommodated (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>70</b>	<b>TIME CERTAIN: 9:45 AM</b> – Appoint members to the Open and Accountable Elections Commission (Report introduced by Mayor Wheeler and Commissioner Fritz) 15 minutes requested <b>Motion to accept report:</b> Moved by Fish and seconded by Hardesty. (Y-5)	<b>CONFIRMED</b>

<p><b>71</b></p>	<p><b>TIME CERTAIN: 10:15 AM</b> – Appeal of Kyle Bell against Portland Bureau of Transportation posting the property located at 2370 SE 60<sup>th</sup> for sidewalk repairs (Report introduced by Commissioner Eudaly) 30 minutes requested</p> <p><b>Motion to deny the appeal. Findings: The work was required by code and the conditions required the improvements. The improvements are consistent with code and City specifications. The improvement charges were calculated as provided by code. No adjustments are necessary because PBOT has already made an adjustment in the bill. Finally, the appellant may appeal the determination of Council to court via writ of review:</b> Moved by Eudaly and seconded by Fritz. (Y-4; N-1 Hardesty)</p> <p><b>The Bureau is directed to come back to Council with an ordinance within 30 days to codify the findings and determination for a final vote, so that Mr. Bell can exercise any other appeal rights if he so chooses.</b></p>	<p><b>APPEAL DENIED</b></p>
<p><b>72</b></p>	<p><b>TIME CERTAIN: 10:45 AM</b> – Accept the Quarterly Technology Oversight Committee Report from the Chief Administrative Officer (Report introduced by Mayor Wheeler) 30 minutes requested</p> <p><b>Motion to accept report:</b> Moved by Fish and seconded by Eudaly. (Y-5)</p>	<p><b>ACCEPTED</b></p>
<p align="center"><b>CONSENT AGENDA – NO DISCUSSION</b></p>		
<p align="center"><b>Mayor Ted Wheeler</b></p>		
<p align="center"><b>Office of Management and Finance</b></p>		
<p><b>*73</b></p>	<p>Authorize a contract between Fortinet, Inc. for a Next Generation Firewall System in the amount of \$4.5 million (Ordinance) (Y-5)</p>	<p><b>189364</b></p>
<p><b>*74</b></p>	<p>Exclude the nonrepresented classification of Technology Capital Project Manager from the classified service (Ordinance) (Y-5)</p>	<p><b>189356</b></p>
<p><b>*75</b></p>	<p>Pay bodily injury claim of Cortney Dietrich in the sum of \$18,090 resulting from a motor vehicle collision involving the Portland Police Bureau (Ordinance) (Y-5)</p>	<p><b>189357</b></p>
<p><b>*76</b></p>	<p>Pay property damage claim of Spin Laundry Lounge, LLC in the sum of \$18,314 involving the Portland Bureau of Transportation (Ordinance) (Y-5)</p>	<p><b>189358</b></p>
<p align="center"><b>Commissioner Amanda Fritz</b></p>		
<p align="center"><b>Water Bureau</b></p>		
<p><b>77</b></p>	<p>Amend Intergovernmental Agreement with Multnomah County for the Water/Sewer Enhanced Fixture Repair Program for \$130,000 (Second Reading Agenda 56; amend Contract No. 30004057) (Y-5)</p>	<p><b>189359</b></p>
<p align="center"><b>Commissioner Nick Fish</b></p>		
<p align="center"><b>Bureau of Environmental Services</b></p>		

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<p><b>*78</b></p>	<p>Authorize the Bureau of Environmental Services to enter into an Intergovernmental Agreement with Beaverton School District to permit the Bureau to install a rain gauge and communication equipment on the roof of Bonny Slope Elementary School (Ordinance) (Y-5)</p>	<p><b>189360</b></p>
<p><b>Commissioner Jo Ann Hardesty</b></p> <p><b>Portland Fire &amp; Rescue</b></p>		
<p><b>79</b></p>	<p>Authorize application to Federal Emergency Management Agency for a grant in the amount of \$429,174 for hazard mitigation in Forest Park (Ordinance)</p>	<p><b>PASSED TO SECOND READING FEBRUARY 6, 2019 AT 9:30 AM</b></p>
<p><b>Commissioner Chloe Eudaly</b></p> <p><b>Bureau of Transportation</b></p>		
<p><b>*80</b></p>	<p>Amend contract with CH2M Hill Engineers, Inc. to complete the design for the Outer Division Multi-Modal Safety Project not to exceed \$283,649 (Ordinance; amend Contract No. 30005277) (Y-5)</p>	<p><b>189361</b></p>
<p><b>City Auditor Mary Hull Caballero</b></p>		
<p><b>81</b></p>	<p>Amend contract with OIR Group for the review of closed officer-involved shootings and in-custody death investigations to extend term and increase maximum compensation allowed under contract by \$60,000 (Ordinance; amend Contract No. 30005510)</p>	<p><b>PASSED TO SECOND READING FEBRUARY 6, 2019 AT 2:00 PM TIME CERTAIN</b></p>
<p><b>REGULAR AGENDA</b></p>		
<p><b>82</b></p>	<p>Declare the City of Portland's opposition to the offshore drilling of oil and gas and exploration activities off the Oregon Coast (Resolution introduced by Mayor Wheeler and Commissioner Fritz) 15 minutes requested  (Y-5)</p>	<p><b>37411</b></p>
<p><b>Mayor Ted Wheeler</b></p> <p><b>Bureau of Police</b></p>		
<p><b>83</b></p>	<p>Authorize settlement between Portland Police Association and the City of Portland through its Portland Police Bureau regarding terminated employee Gregg Lewis (Ordinance) 15 minutes requested <b>Motion to remove emergency clause:</b> Moved by Wheeler and seconded by Hardesty. (Y-5)</p>	<p><b>PASSED TO SECOND READING AS AMENDED FEBRUARY 6, 2019 AT 9:30 AM</b></p>
<p><b>Office of Management and Finance</b></p>		

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<p><b>84</b></p>	<p>Accept recommendations of the Special Appropriations Committee for the FY 18/19 competitive special appropriations grant program (Report) 15 minutes requested <b>Motion to accept report:</b> Moved by Fish and seconded by Fritz. (Y-5)</p>	<p><b>ACCEPTED</b></p>
<p><b>85</b></p>	<p>Authorize three Price Agreements for Asphalt Concrete Supply, each with a contractual term of five years for a combined total of \$18.5 million (Procurement Report - Project No. 122426) 10 minutes requested <b>Motion to accept report:</b> Moved by Fritz and seconded by Eudaly. (Y-5)</p>	<p><b>ACCEPTED</b></p>
<p><b>*86</b></p>	<p>Authorize a competitive solicitation and contract with the highest scoring proposer for Security Officer Services for an estimated \$10 million over five years (Ordinance) 30 minutes requested Continued to January 30, 2019 at 2:30 p.m. (Y-4; Fish absent)</p>	<p><b>189365</b></p>
<p><b>*87</b></p>	<p>Authorize grievance settlement between AFSCME Local 189 and the City of Portland through its Portland Police Bureau regarding police desk clerks (Ordinance) 15 minutes requested Rescheduled to January 30, 2019 at 2:30 p.m. (Y-4; Fish absent)</p>	<p><b>189366</b></p>
<p style="text-align: center;"><b>Commissioner Nick Fish</b></p>		<p style="text-align: center;"><b>SUBSTITUTE 189362</b></p>
<p style="text-align: center;"><b>Bureau of Environmental Services</b></p> <p><b>S-88</b> Authorize the Commissioners in Charge of Bureau of Environmental Services, or designee, and Portland Parks &amp; Recreation, or designee, to execute agreements for the planning, design, construction and maintenance of watershed restoration projects in partnership with the U.S. Army Corps of Engineers and other partners (Second Reading Agenda 62) (Y-5)</p>		
<p style="text-align: center;"><b>Commissioner Chloe Eudaly</b></p>		<p style="text-align: center;"><b>189363</b></p>
<p style="text-align: center;"><b>Bureau of Transportation</b></p> <p><b>89</b> Accept \$1.5 million grant from Oregon Department of Transportation, authorize Intergovernmental Agreement for Columbia Boulevard Safety Improvement project, and appropriate \$500,000 in FY 2018-19 (Second Reading Agenda 64) (Y-5)</p>		

At 1:34 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **30<sup>th</sup> DAY OF JANUARY, 2019** AT 2:30 P.M.

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

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

The meeting recessed at 3:15 p.m. and reconvened at 3:32 p.m.

<b>90</b>	<b>TIME CERTAIN: 2:30 PM</b> – Update from Portland Community College Future Connect Program (Report introduced by Mayor Wheeler) 45 minutes requested <b>Motion to accept report:</b> Moved by Hardesty and seconded by Fritz. (Y-4)	<b>ACCEPTED</b>
<b>91</b>	<b>TIME CERTAIN: 3:30 PM</b> – Proclaim February 2019 to be Black History Month (Proclamation introduced by Mayor Wheeler) 45 minutes requested	<b>PLACED ON FILE</b>
At 4:32 p.m., Council adjourned.		
<b>DUE TO LACK OF AGENDA THERE WAS NO 2:00 PM MEETING THURSDAY, JANUARY 31, 2019</b>		

**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.**

**JANUARY 30, 2019**

**9:30 AM**

**Wheeler:** Good morning, this is the January 30th, 2019 session of the Portland city council, Karla, please call the roll. [roll taken]

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

**Wheeler:** Here. Good morning.

**Heidi Brown, Senior Deputy City Attorney:** Good morning mayor and council. Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during city council meetings, so everyone can feel welcome, comfortable, respected, and safe. To participate in the council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on the resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. When testifying, please state your name for the record and 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 it's 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. Please remain seated in council chambers unless entering or exiting. If you are filming the proceedings, please do not use bright lights or disrupt the meeting. 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.

**Wheeler:** Very good, thanks. First up is communications. Karla, the first individual, please.

**Item 65**

**Wheeler:** Good morning.

**Robert Patterson:** Hi, how are you.

**Wheeler:** Good, thanks.

**Patterson:** Thank you, council. My name is robert patterson. It's been a mantra of mine lately that homeless people should be a protected class. Now such an assertion is pregnant with legal implications, and admittedly part of its appeal to me is the favor you might find with the trial lawyer lobby that seems to steer the wheel of my party from time to time. I realize, however, that statute rarely offers total solutions. To be sure, some rights, the right to vote and to representation are endangered to the homeless. It also, however, occurs to me that part and parcel to liberty is the right to drop out, to go off the grid, Thoreau's Walden would not have been the same were it clogged with tax men. But there are times, rare and momentous times at which one must demand with closed fists to be counted, must demand with closed fists to matter. Times as in selma and stonewall. We live in one of those times today. This white house would strip away the voices of undocumented citizens if it could. It would silence the voices of the homeless, if it could. I

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implore this council not to be an accomplice to that crime. As we approach the 2020 census, it is difficult to overstate the importance of counting every single Portlander. Hanging in the balance is the state's sixth congressional seat, and the future of federal funding owed to this deserving county and city. On another level, a personally meaningful level, there is a more important reason to count every Portlander. And that is the sheer dignity delivered when leaders stoop to recognize even the lowliest among them. Counting everyone says unambiguously that everyone matters. It says to Washington d.c., to salem and to the corner Broadway and Burnside. It says the undocumented will still be given sanctuary. It says that the unsheltered will still be given solace. It takes when many dismiss as a regrettable outcome and transforms it into a beginning full of promise. That is a unique opportunity, indeed, and I sincerely hope that the council not pass it up. Thank you.

**Wheeler:** Thank you. Next individual, please.

**Item 66**

**Moore-Love:** She cannot make it but will submit written testimony.

**Wheeler:** Very good. We'll look forward to that. Next individual, please.

**Item 67**

**Wheeler:** Is Ms. Bowers here today? All right. Maybe she will show up later. All right. Next up.

**Item 68**

**Wheeler:** Good morning.

**Stan Herman:** Good morning. Well, I may be repeating myself for things that I have said in the past, only for the purpose of updating the new commissioner. Like I said before I respect the position that you have chosen to represent the city of Portland. But I must switch this communication from a business communication to a political agenda. Our city leaders are paid to voice our opinions and make decisions. I have seen and heard your remarks and your votes on many issues in council meetings. I have been asking the city leaders for an opinion to my question starting from my first appearance in November of 2016. 26 months ago. One commissioner finally stated, I cannot help you with my problem. I said the only problem that I have is the commissioner will not answer a simple question. Another commissioner happily responded and said to me, I don't know the facts of your case. I have no case I am referring to. I stated, you are just kicking the can down the road and will not answer my question. Another council member, June 11, 2018 said he would line me up with the attorney from the police department to answer my questions. 233 days ago still nothing happening. How long is this going to take? Back to my question, I presented on 11/20/2016. The first peace officer who responded to my hit and run on 1300 North River Street was Officer Jeff Meyers, was he required by the state law to start an investigation according to ORS-830.035? I am not asking for a legal answer, rather please read the ORS and the next page and give me your personal understanding of ORS 830.035. Should police officer Jeff Meyers from the city of Portland police department, the first responder, enforce that ordinance? And I will just take a minute so you have a chance to read the ORS that I gave you in front of you. Lastly for the record, why are you not giving me your opinions of the question I presented back in November of 2016? And I want to get off the subject for a second about the homeless. I don't see any of these people stepping up when my building got burned down, 77,000 square feet. One of the cars got broke into in my business a couple days ago. And the homeless, we caught them stealing one of my vans, and he's being convicted of that. So there is a little bit of how we help the homeless help us. They just don't care.

**Wheeler:** Next individual, please.

**Item 69**

**Wheeler:** Good morning.

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**Sharon Nasset:** Good morning, mayor and council members. Happy new year. It's still new. And thank you very much for your service. [inaudible] elections, so congratulations on the elections, too. I would like to say that I am very appreciative of the fact that we have communications and we have debates, and so forth and that is exactly how our government is formed because you have to hear the individuals, and then you kind of get it all together, and that's how we get our representative government. Right now in Portland, we have a void of a place that is one common hall similar to how faneuil is in boston where you have debate, conversation, and you speak back and forth so you have dialogue, which is when one person says it, and you actually know that they heard you because they can say a comment back. When most of the boards and things you speak in front of, you can't. Many of the people when they get a chance to get up here, it's such a short amount of time. You don't really feel heard. The Sanskrit saying of the journey out of inner turmoil starts with a sympathetic ear. Hearing the person unwinding instead of closing in. And that the wiseman learns more from the fool than the fool could ever learn from the wise. You hear many people when you run for office that say great ideas. That could never be elected. Nobody hears them. They don't feel heard. I deal a lot out in the public and have a lot of meetings, and there are some people that will come up to you, and every time they say the same thing, and very early on I realized that they wanted to be heard. So I stopped. I asked them. And listened. And when I would see them, even though people would shriek, I would say hey, how is, and then I would bring up that exact issue so they would know that they were heard, and say what's new about it? If there was not anything new, they did not have anything to say, and they were no longer caught in that spin. I am hoping that you will get maybe a small place on the southeast where it's easy parking. And set up something similar to how faneuil hall is, which is 10 and 15, 20-minute speeches. People to get to have it on the subject they want. You stay on a subject until it is talked about thoroughly. Everybody in the room votes. It's been talked about or not. I've been lucky enough to be a guest presenter in Oregon and Washington in front of the legislatures. I get there. You get 20 minutes. You barely, you know you're missing all kinds of things that's really important, and then they say, oh, now you can have two quick questions. And the two quick questions, and the person kind of gets to answer it, and they go away and you know it was not really out there. And that's the forum we are offering, and that's why it's -- anyways, so thank you kindly. Are there any questions?

**Wheeler:** Thank you. Appreciate it.

**Nasset:** Good day.

**Moore-Love:** Mayor, Mary Bowers, number 67 has arrived.

**Wheeler:** Very good. Come on up. Welcome.

**Item 67**

**Wheeler:** Welcome.

**Mary Bowers:** Welcome. Thank you for letting me come in and speak, but I want to say hello, everyone. I was homeless, and we found a place to live. But unfortunately, the guy said that he would have an apartment in a garage for us. It was not, it was a room. With no electricity, no water, nothing. Just a room. I later found out that he was running a recovery home. He turned this three bedroom home to six bedroom without permits. And he gave me a receipt. I checked the business name. The business name was disillusioned, administrative disillusioned in 2017 in eugene. So, basically, he was running a business without a license and no permit. He was collecting \$500 per person. There was ten of us. On the receipt, he said recovery fees. I was mad. Because we're not in recovery. So my point is I found out that it's all over the place. In this area. And Portland, aloha, and even vancouver. So I would like every recovery home that says recovery home to be audited. And they need to be affiliated one way or another to dhs, department of corrections, or like, you know, like the corrections of each county, so that way people that are in recovery are



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in a legitimate recovery home. It devastated me because we were homeless. He was scamming everybody that was in that home. They took -- he took advantage of the homeless situation. This is not right. So I would request, and I would like to know if every recovery homes that say recovery homes, to be audited. To make sure that they have a license, that they are affiliated with some sort of doc or corrections or dhs or something like that. To make sure that they are legal. Because we became homeless again. They had a 400-pound woman in a closet. It's terrible. It's terrible. I had to tell her caregiver, get her out of here. So please check into recovery homes.

**Wheeler:** Thank you. What you are saying makes perfect sense to me, and I appreciate you being here to share that. Commissioner Hardesty.

**Hardesty:** Thank you. Mary, you said they were unlicensed?

**Bowers:** Yes.

**Hardesty:** So technically they were not certified by Multnomah county or the state of Oregon or anybody else.

**Bowers:** No.

**Hardesty:** How did you find out this was quote/unquote a recovery home?

**Bowers:** He told us it was. He said that --

**Hardesty:** How did you find him?

**Bowers:** He -- through the paper.

**Hardesty:** So he advertised in the paper.

**Bowers:** Craigslist.

**Hardesty:** And you went and checked it out, and he told you this information?

**Bowers:** Yes, and he even told me that he did not have to file -- go through landlord tenant laws. He has to go through residential treatment. And he had my son arrested.

**Hardesty:** He does sound like a scam artist. It sounds like there is absolutely no legal right that he has to pretend to be a recovery home.

**Bowers:** He wasn't.

**Hardesty:** I hope you filed with the state, what's the -- bureau of labor and industry?

**Bowers:** No. I did with secretary of state, and I am in the process of filing paperwork for the fraudulent --

**Hardesty:** Rental.

**Bowers:** Well, no. For changing the home from a three bedroom to a six bedroom without permits.

**Hardesty:** Is that in the city of Portland?

**Bowers:** It was in aloha.

**Hardesty:** Thank you, mary. Appreciated it.

**Bowers:** But it's everywhere is what i've been informed.

**Hardesty:** I do know that there are a lot of people charging exorbitant rent for a room, and I think we need to talk about -- I don't know what we can do about that, if somebody owns a home and they charge \$1,000 for a room.

**Bowers:** Yeah, what happened was a friend of his, he said, bought the house. Cash. And then he told me that he needed the money to pay the mortgage. Well, wait a minute, there is no mortgage. So he was just conning everybody. They did not catch on but I did because I have the sense of detective work.

**Hardesty:** Your csi skills.

**Bowers:** I have a degree in criminal law, an associate's degree, so, and I am going to go to law school. So.

**Wheeler:** Excellent.

**Hardesty:** Excellent.

**Bowers:** But he was mad at me because I discovered all of this, and he had my son, my son arrested.

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**Hardesty:** Wow. Thank you for sharing, mary.

**Wheeler:** Commissioner Fritz?

**Fritz:** Thank you so much for bringing this not only to our attention but to everybody who is watching at home and it is surprising how many people watch channel 30, I think we're the most interesting thing on during day, which is unfortunate.

**Bowers:** And by the way the charges were dropped on my son. I fought for two months.

**Fritz:** So that the, it sounds like you are pursuing all of the legal moves and had it been in the city of Portland, the bureau of development services could have looked into the unpermitted part. Did you bring it to the attention of the aloha city council? Or to the county board there?

**Bowers:** Not yet.

**Fritz:** Okay.

**Bowers:** I started here, and then I am going to expand to clackamas and also Washington county.

**Fritz:** One of the challenges with our whole system of government, never mind the commission form of government, is knowing who is the entity that can fix something, so you have made all of us aware that this kind of thing is going on and that people should be careful when looking to find that out.

**Bowers:** Yes, and especially if the recovery homes, they need to be affiliated with, like I said, the corrections or something like that because if somebody is coming out of jail or coming out of recovery, you know, recovery, they need a place to go.

**Fritz:** I happen to have a meeting set up with county commissioner sharon meieran tonight, so I will be sure to mention it to her so that she's aware. She is really looking at the health service system. So thank you very much.

**Bowers:** You are welcome. And thank you for letting me come in. I will see you on the 12th.

**Wheeler:** It's good seeing you. Thank you for being here. The consent agenda, Karla, I know that we have pulled one item. I've pulled item number 81, I believe. Are when other items that have been pulled?

**Moore-Love:** Correct. And 73 has also been pulled.

**Wheeler:** Very good. Please call the consent agenda.

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

**Wheeler:** Aye. Consent agenda is adopted. First time certain item, please.

#### **Item 70**

**Wheeler:** Commissioner Fritz.

**Fritz:** Thank you, mayor. I am so excited that this moment is finally here with the director, susan mottet. Please come on up. Thank you. So this is the body which will oversee the accountable elections program, which is Portland's new public campaign financing system that was approved in 2016, has been supported by this council, and we are now at the point of appointing the commissioners who will oversee the program. Each person has shown commitment to improving access for all of our community, and this is a really momentous occasion. Susan Mottet, the director of the open and accountable elections program is here to give us more background on each applicant. They were invited to be here. They all have jobs and were not able to be here on a wednesday morning.

**Susan Mottet, Director, Open and Accountable Elections Program:** Thank you. The open accountable elections ordinance creates the open accountable elections commission to help implement and oversee the program. The code requires me to nominate nine individuals to the commission, and the council to approve the appointments. The code sets out two criteria for members. First have an interest in campaign finance, and second, reflect the diversity of the city of Portland. In addition we asked the voice for all Portland coalition, which helps move the law into -- move the ordinance into law, and has been

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helping implement the law. What skills and experiences would be helpful to have on the commission to assist in their carrying out their duties well. The coalition helped us identify the skills and the experiences that we would like to see, and also helped us recruit four members for the commission. The following nine nominees collectively fit the required and desired criteria. First is amy ruiz, who has 15 years of experience in campaign management and journalism, including as news editor at the Portland Mercury. Amy has managed campaigns and communications for ballot measures including the Oregon united for marriage campaign and the 2014 Portland parks recreation replacement bond campaign. She previously served as chief of staff and communications director with mayor sam adams and currently serves as senior vice president of strategies 360. Amy Sample Ward is the ceo of a NTEN, a nonprofit that helps community organizations use technology to better achieve their missions. She believes technology can help nonprofits reach their missions effectively, efficiently and inclusively, and she is interested in everything from digital equity to social innovation. Her co-authored book, social change, any time, everywhere, was a terry mcadam book award finalist in 2013. Cindy yang is a language interpreter. She has held positions as a restaurant server, in insurance sales a cashier and casino slot technician. Cindy hopes the open and accountable elections program helps candidates that represent hard working people like her and her family win elected office. Courtney helstein brings a depth of experience from her prior experience managing campaigns and as the former deputy director of the senate democratic leadership fund. She serves as the board co-chair of the Oregon women's campaign school where she works to recruit and train candidates and campaign staff and is the director of government affairs and campaigns at strategies 360. Daniel Lewkow worked tirelessly to help pass the open and accountable elections ordinance, as deputy director of common cause Oregon, and in addition to other democracy reforms at the state and local level. He currently manages criminal justice reform for the aclu of Oregon. Norman turrill has represented the league of women voters in numerous leadership roles at the national, state and local levels. Among his many accomplishments he was appointed by secretary of state bill bradbury to Oregon's campaign finance disclosure panel, which led to the adoption of the orestar campaign finance disclosure system. Norman is a retired software engineer who enjoys skiing and singing in his church choir. Ricardo Lujan-Valerio is an immigration education and elections policy advocate. He was born in Nezahualcoyotl, Mexico, and emigrated to the united states at the age of nine. He graduated from rogue community college in southern Oregon university, he has the aclu of oregon's policy associate, he previously served as the state board co-chair for unite Oregon and the bilingual, bicultural organizer for the rogue valley chapter. He's worked with local governments in rural southern Oregon to improve policies and practices using an equity lens as well as helping uplift the voices of immigrant communities and promoting civic engagement. Serin Bussell is currently chief of staff to a state senator, used to work as a geologist for the Oregon department of geology and mineral industries. After she completed her mba, she became part of the metro's diversity, equity and inclusion change team. She is looking forward to bringing her experience in campaign management, nonprofit administration and project management to the commission. Tom simpson was recommended for the commission by the Portland business alliance. His 30 years of work experience includes stints at a large tech company, a boutique consulting practice and now is the director of government regulatory affairs at the standard, a financial service company. Tom serves on the boards of Portland youth builders and Oregon state parks foundation. For more information please refer to your packet of longer bios on the nominees, which will also be posted on the open and accountable elections web page. Terms will be staggered as outlined in the code, the commissioner who decides to take the long and short terms, the commissioners will decide

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who takes the long and short-terms and the report will be filed for a future council agenda. I am available for questions.

**Wheeler:** Looks good. Colleagues, any further questions? If not, I will accept a motion.

**\*\*\*\*\*:** So move.

**Eudaly:** Second.

**Wheeler:** Commissioner Fritz, neither proposed nor seconded the report, and I will give that to commissioner Fish as the proposer and commissioner Hardesty as the second, and any further discussion, please call the roll.

**Fritz:** Really enthusiastic, colleagues, thank you much. I am absolutely delighted, thank you, director Susan Mottet. You have been doing an amazing job in a short time. Thanks also to Anna Pycior, the deputy director who assists in staffing the commission, to Cristina Nieves on my staff who is an integral part of the team and Tim Crail who has been my partner in getting this program going. Thank you so much. And thank you to the appointees for their willingness to volunteer to serve the city. Aye.

**Fish:** It sounds like an exceptional group of people, and the only additional piece that I have a concern with is given the work done to address conflicts, potential conflicts of interest and the training requirements of boards and commissions, just making sure that as each of these commission members are onboarded, that they get the training they need in how to be successful on this particular commission. I think this is the highest, most visible commission that we have appointed since we implemented the reforms. And I am not sure post Judy, who is now the point in the city attorney's office, but I know that commissioner Fritz shares those concerns and that these will be addressed as part of the onboarding, Aye.

**Hardesty:** I just want to appreciate commissioner Fritz for just being consistent in making sure we move this process forward. I mean clearly we have had a lot of kind of roadblocks in our path, and I just want to thank you, commissioner Fritz, for your leadership in getting us to this point, and thankfully we will have an oversight committee in place very soon. And thank you also for your hard work, Susan. Aye.

**Eudaly:** Well, thank you to commissioner Fritz. Thank you to the individuals willing to volunteer their time to serve the city, and thank you, as well. I vote Aye.

**Wheeler:** Well, commissioner Fritz, when you have every member of the council trying to both make the motion on the report and second it, you know that you've had something right. So congratulations and thank you on your work. I think it also speaks to the quality of the people who stepped forward to serve on this commission, so I want to thank each and every one of them individually. This is a great start. Thank you for it. I vote Aye. The report is accepted, the appointments are approved and thanks for your good work.

**Fish:** Mayor, because we are so far ahead of the schedule, can I suggest we take care of the second readings?

**Wheeler:** Why don't we go to the end of the agenda, please, the end of the regular agenda. Please call item 88.

### **Item 88**

**Wheeler:** This is a second reading of an ordinance. There's already been a presentation and public testimony. Is there any further discussion on this item? Hearing none, please call the roll.

**Fritz:** Aye.

**Fish:** Colleagues, I want to again thank Emily Roth from Portland Parks and Rec and Kaitlin Lovell from the Bureau of Environmental Services. We are very fortunate to have two people of such exceptional talent and such strong values leading this effort. I want to thank Jamie Dunphy, in my office who is the liaison to the Bureau of Environmental Services, and I also want to acknowledge that at a time when we seem to be fighting the federal government in many forums, including court, it is refreshing that we have such a strong partnership with

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the u.s. Army corps of engineers, and they have done exceptional work as our partner in protecting juvenile salmon and right now our team is either in d.c. or on route from d.c. after doing lobbying. We are hoping to get the next round of funding. As you heard last week, it is primarily a federally funded program where we get credit for things like land and in-kinds. So it's a win-win. We are very proud of the two plans that we have already implemented, at crystal springs and oaks bottom, and we look forward to many more in the future. Aye.

**Hardesty:** Aye. **Eudaly:** Aye.

**Wheeler:** I vote Aye. The ordinance is adopted. Thank you. Next item, please.

#### **Item 89**

**Wheeler:** This is also a second reading. Please call the roll.

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

**Eudaly:** I am so pleased to see significant progress on the safety improvements near george middle school. I want to thank the community members and advocates who have raised their concerns as well as provided input on the solutions. I also want to thank pbot staff, Winston Sandino, Dan Layden, and Lale Santelices, as well as the speaker tina kotek and her staff for all their work on this project. I vote Aye.

**Wheeler:** I vote Aye. The ordinance is adopted. We will go to the first pulled item, 73.

#### **Item 73**

**Wheeler:** I believe I am the one who pulled this. I'm not sure if anybody else did. There was a scrivener's error on this. This should not have gone to the consent agenda in my opinion. So I will give the presentation since nobody is available to do that at this time, since we are a bit ahead of schedule. The bureau of technology services is contracting with the security vendor known as fortinet, inc., to replace citywide end of service data network fire walls with next generation fire walls, so this is an upgrade. The city is using a cooperative purchase agreement to expedite this procurement. The contract shall have a five-year base with an initial not to exceed value of \$2,250,000, and an option for an additional five years, not to exceed ten years in total. The not to exceed amount is \$4,500,000 for the life of the contract. Fire walls of course are critical to the city's cyber security needs, in compliance requirements, for payment card industry requirements, personally identifiable information, otherwise known as the industry's pii and protected health information. That is of course, protected through the federal HIPAA act. This contract would be authorized as quickly as possible to avoid a lapse in citywide fire wall security protection. This ordinance provides the bureau of technology services with sufficient time to effectively migrate to the new data network fire walls. There you have it, any particular questions on this? I will do my best to answer them. Otherwise we will go to public testimony.

**Moore-Love:** I didn't have a signed up sheet for the pulled item.

**Wheeler:** Is there anybody who would like to testify on this particular contract? Please call the roll.

**Fritz:** You did an excellent staff job, mayor. We should, somebody should hire you. Aye. [laughter]

**Fish:** Aye. **Hardesty:** Aye. **Eudaly:** Aye.

**Wheeler:** Aye. The ordinance is adopted. And I understand the director severe is here and we can go to item 81.

#### **Item 81**

**Wheeler:** Good morning, director, thank you for being here.

**Constantin Severe, Director, Independent Police Review:** Good morning, mr. Mayor and members of the council. So as the mayor stated, we are asking for the current contract that the city of Portland has with the oir group to be extended to january 31, 2020, and that compensation not to exceed \$60,000 for the new contract amount of \$200,000. This would

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also include completed officer-involved shooting cases and in-custody deaths that are closed by July 1st, 2019. The current contract went into effect in October of 2016. There were at that time 11 cases that were eligible for review. As of this time, OIR has reviewed 15 cases. There is currently an amount of money left over in the contract, but not enough to conduct a review of additional cases. The plan is that with the ordinance being approved, that OIR approve -- I am sorry, OIR will review cases from the last half of 2017 and six cases from 2018 for a total of nine cases, which would allow us to provide useful feedback to the police commissioner and the police bureau in a timely manner. One of the issues with these outside reviews in the past has been providing useful reviews of these cases in a timely manner of -- in the past there have been some cases that have been six, seven, eight years old, and the hope is with this last report under this contract, that OIR will conclude its report and there would be no cases older than two years old.

**Wheeler:** Very good. And Director Severe, I had a question. So I have seen the draft of addition six of the OIR officer-involved shooting report and I assume that if we extend this contract, is that to include additional information then or will there be an addition seven or how does that figure with what I have already read?

**Severe:** Right. So as you stated, there is a report six that will be in front of the council next week. The OIR group, if this ordinance was passed, would have, basically, report seven, so there would be nine cases. So it would be cases from May 31st, 2017, to cases December 31st of 2018.

**Wheeler:** Very good. And so that will, basically give us more cases. When would we expect to receive those and when would those reports be made public?

**Severe:** I would anticipate on the outside that it would be available at this time next year. My hope would be, for it to be sooner. But it kind of depends on whether this contract or the ordinance is approved or not, but with the nine cases, the other issue, which is not something that we've run into in the past, some of those cases that are currently up are still under investigation. But our hope is that the investigations would be closed by -- at the latest by this spring.

**Wheeler:** Okay, very good, and just to confirm for the public, this is not the police bureau. This is an independent organization, and it is, actually contracted through your office in the independent police review office.

**Severe:** Right. So this is something that is a creature of city code where as part of the IPR's responsibilities is that IPR will hire an outside review to conduct its own analysis review of all closed officer-involved shooting and custody death investigations and the closed part is the critical part of it, and that's some of the things that have led to the delays in the past.

**Wheeler:** Very good and then that report, as with the one that's coming to council, I believe, you said next week, if I remember correctly, it's on the schedule for next week.

**Severe:** Yes, sir.

**Wheeler:** Then the police bureau will respond to the findings in that report in a public environment. So this really comes under the heading of public transparency and accountability with regard to officer-involved shootings.

**Severe:** Right. And there have been a number of recommendations in the past that have come from these OIR reports. The fact that the city of Portland conducts administrative investigations on all officer-involved shootings is the result of these outside reviews. The end of the 48-hour rule, that is something that OIR group, in particular, and some of its more recent reports made a recommendation to the city on when that was an issue a year or so ago. It was one of those things where because of my own reading and I know many members of the public issue read those reports, when I felt that was delaying the completion of some investigations, I was able to kind of make that argument with that, basically, in my back pocket.

**Wheeler:** Very good. Thank you. Any questions for the director? Commissioner Hardesty?

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**Hardesty:** Thank you. Thank you, director. So we have been contracting with oir since 2010. And what I have noticed is that oir continues to make recommendations that the police bureau chooses not to implement. What value are we getting from getting recommendations over and over and over again? You, actually, made the -- you talked about the 48-hour rule. That was in the 2010 report. Right? So nothing happened with that until it was part of a police union contract negotiation. And so I would like to have the principals come and actually tell us like we've been making recommendations for a decade. What's changed? I am seeing the same recommendations in the report that we are going to get next week.

**Severe:** You know, the thing about the oir report, I think, it is a good -- I think it's one of the best parts of us as a people as Portlanders of having outsiders looking at the work that the city employees have done and making their own independent examination of the records. On the 48-hour rule, the issues within the Portland police bureau or Portland police association contract, that was an issue that was at the police bureau level, and at the council level. So when oir first made that recommendation, that the 48-hour rule should go away, the city through council approved several, or at least one contract that had that provision within it. And oir came and talked to council after that happened and talked about how that was problematic and how that was not within keeping of best practices. And so the ability to have outsiders that are able to speak the truth of power to city council and to the police bureau, I think has provided us as Portlanders a better product.

**Hardesty:** I would have to disagree with you because again that was 2010. It was actually removed in 2016. So how is that better?

**Severe:** So we don't have that now.

**Hardesty:** Are officers interviewed immediately on-site today, because my understanding is that we don't have the rule but we are operating as if we still have the 48-hour rule.

**Severe:** So officers -- my understanding of the expectation is that officers will be interviewed within 48 hours. So oir, in their recommendations to the police bureau and to city council, because this document is to you, as well, that the method that oir would prefer is that a more immediate administrative interview of the involved officers, but ultimately, just like in the 48-hour rule situation you know, the police bureau has its role, the city council has its own obligations, as well in making policy for city bureaus and what oir does is provide recommendations to the city, to the city. And it is ultimately up to us as the city to make that determination. The city council determined the 48-hour rule was anathema to our values, and it took an inordinate amount of time according to some members of the community, so, ultimately, it is for us as leaders within the city and for elected officials to take their responsibilities, so oir is not going to do our jobs for us.

**Hardesty:** My question is, based on the number of recommendations that have made by oir, over the last ten years, can you tell me how many of those recommendations have actually been implemented?

**Severe:** That I could not tell you. I could tell you that the police bureau has agreed with the majority of the recommendations. I think one of the issues, and which is mentioned in the current report, is particularly on the use of the police review board and what is its purpose of whether it's just a disciplinary board or a more proactive board? The oir group has made a number of recommendations on how that board should be reformulated and the police bureau has not followed up to the extent that the oir group I believe is satisfied with. I think it's one of the things about the oir group is when they do make a recommendation, they follow up. And they do provide that transparent piece of documentation, their reports, that members of the public and you as an elected official can hold the police bureau accountable. Can talk to your colleague, the police commissioner, and ultimately council can make that determination because the oir group report is a tool for leaders to hold, I think, the most important bureau in the city accountable. When you look at other cities in

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the country and what they do to hold themselves accountable, I think, the fact that we have these outside reviews is something that Portland can be proud of.

**Hardesty:** Mayor, I would really like to have the principals of the oir come and, actually, give us a presentation about what they have done over the last decade.

**Wheeler:** I believe they're planning on doing that, aren't they.

**Severe:** So oir will be providing a presentation on their report, and it will include kind of some of their recommendations that they have made in the past and what has been implemented and what has not been implemented by the police bureau.

**Hardesty:** With all due respect I am less interested in report number six and I am interested in a totality of what we have accomplished in a decade of receiving these reports. So I would very much, I would very much like to have oir group, when they come, be prepared to testify on what recommendations they have made over the last decade and then what recommendations have been implemented and then what the reasons are, and I am sure that we can ask the police bureau what the reasons are for the recommendations that have not been implemented. It's been way too long with us just getting reports, and then it goes away and we come back with another report.

**Wheeler:** Well, I don't see why that would be any problem, but I want to be very clear and maybe I am just restating what director severe has said. These are outside consultants. They give us an objective view. They state very clearly in black and white what they believe that we should do differently. And it's up to us as the city council and it's up to the police bureau to either implement those reforms or explain why they choose not to implement those reforms. So really, I am not sure it's oir that we want to necessarily put in the hot seat. It's really us and the police bureau, and frankly, me, as the police commissioner in terms of what has or has not been implemented and why not. The real question before us today is should we extend the contract with oir to include those other officer-involved shooting situations, and that really is dependent upon your belief as to whether or not you think that they have identified the correct issues or whether their protocols are such that they have not.

**Hardesty:** And I won't know that until I know what, you know, like what has been implemented over the last decade. I am concerned about extending a contract and just doing the same old, same old. Right, they come, they report, we say thank you very much, the police chief decides what they will or won't implement, and then we go away until the next report comes. For me, it's been too long without some real analysis about whether we are getting what we are by paying for.

**Eudaly:** Mayor?

**Wheeler:** Commissioner eudaly.

**Eudaly:** Director severe, when is the last time that oir brought a report to council?

**Severe:** January 2018, I believe, or february 2018.

**Eudaly:** So they are annual?

**Severe:** At this point, yes. That is our goal in trying to bring them, and one of the reasons for this contract extension is so that we can actually have some timely reports as opposed to talking about the cases from four or five years ago.

**Eudaly:** When will they be coming with the next report?

**Severe:** So report six will be in front of council, and which is not available to the public yet but will be made later, available to the public later in the week on – they will report to council, I believe, february 5th. And that report will be made to members of the public later in this week. If the contract is extended and there is another report, my hope would be that they would report to council no later than a year from today.

**Eudaly:** And you said that they will highlight some of the recommendations that they've made over the years, and speak to whether or not they have been implemented. Would it be possible for your office to assemble a comprehensive -- I hate to ask you this, but --



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because it has been a long time, ten years, but a comprehensive list of recommendations and the status of each one of them? Sorry.

**Severe:** Of course.

**Wheeler:** Commissioner Fritz.

**Fritz:** Thank you. Is there any reason why we have to approve this contract before we have had that report come to council?

**Severe:** Question for me? So I would say that those are two separate issues. The ability for us to provide our information on the cases that are basically kind of up for review and allowing, you know, the bureau to provide that information so we don't overspend and so that we are diligent stewards of the city funds and I really don't want to be in a position of overspending on a contract that has not provided us, that we have no authorization for by council.

**Fritz:** This is a non-emergency ordinance anyway, right? And you going to be doing the report next week? Is that correct?

**Severe:** Yes.

**Fritz:** So --

**Wheeler:** The second vote, I mean the vote would actually take place next week, and we can hold it off until after the report if that's the will of the council.

**Fritz:** Yes.

**Wheeler:** Good. So any further questions? We will open this up to public testimony, but I want to be very, very about what the testimony needs to focus on. This is not a session on officer-involved shootings. That will be some other day. This is a question of whether or not we should extend the contract for our for \$60,000 for the purpose the director severe from ipr had mentioned. With that, we'll take two minutes of testimony for whoever would like to.

**Moore-Love:** I'm sorry. I did not have sign-up sheet for this pulled item.

**Wheeler:** Who would like to testify on the extension of the contract. Thank you. Come on up. Anybody else? Going once, going twice. Dan, you speak for many. Welcome.

**Dan Handelman:** Good morning. My name is dan handelman, with Portland cop watch, and this is the first time I have had the pleasure of testifying in front of commissioner hardesty, and I am glad it's on this topic because we have been talking about these reports and officer-involved shootings since 2001. For those who don't know the history of this contract is that when the old oversight system was changed into the ipr crc system, auditor gary blackmer refused to include deadly force incidents, refused to allow ipr to investigate deadly force incidents, refused to allow citizen review committee to hear appeals on deadly force incidents. Jose Mejia Poot, day laborer was shot by the Portland police in a mental health hospital and the community demanded council do something around the officer-involved shootings with the civilian oversight body, so the auditor's response was to create these annual reviews of closed cases, which is really not what the community wanted and it's still not adequate. That being said, while I understand commissioner hardesty's concerns, there have been some recommendations that have come forth from the our group that have been implemented. Certainly the 48-hour rule was something the community demanded long before they even put it in their report, and a part of the change came from community activism, and part of the problem is that these reports are given to the bureau and the city council, and we're already discussing whether or not they are being implemented, and the community hadn't had a chance to weigh in on these recommendations yet. And I am really hoping that the mayor will open up public testimony next week when the report comes before council, because last year we were up for the first time since 2003 when the report started coming out, were not allowed to testify in these chambers about these very important issues around police shootings. And I just want to add too that the next report is going to be a very thick one because there have been seven deadly force incidents in 99 days between september 30th and january 9th, or

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January 6th, which is more incidents than happened in a single year since James Chasse was killed.

**Wheeler:** Thank you. Good morning.

**Diana Ogas:** I am Diana, and I just want to encourage the council to hold off on extending until the full report has been received. I don't feel that it would be wise to extend something that hasn't been completely reviewed and also allowed public to be made aware of what's going on. I think that there is a history starting back when this was, you know, this is 2019, nine years, and it seems like this next report is going to be very thick. There is going to be a lot on the table, and you know, I think it's best to allow everyone involved to have the opportunity to speak because again, we already heard public testimony, and the communications, how important it is to speak, how important it is for us to hear one another, and, you know, put our concerns on the table, in a logical, rational way and come up with a positive solution. I would also say one thing to consider you know, who is on the board for the ORI, I mean, who are the people putting this material together? How are they speaking to the Portland Police Department? Is it in a respectful, reasonable way? These tensions and matters are very serious. And they should be spoken with logic and legitimate concern. A sympathetic ear is going to take you a long way, same with the sympathetic voice.

**Wheeler:** Thank you both. Appreciate it. And just to be clear we decided -- this is a non-emergency ordinance anyway, so it won't be voted on today. It will be moved to next week, and we've agreed as a council to hear it after we hear the report.

**Diana:** Thank you, Mayor.

**Wheeler:** Thank you. Thank you both. With that, this is a first reading of a non-emergency ordinance, it moves to second reading. We will now move to time certain item 71.

#### **Item 71**

**Wheeler:** The council will now take up item 71, it is time certain to conduct a public hearing on the proposed assessment associated with the remonstrances for sidewalk repair at a property owned by Kyle Bell and located at 2370 Southeast 60th Avenue. This matter is being heard by the council pursuant to Portland City Code section 17.28.160. Note from my colleagues, this is somewhat of an unusual proceeding. It follows a different protocol than what we are used to hearing for hearings. This has been -- this is the framework that has been suggested by our legal counsel and the bureau. The council is conducting a public hearing on the proposed assessments. The council shall consider and make its determinations based on the requirements the Portland City Code section 17.28, and the city's specifications maintained by the city engineer. The council shall affirm or modify the proposed assessments based upon its findings. And the council's decisions shall then be implemented by ordinance, which sets forth the council's findings and decisions. The decision of the council may be appealed to the court by writ of review. The hearing will be conducted as follows. First of all, the Portland Bureau of Transportation will have ten minutes to make their presentation. The homeowner, Kyle Bell, will have ten minutes to present. The bureau will have five minutes to present any rebuttal information, if desired. The council will then receive public testimony which will be limited to two minutes per person. The council will then have an opportunity to ask questions of any of the presenters. The council is asked to hold all questions until the presentations of the bureau and the homeowner, Kyle Bell, are concluded. And that is of course, somewhat different from the usual protocols. Council will then make findings and a determination based on the requirements of Portland City Code section 17.28 and the city specifications maintained by the city engineer. In making its findings, the council may do one of three things. First, either adopt the findings in the statement of findings from the bureau, or number two, modify the findings in the statement of findings from the bureau, or number three, adopt its

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own findings. The bureau will then return to council with an ordinance that comports with the council's findings, and determination. Legal counsel, is there anything I forgot?

**Heidi Brown, Chief Deputy City Attorney:** No, Mayor. That was everything. Thank you.

**Wheeler:** Okay, very good, and with that, the Portland bureau of transportation will have ten minutes to make a presentation. Welcome and thank you.

**Tara Wasiak, Portland Bureau of Transportation:** Good morning. I am Tara Wasiak, the pbot maintenance operations group manager and this is my colleague, amy.

**Amy Roberts-Santistevan:** Amy Roberts-Santistevan.

**Wheeler:** Good morning.

**Roberts-Santistevan:** Good morning.

**Wasiak:** Great, so I am just going to give you a little background on the situation that brings us here today. On bring April 18, 2016, the sidewalk inspection office received a report of an unsafe sidewalk at southeast 60<sup>th</sup> just north of southeast division. This is a photograph of that hazard. So as a matter of course we went out to investigate that hazard, and we investigate the full block face so all of southeast 60<sup>th</sup> from division to southeast sherman was inspected for hazards. This is done for efficiency of inspection and also to keep the peace in the neighborhood so neighbors don't have to call in hazards on each other on a block. On July 18, 2016, a sidewalk repair notice was sent to mr. Bell in accordance with Portland city code. Per code mr. Bell had 60 days to obtain a permit, complete the repairs himself, or hire a contractor to do so. Or request that the city make the repairs. He did not do so until on July 27, 2017, a reminder letter was sent to mr. Bell. So at the time the estimated cost of repairs was \$7321. And this was if the city does the work for mr. Bell, and when the city does it, the work is guaranteed for three years and these charges include the full block replacement. Oftentimes property owners get approval to do minimal repairs, which can result in substantially lower costs. So the repair notice sent to mr. Bell included a diagram that located the hazards on the sidewalk abutting his property, and this is that diagram. The repair notice also includes the standards that the sidewalk inspection team uses to identify hazards. So in this instance, in the city of Portland, we use a half-inch standard, and often it seems stringent at first glance but from a safety standpoint larger deviations are sort of easier to spot, and therefore, easier to navigate, whereas, these half-inch deviations are harder to see, especially at night, and often can result in trip and falls. This standard has been in the place, in the city of Portland for at least 30 years. Portland is not alone with this standard. Other cities use this half-inch standard. Seattle, for example, sacramento, and even denver has something a bit more stringent, which is any change in the official grade of the sidewalk. So Portland is not alone. So to continue on the time line, on August 29<sup>th</sup>, a final inspection was requested by mr. Bell, and performed, and since no work had started, the property failed inspection. On September 15 of 2017, a sidewalk inspector met with mr. Bell, and minimal repairs and financing options were discussed at that time. In November of that year the property was posted with a door hanger by a contractor working on behalf of the city, and in December the work was completed and the contractor was subsequently paid for the work. So in February of 2018, mr. Bell appeared before city council to contest the need for repairs. The validity of the charges, and to point out that more hazards, more hazardous sidewalks exist in other parts of the city. Based on that testimony, the assessment was reviewed for accuracy a revised assessment and determination of remonstrance was sent to mr. Bell in May of 2018. So one of the contested areas was the property line on southeast division. You can see in the tree line, oops, I am sorry. You can see in the tree line there where there is a fence. So the assessment was reviewed to ensure that we were not including any repairs that went beyond mr. Bell's property line. The other contested area was the property line on southeast 60<sup>th</sup>. This was a bit harder to determine if it was on his property line or not and so it was removed from the assessment. So this is the aerial review of that

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hazard. And from this vantage point, it is not a part of his property, and it was removed from the assessment. So the revised assessment was sent in may of 2018, and it reduced the price to \$5,599. In June of 2018, Mr. Bell appeared before the city council for a second time. The sidewalk maintenance office was directed by council to further investigate the situation. So from June 18<sup>th</sup> to the 29<sup>th</sup>, Mr. Bell and Pbot's administrator of the sidewalk repair contractor's exchanged a series of emails and the areas of concern include a curb repair, and the placement of a door hanger by the city contractor so there was a field decision to leave the curbs, instead of requiring placement of the curbs. It was determined in the field that saw cut of the curb could mitigate further deterioration, and it was deemed safe, and so the curb was not required to be replaced. As for the placement of the door hanger by the city contractor, this is a view of Mr. Bell's property, the door hanger was placed on the railing at the stairs, what they thought was the front of the house, but in fact, apparently the entry to the house is along the driveway to the north on 60<sup>th</sup>, and the door hanger was not placed on that door. The door hanger is not a legal obligation, it's a courtesy and the contractor did a reasonable job to find the right spot. So in September of 2018, the city engineer reviewed the remonstrance of assessment and determined that the work was required by city code and that the charges were appropriate. In recognition of the hardship that these repairs can present, and in an effort to resolve the issue, the permit fee and the 10% auditor's fee were waived at that time. So the revised total is 4,825 for these repairs. We believe that the assessment is fair and reasonable for the work that was performed. Here are some pictures of the completed work. This is southeast division looking both east and west. And this is southeast 60<sup>th</sup> looking north. With Mr. Bell's engagement and with the partnership of the city ombudsman, Margie Sollinger, the sidewalk repair inspection process has been improved. And the repair notices that go out as well as the frequently asked questions that accompany those repair notices have been updated to clarify a couple of things. One that there is no obligation to use contractors that solicit business. They do not have partnerships with the city, and so we have made it abundantly clear that the property owners do not have to use contractors that contact them for the work. We also are more explicit about the possibility of making minimum repairs. And we are more explicit about the financing options that are available. And in partnership with Commissioner Eudaly's office, we are also exploring new initiatives to change from a proactive inspection system to address equity concerns. Currently, we are a complaint driven system, so exploring how we might use the resources to proactively inspect is being explored. We're also looking into new financing strategies to reduce the burden on low income property owners, and we are developing a strategy to address repairs needed on city owned properties. So that's the background, and that's how we got here today. And myself and Amy will be available for any questions. Thank you.

**Wheeler:** Very good. Thank you. And next up, the homeowner, Kyle Bell, will have his time to present. Good morning. Do you need a copy of this?

**Brown:** No, I am fine, Mayor. I will watch. If I have any questions – thank you.

**Wheeler:** Okay.

**Kyle Bell:** Okay, I am Kyle Bell. Mayor and commissioners, thank you for the opportunity to speak before you today. I want to start with former Commissioner Saltzman's chief of staff, Matt Grumm, who I think is here today, and ombudsman Margie Sollinger, confirmed that Portland citizens do in fact have the right to a sidewalk appeal before the Mayor and Council so I appreciate that. This forum should be considered my appeal. This is my first and only appeal. It's been stated previously by Pbot employees that I already had my appeal, and that simply is not true. I am going to provide some background context. For years individual homeowners have been responsible for the maintenance and upkeep of the sidewalks and curbs surrounding their home. What is not widely known is the process that we go through, if a citizen doesn't agree with Pbot's sidewalk assessment. What you

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will hear from my experience is a changing of rules, the breaking of their own regulations, omitting work orders, adding new work, cutting corners and creating what appeared to be a series of mistakes, that I have now been saddled with their multi-thousand dollar bill. There are a few things I need to make clear, I am of course 100% all for safe sidewalks, free of tripping hazards and I understand a homeowner's responsibility to that. I also completely understand a citizen in the situation has several options as I have heard in previous times that I've talked to you. You can hire your own independent licensed contractor to replace the sidewalks. As a homeowner with a permit you can work on your own sidewalks. We can allow the city, through their chosen outside contractor, to replace your sidewalks for two or three times the actual cost needed, and then they send you the bill. And last we have the option to appeal the entire need to have our sidewalks worked on or replaced. The picture -- this is a picture of the sidewalk moments -- and it's in your packets, it's the very first picture. Moments before my sidewalks were torn up, they were not hazardous, they fit well within the standard of every sidewalk throughout my neighborhood and the entire Portland metro area. There are no trees along my property pushing up the sidewalks and there are no sinkholes, no tripping hazards whatsoever. Upon receiving the pbot sidewalk notice, of which I thought was my first, but I've been told was my second, my initial reaction that it was a mistake and that pbot was referring to the recently replaced sidewalk panels just up the street from my property near my -- I have a unique easement, and continuing further on up the street, it seemed like the notice simply went to the wrong address. All these are just pictures of my sidewalk. There are a lot of leaves. I wasn't particularly concerned at the time as my neighbor, a retirement center, had already done their repairs, and it simply felt like the city was a little behind on the notice and they sent it to the wrong person. Not to mention at this point there was no actual paint on the sidewalk to describe what was being viewed as non-compliant. In other words no visuals or an otherwise very normal looking standard sidewalk, free of tripping hazards and trees. This is the kind of the description of the sidewalk I was talking about where it went up my neighbors, this is kind of highlighting what was -- what I was seeing, basically, right at the end of my driveway. After receiving the second notice, what I am told it was the third, is when I took action. I began the process of alerting pbot of where the property lines were and where my easement was and it was from my neighbor's property, and they were sending it to the wrong address. That's when I was able to meet up with a person named Adam Hogan. We arranged a day to get together and I wanted to show him that I didn't have any -- there were no tripping hazards, no trees. So he came to my house, but he immediately walked me around to the front where now things were actually painted out at this point. Sorry, I am getting ahead of myself. There was spray paint, sort of outlining these inconsequential imperfections in the concrete. In other words, there was narrow lines, some of these are built, originally designed expansion seams used to allow concrete to expand and contract with temperature changes and some small cracks. The same that exist in every sidewalk everywhere. No tripping hazards, no danger. It was stated in a previous council meeting by pbot inspector mike [inaudible] that mr. Bell did not respond until he was marked out. When he got marked out, he responded to a request of final inspection and no work was done. Mr. Bell came to the last assessment, and that was even said today too by tara. This is clearly inaccurate. Who would call the final inspection when no work had been done? I called pdot to my property to show them that I felt like they were alerting the wrong property owner. This is, actually, a description of what you receive when it comes in the mail, it's not all kind of put together. And the difference between looking at that versus that. It did not stand out to me as my sidewalks, initially. Particularly before there was any paint or anything. Mr. Hogan was the second person to inspect my sidewalk. The first inspector turned in the original report. There was no alternate fixed option given to me, although that was mentioned by tara today that it was

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not discussed at all. There was nothing in the paperwork and no verbal description of minimal repairs that could be done. The curbs were called out specifically by the original inspector and Mr. Hogan to replace them although I thoroughly, wholeheartedly, disagree with the hazard assessment. Pardon me, a lot of talking. Looking to the city of Portland, Pbot properties is an example of compliant sidewalks only uncovered that even the city's properties didn't abide by the very sidewalk rules and regulations by which they enforce. Mr. Hogan informed me my sidewalks were called out most likely because the neighbor's trees, which Tara also pointed out. They will check the property called out and they go down the block and around the corner, and my house is on a corner so they went on both sides of it. It was recommended that I have a contractor come and look at my sidewalks, and the contractor that I called came out. He started working up some rough numbers in his head, when I pointed out I needed to replace the curbs he stopped and stated I don't do curbs. You have to shut down a lane of division, multiple flaggers, both remove and for both the removal and rebuild and dig down well over a foot when removing the original chunks. It's a big job. I am going to sort of get to the sidewalk. You can see, I brought this as an example of what a curb looks like that's getting replaced. Eventually, a construction crew paid for by the city showed up unannounced and began tearing out my sidewalks, no warning, no notice, and they don't pull a permit. Pbot is not required to, no door hangers a few days before construction. They did not hang it on that corner. The corners barred off and it is a completely different zip code and address on that door. After the sidewalk construction was completed my final inspected and officially approved, they sent me a non-itemized bill, and there is no idea of what cost what. I informed Lee Munson that his crew had completed work over my 60<sup>th</sup> avenue property line. There is this random patch of concrete that was apparently a former bus stop. This wasn't even in the sidewalk. They claim -- remove it from the -- the claim was that they removed it from the bill since I pointed it out but there's no way to know that when you receive the large bill and suddenly they knock a few hundred off. There is this -- this is the property line on the other side of my property where I informed them that they also went over that property line. Along the property, if you notice on the -- they have the schematic of what sort of work needed to be done. It did not include -- there is these three patches of triangles that they've added within my sidewalk where they say they don't do partial square replacements. I've ended up with three of these partial square replacements. It's written right on their website that they don't do that. This last one that's pictured now is popping up slightly and has nearly become a tripping hazard already. And then the final bit, this is actually an old picture of my house from the 1970s. They included this pole right here I am highlighting because they literally were having me redo a small patch of grass around that pole that was put in by bell phone system or pge or something. It was just all like -- it felt like there was various areas around the complete house that I was not able to take responsibility for. Or go beyond my neighbor's property. Get to the point, when you add up not doing the curbs, this was probably the largest stumbling block for me as a homeowner. When you are faced with how you are going to replace these -- how you're going to shut down a lane, have flaggers, it becomes a near impossible task. It's sort of, it's written here. They will put it down as a \$300 item on a bill, and it just really isn't accurate, at all.

**Wheeler:** Just a point of order here. Are you close to the end of your presentation? And if not, what we could do is potentially give you a couple of extra minutes to finish up your arguments, but then I'm going to extend that same courtesy to the bureau, is that acceptable with legal counsel?

**Brown:** Yes, mayor, it is.

**Wheeler:** Very good.

**Bell:** I appreciate that. Just as an example. I don't know how to get this to play. Let's see. This is a guy up at the top of the frame replacing a curb. This is me like videoing a random

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guy replacing a curb. There's a sense -- the only reason I show this is because they are giving the sense that curbs are like an easy task. It's the main problem, if a homeowner is told you have to replace the curbs, and then pbot goes in and says you don't have to replace the curbs, they've made we're calling a field decision. It changes everything. It doesn't become this task that a person -- the idea of changing patches of concrete one at a time as a homeowner, though not an ideal situation, it is possible. It's squares, it's cutting squares with a saw, it's replacing cement, it's not getting a jackhammer in the street blocking out a lane. This is my new sidewalk. It's already nearly a code violation, which is that half-inch. This is a thing that happens. This isn't necessarily a process that they have messed up. It's the system of measurement. It's the idea that this half-inch is what's going to determine compliance or noncompliance when you have brand new approved sidewalks that are already with only a few chipping hazards going to be non-compliant. It does not leave you with much wiggle room with regards to any kind of damage or anything that might occur to it. Even just randomly. This is just getting briefly to, I have shown you before, just up the street, just looking at neighbor's property, this is Portland's property. Although a lot of it has been updated. Portions of it are not. This is in front of a school. The standard, it feels like a double standard to a citizen. This is the expectation, and it does not feel like it's being upheld on a city level. The sidewalk, I would just leave you with this, the sidewalk construction completed in my house by pbot was not necessary, my sidewalks were not hazardous. The construction process was filled with mistakes. Misleading information. There was the omissions, mysterious accountings for billing, and I don't know how they arrived at the final bill for me. I don't feel like I should have to pay for the replacement of the sidewalk, it was neither necessary or done correctly. There is even -- most recently just listening to the last presentation, there're things that just -- they -- that didn't happen. Getting told you could do getting minimal repairs was a big one. Getting told that there was things that did happen, being told you have to replace the curbs and not being allowed to. That's where I will leave it.

**Wheeler:** Very good. Thank you. Next up the bureau will have five minutes to present any rebuttal information, and obviously, mr. Bell had an additional three minutes so if they wanted to take extra time, that's fine, too. Just in the interest of parity. Thank you, Mr. Bell.

**Wasiak:** Thank you. I don't have too much more to add other than just sort of a sense of scale. In the last five years we have done approximately 9,000, close to 10,000 sidewalk repair notices. 84% of those are handled by the property owner. There is oftentimes where we go out and we make -- and we discuss. It's a lot of the work we do, we discuss how we might do minimal repairs.

[inaudible yelling]

**Wheeler:** What's going on? Is the closed caption --

**Moore-Love:** There is a light on the tv that's blocking the closed captioning. And mr. Philips can't see a line through it here.

\*\*\*\*\*: There is a light coming through here.

**Moore-Love:** It's one of the blinds.

**Wheeler:** Can we adjust it or do something?

\*\*\*\*\*: I will try.

**Wheeler:** Okay.

**Wheeler:** Fortunately it's not sunny that often. We don't have this problem. [laughter] One moment, Philip. We'll see if we can get it squared. Maybe there's something we can put over it. Ms. [inaudible], in my office, in the far corner, I have some of those large sheets with the sticky stuff, and maybe we just need to put some up there on top of it or something.

**Fish:** So Mayor?

**Wheeler:** Yeah.

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**Fish:** Since we are hitting the pause button I wanted to ask a question of legal counsel.

**Wheeler:** Sure.

**Fish:** So at what point does council get to ask questions of pbot and why aren't -- why wouldn't the rebuttal be a perfectly suitable time to ask questions since they have got eight minutes? We would do that in almost any other hearing, so what's the advice you have for us?

**Brown:** Commissioner, the advice is to have it like, because this is an appeal hearing, was to have it where the, where the pbot, who I think sort of has that burden of proving to your or bringing their case forward to you, that they have time to present their case, then, and then have some time at the end for rebuttal. My sense is it's not going to take that long, and therefore, it would be -- and then the plan was to open it up right after that to council questions, to both pbot and mr. Bell, if you have questions from them. I also wanted to mention that if any of the council members want a copy of the city code, that has the standards for the determination that you'll be making, I did bring copies of that for council.

**Moore-Love:** Is that better? Great. It's better now. He's okay.

**Wheeler:** Is it good? Thank you. Is it okay? A little better? Okay. Thank you. All right. Thank you. Continue, please. Sorry about the interruption.

**Wasiak:** I just quickly want to recognize to mr. Bell's point, this is not a perfect science. What we are trying to do is make the sidewalks safe and accessible to Portland, and we do recognize that it is oftentimes a burden on property owners and we do our best to mitigate that burden and work with them.

**Eudaly:** So questions now?

**Wheeler:** Public testimony, and that completes your rebuttal?

**Wasiak:** Yes.

**Wheeler:** Very good. So --

**Fritz:** So now we get to ask questions?

**Hardesty:** We get a rebuttal.

**Fish:** We get to ask questions?

**Wheeler:** No, according to what legal counsel has provided me number four, the council will receive public testimony, which will be limited to two minutes per person. Then the counsel will have an opportunity to ask questions.

**Brown:** And Mayor, that is correct. That's the order we had put it in. I think if council wants to switch that around and ask questions before public testimony, if you feel that would be of more assistance to the public or if you would feel it would be of more assistance to hear public concerns and, or testimony rather and then have questions, I think it's okay for council to make the decision, whichever order you would like to proceed in.

**Eudaly:** I would rather ask them now while they are fresh in my mind. I have no idea how many people signed up to give testimony.

**Wheeler:** Very good. I'll assume commissioner Fish, you agree with that so why don't we go ahead and do that.

**Eudaly:** Tara, thanks for being here and for your presentation. Okay. We're back. Okay. So first I want to acknowledge as you have acknowledged that there is certainly room for improvement in the way the city, both manages the public asset of sidewalks and handles this process of noticing property owners. Mr. Bell brought up a couple issues that I would like some clarity on. First of all, he repeatedly stated, and I'll ask him about this, that there was no tripping hazard on his property, and I can only assume that that is because there were no gaps in the sidewalk or what do you call it when the -- I need to get this terminology straight. Where there's a gap then there's --

**Wasiak:** There's a lip then there's spalling when it's deteriorating.

**Eudaly:** So were there or were there not half-inch differences in the sidewalk or gaps in the sidewalk?



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**Wasiak:** From the inspector's determination, yes. That is why it would be a half-inch or greater. That is why you would get cited.

**Eudaly:** He also claimed that he received no notice that the repairs were going to commence but you mentioned that actually was a courtesy and not a requirement. He also said it wasn't true that he had had his appeal. I don't recall you asserting that he had had an appeal, but there was a time frame in which there was an opportunity for an appeal, and maybe that's what we were --

**Wasiak:** That's correct.

**Eudaly:** Referring to?

**Wasiak:** I do know that he appeared before city council twice but I believe it was for public testimony, and not an actual appeal.

**Eudaly:** Yeah. And like I said, I want to acknowledge this process has a lot of room for improvement. We are in fact looking at several issues, but for the purposes of today, has mr. Bell now received an itemized bill and an explanation of the charges?

**Wasiak:** Yes. He received that in I believe it was september.

**Eudaly:** How would you respond to the assertion because there are other sidewalk hazards in the city, whether they are on private or public property that are worse than the hazards on mr. Bell's property, that the repairs should not have been required?

**Roberts-Santistevan:** Do you want me to --

**Wasiak:** Sure.

**Roberts-Santistevan:** The answer would probably be in the fact that we are now in a program where it is complaint driven and sadly there are other sidewalks that may be in worse shape. We have to triage them based on the information that we receive from the public. When those spots are identified they ends up getting put on the list and we go through and conduct the sidewalk inspection and survey. Yeah.

**Eudaly:** And I do think in most cases a complaint driven system tends to be inequitable. With this one, I would like to think that we are hitting the most dangerous spots, but that's dependent on who feels entitled, who knows how to contact the city and initiate this kind of inspection and who feels entitled to complain. That's where the issue lies. I would love if we were able to really triage our sidewalks starting with the absolute worst and working our way down. We have got thousands of miles of sidewalks. I don't know how realistic that is. But we are, colleagues, we are working on a more kind of rational and equitable system.

**Roberts-Santistevan:** Correct.

Wheeler: Commissioner Hardesty and then commissioner Fish.

**Hardesty:** Thank you. Who repaired mr. Bell's sidewalks?

**Wasiak:** I believe the contractor was called sidewalk solutions.

**Hardesty:** And was that a company hired by the city to repair that sidewalk?

**Wasiak:** That's correct.

**Hardesty:** Are there some standards that you use to pick contractors who go out and repair sidewalks on the city's behalf?

**Wasiak:** Yes.

**Hardesty:** And did this company meet that standard?

**Wasiak:** Yes.

**Hardesty:** When I look at the pictures it looks like the repair looks worse than it looked before the repair happened. And so what is the city's response when the repair was inadequate and now the sidewalk looks worse than it did before the repair happened?

**Wasiak:** Are you referring to the partial black replacement section? Yeah.

**Hardesty:** I mean it looks like it's sticking up more now than when he was told he had to repair it so i'm curious if the city contractor would still want to repair it.

**Wasiak:** Yeah, so --

**Hardesty:** What's the city's response when a repair is inadequate.

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**Wasiak:** Sure, yeah. The work is guaranteed for three years so we can go and fix that.

**Hardesty:** Have you done so?

**Wasiak:** We have not done so. No. I'm learning of this now so we can take care of it.

**Hardesty:** I would like to ask mr. Bell a question, if I might. Should I wait for that or are we going to bring him back.

**Wheeler:** Let's go ahead and take care of this panel then we'll bring mr. Bell back.  
Commissioner Fish, you had a couple of questions for this panel?

**Fish:** How many miles of sidewalks do we have in the city? Just ballpark.

**Eudaly:** Popquiz.

**Wasiak:** I would say 9,000 ballpark.

**Fish:** 9,000 miles?

**Wasiak:** Mm, hmm. Is that right?

**Fish:** Okay. Is this the first appeal of its kinds that we have had in the last ten years?

**Wasiak:** Yes, to people's knowledge we haven't had one in 20 years.

**Fish:** I used to, for the bulk of my public service, I lived, I was a home owner in northeast Portland. I got one of these notices. I felt at the time that the sort of bedside manner, the language of the notice, could be improved so that it was a little friendlier and that there could be a clearer statement of options. But everyone in my block understood that we could either have the city do the work or do it ourselves. So what we did is we pooled our resources, got a contractor in, did the work at a significant discount. So why is the city's cost so much higher than what a homeowner can get in the private market?

**Roberts- Santistevan:** The answer would be the fact that there is – that we're required to use two different contractors, currently we have two contractors that we use, and the work needs to be guaranteed for three years so the pricing is a little bit different.

**Fish:** Okay. Has the ombudsman issued, put in a position on this appeal?

**Wasiak:** I don't believe so.

**Fish:** Okay. One of the things, mayor, that i'm going to suggest because we seem uniquely unqualified to hear this appeal, quite honestly, and while it's an important issue, there's a reason that we have a hearing officer at the city of Portland, and i'm going to suggest because it appears that pcc 17.28 has not been updated in 100 years, that we take a look at that as one of the take-aways from this hearing and we provide a more robust hearing. I think -- let me just speak for myself because I went through this. If I had the choice between going to city council to appeal and put photographs before you or go to a hearing officer I would choose a hearing officer. I would feel I had a more focused appeal, clearer rights. And then whatever appeal rights I have coming out of that. So I hope one of the things we do is for future mr. Bells we update pcc 17.28 and we make it mandatory you go to the hearings officer, and we don't have the capacity to handle hundreds of these if they start becoming a regular feature nor do I think we're qualified. Again, I appreciate the questions that commissioner hardesty asked. They were on my list, so the appellant says the improvements were not necessary. You've provided us with information that they were necessary. You said, mr. Bell has said that he has not received adequate cost breakdown. That's been corrected and he now has a cost break down. He also said he did not get all the required notices. From what I see in this hearing he got more notices than -- that you have documented that he got adequate notices of the work that was to be done if he did not do it. And so the question before us is and you have already given a discount off the bill. Is that correct?

**Wasiak:** Correct.

**Fish:** So, alright. So that's all I need for now. Thank you.

**Fritz:** Thank you. Just following up on the city's contractor, is it true that the contractor that you select has to pay prevailing wage?

**Wasiak:** I would imagine so, yes.

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**Fritz:** So that might contribute to the cost as well.

**Wasiak:** Mm, hmm.

**Fritz:** Is there any financial assistance other than financing or -- the financing option? Is there any financial assistance for low income homeowners.

**Wasiak:** There is not at this time but as I mentioned before, in partnership with commissioner eudaly's office, we are alternative financing options.

**Fritz:** Great. Yeah. And is there an appeal other than to city council?

**Wasiak:** Not in a formal appeal.

**Roberts- Santistevan:** Not that I know of.

**Brown:** If I may --

**Wheeler:** Legal counsel go ahead.

**Brown:** Thank you. Commissioner, there's an appeal through writ of review if mr. Bell should so choose. So once council makes its determination he can utilize a writ of review and go to circuit court.

**Fritz:** Ah. But there isn't a lower -- within the city there isn't a [inaudible] appeal. That's help for clarification.

**Brown:** This is, yes. It comes to you. Yes, it goes to the auditor's office, and then if mr. Bell is dissatisfied with the remonstrance he receives then the appeal is to council.

**Fritz:** Okay. Then I have a further question for the city attorney and that is can I ask matt grumm, the former chief of staff for commissioner saltzman, a question?

**Brown:** I'm sure you can.

**Fritz:** Recognizing that commissioner eudaly was not in charge of transportation when all this was done. Because what normally happens is if somebody is dissatisfied with the bureau's decision they complain to the commissioner's office. Were those complaints made at the time, Mr. Grumm?

**Matt Grumm, Portland Bureau of Transportation:** Matt grumm with Portland bureau of transportation currently. Yes, mr. Bell actually came to the office. We met with him. He explained his situation and I pursued that with the ombudsman's office on how this would work. Again, this had not happened in my history at city hall and we then modeled this appeal process before us now.

**Fritz:** Ah, but so you didn't have any legal option to take care of it within your office.

**Grumm:** No, by the time it had all been done, the work had been done. The bill was there and so it was trying to maneuver where in the code this would work and that's why we're before you today.

**Fritz:** Thank you.

**Wheeler:** Commissioner Eudaly.

**Eudaly:** Colleagues, before we move on I just want to speak to the question that's come up around why council is reviewing this sidewalk appeal. As has been mentioned, this is the first time in 20 years, maybe ever, that we've had an appeal of this nature. That is because there's a largely unknown piece of code that gives the right to come to council but does not provide the guidelines for how to make the appeal or how to conduct the appeal procedurally. Now that that's come to our attention, my office will be working with the city attorney to identify a better way with more clarity to address appeals of this nature, which will likely include referring these issues to the hearings officer.

**Wheeler:** good. I appreciate that. I just had a couple of quick -- thank you, matt. I think you're off the hook. Thank you. What is the current standard? I believe you stated it, but I want to hear a restatement. What is the current standard for determining which sidewalks actually are investigated and then ultimately tagged?

**Wasiak:** So it's a complaint driven system. So if we receive a complaint of a hazard we go out and investigate that complaint. Then we do the entire block face.

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**Wheeler:** Okay. Very good. And is it your contention now that the bill is focused solely on work that has been done on Mr. Bell's property?

**Wasiak:** Yeah. On the sidewalk abutting his property. Yes.

**Wheeler:** Okay. Is that in dispute?

**Wasiak:** I don't believe so, no.

**Wheeler:** Okay. Thank you. Then the question about whether or not he already had an appeal, that seems like that's a matter of interpretation. Is that a fair statement?

**Wasiak:** I don't believe he had an appeal. I think he just gave public testimony. This is his first appeal.

**Wheeler:** Okay. Great. So he may be using the word appeal in a slightly different way than we're thinking about it as a legal process.

Wasiak: Mm, hmm.

Wheeler: Okay, very good. Thank you. Those are my questions. Commissioner Hardesty you wanted to bring Mr. Bell back? Is that correct.

**Hardesty:** Yes, please.

**Wheeler:** Very good. Thank you. Commissioner Hardesty.

**Hardesty:** Thank you, Mayor. Mr. Bell, it looks like there were about -- let me go back to your pictures there are six pieces of concrete that were replaced. Is that about right? How many would you say were replaced?

**Bell:** I think there's slightly more than six. I would have to -- well, here. If you are referring the -- well, the itemized portion is what I was sort of talking about when they go over your property lines and they take off a bit of money for going over one property line and a bit of money going over another property line, how do you know how much each thing costs, it felt so random. And then when you're, there's this overarching sort of a larger bill and there's work that's not done. How do you know what portion of that -- there's just, there's no way to really know for sure. But the number... I see six. [speaking simultaneously]

**Hardesty:** Just where the white spots are, right? Is where they did the repairs? Am I accurate?

**Bell:** It goes around the corner too.

**Hardesty:** Ahh. But you're not responsible for -- they are not charging you for repairs that were done around the corner.

**Bell:** There is one. It's an interesting one too because it's part of this whole -- this. You can see where this is marked out. Where the arrows are pointing at a particular square.

There's -- I don't even know what's wrong with that square. There are lines -- when they pour concrete, they make lines. And there are lines that are outlining this square that they are cutting out. There's a line on one side they didn't cut out, that would be on your left side, and on the right side, that line wasn't good enough. You can see here this is --

**Hardesty:** So this little piece here is the piece that they said was the problem, the hazard. Is that correct?

**Bell:** Yes. That was removed. So two were removed on that side of my property, one that was a former bus stop in a grass strip, they removed from the bill. How they determined that amount of money I have no idea. And the property line is marked. There's like a metal stake in the ground that you can just see like right where the property line is. It wasn't like it, it was easy to notice. This particular square, it has a line there. I'm looking at this picture right now. In the foreground it's the same line that's right outside this building. It defines where a patch is poured and it allows it to expand and contract slightly. It is not a tripping hazard whatsoever or any wheeled device would be able to clearly easily go over it as they would any part in front of this building here.

**Hardesty:** Any my last question, Mr. Bell. Did you receive an itemized bill?

**Bell:** Itemized -- what I'm talking about itemized -- they'll say, like, we paid this much for cement or to replace your squares. We did this much to not do your curbs. There's no way

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to know individually each, how much it cost to do something like this. It normally wouldn't matter. That would not be a concern until they start removing things. They've built it on somebody else's property and how do you determine, oh we're going to knock a couple hundred bucks off and i'm supposed to feel good about that. It's like, to me it raised more questions. It's like what are you doing? Like if they built a garage or a fence on somebody else's property it would be a huge problem.

**Hardesty:** Thank you, mayor. I had my questions answered.

**Wheeler:** Very good. Anything else for mr. Bell.

**Eudaly:** What was the original bill?

**Bell:** It was just short of \$7,000. Is what they quoted me as.

**Eudaly:** And what is the current bill?

**Bell:** I believe it's \$4800.

**Eudaly:** Okay. So that's a little more than a couple hundred bucks that's been knocked off.

**Bell:** Oh, well, yeah. It came -- it come in slightly under to begin with.

**Eudaly:** Yeah and then they --

**Bell:** Yeah, so it definitely came in -- that was sort of their overestimate. Like this is what it's going to cost. So then there was one slightly below that and then it just kind of kept -- here's another few hundred dollars, another few hundred dollars.

**Eudaly:** Thank you.

**Fish:** Mayor?

**Wheeler:** Commissioner Fish.

**Fish:** I'm starting to be concerned. We have the technology oversight committee here. These are citizens who have taken time away from their work schedules to give us an update. I don't know how long this hearing is going to continue, but I think it's terribly unfair to keep them waiting much longer to do their work. Otherwise we're asking them to give up an entire morning.

**Wheeler:** I'll entertain a motion.

**Fish:** Well, no. The question now is what testimony do we take? Because in a land use matter we take testimony that the appellant supplies. So --

**Wheeler:** Let's hear from legal counsel.

**Roberts- Santistevan:** This is a public hearing so we determined it needed to be opened for public testimony. That's why it's different than the land use hearing which has procedures set forth. So it's slightly different.

**Wheeler:** Per commissioner Fish's question, obviously we don't just want open testimony on the state of affairs of sidewalks in the city of Portland. That could go on for five days. Is there some limit or brackets around what we're asking for testimony on?

**Roberts- Santistevan:** It would be limited to this issue before council today.

**Fish:** But whether we should accept or deny the appeal and why.

**Roberts- Santistevan:** Correct. Well, what you have to do, commissioner under the code you have to make a findings and then make a determination based on those findings. The findings per Portland city code I think need to be based on whether the improvement work was required by code and whether the conditions required the improvements, whether the required improvements are consistent with code and city specifications, and whether the improvement charges are calculated as provided by code and determine the extent of actions or adjustments which are necessary to bring the proposed assessment into the compliance with code and program standards. If anyone wants a copy of that --

**Wheeler:** Great. Well this will be simulating and what I would suggest we do, first of all let me say, commissioner Fish, I strongly agree with your earlier proposal and it sounds like commissioner eudaly is already working on it with the transportation bureau to have these hearings not come to full city council but instead to a qualified hearings officer who is

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steeped in technical knowledge about how these things work. So that's certainly of my knee jerk reaction to this. How many people do we have signed up?

**Moore-Love:** I originally did not have a sign-up sheet. I've got two now though.

**Wheeler:** How many people would like to testify in this matter? I see one. I see two. Potentially three maybe. Four. Why don't we say two minutes each. Why don't you call those you have and then we'll have the others come up.

**Bell:** Did I not get my rebuttal? Is that not happening?

**Wheeler:** Mr. Bell, you can leave, I'm sorry. You would like to say more?

**Bell: But I didn't get my rebuttal.** I thought I was supposed to get –

**Wheeler:** Oh, you'd like to say more?

**Bell:** Well I thought I get my rebuttal. I was just answering questions.

**Wheeler:** Legal counsel. Here is question I have. Commissioner Hardesty has a document that shows the appellant giving a rebuttal. The document I was provided this morning does not show that. Does he get a rebuttal or does he not?

**Brown:** The rebuttal was for the bureau because they brought, they started. The case, I think the determination you have to make is whether the work -- it's on the bureau. You're looking did the bureau properly need to make the work, did they do the work, was the bill appropriate. Because the burden is on the bureau to bring that information to you that's why they would get rebuttal.

**Wheeler:** Before we send mr. Bell away are there any further questions for mr. Bell?

**Bell:** Well, it's not really a question. I just have to sort of address even just --

**Wheeler:** I'm sorry, mr. Bell. Because this is a legal hearing I have to stick to the outline that's been provided by legal counsel. I apologize but that's what I've got to do.

**Bell:** So in the form of a question then, what I have to say?

**Wheeler:** No. I think we're ready to move on to testimony. Thank you. Appreciate it. First two, please.

**Moore-Love:** Joe walsh and mary sipe.

**Wheeler:** Very good. Thank you. Who are the other two people? Can we get those two names and then lets close the list. That's Robert -- [interrupted]

**Joe Walsh:** Good morning. My name is joe walsh. I represent individuals for justice. I have kind of a unique perspective on this because now that i'm restricted to a wheelchair or the scooter, I am becoming really aware of sidewalks like you are not aware of sidewalks. Every bump i'm aware of. I drink coffee often on 60th and division, right in this area. I have not felt any great urgency to even slow down the scooter, so i'm not sure, I can't see from the photographs, where the problem is. It looks like it may be a half-inch rise. Well, if you continue down division, you will see sidewalks that are two inches high but they're commercial. Why aren't they being attacked? I have an automatic reaction when a homeowner is attacked and commercial people get away with this. I have to go into the street sometimes on division. This sounds like the worst possible program I have ever heard of. Is this under transportation? Is that what this is under? It falls under their jurisdiction? You have to revisit it. Somebody in charge of transportation, why don't you look at the rules and say, you know, if we haven't looked at the rules in 20 years or 30 years maybe we ought to go back and look at them. This guy I think in my opinion only, just mine, is being screwed. Get a program that goes down division, goes down the streets and says, hey, you have to fix your sidewalk.

**Wheeler:** Thank you.

**Walsh:** And stop –

**Wheeler:** Thank you. Good morning. That's my responsibility. No, that is my responsibility. You're out of order.

**Mary Sipe:** You're limiting my speech.

**Wheeler:** Go ahead, mary. Sorry.

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**Sipe:** Thank you. My name is mary sipe. I'll keep this as quick as I can. I simply want to support commissioner Fish's recommendation that these types of appeals go to the code hearings office. As you'll recall, I have been involved in a hearing on the noise variance permit that you had about a year ago. And the same thing, in 2014 the noise review office made a recommendation that the appeals for the noise variance permits go to the code hearings office. That issue was taken up by the noise task force that commissioner Fritz convened and never went anywhere. And then back again in august of 2017 when paul van orden gave his report on the noise control program to city council, that was on his list of five priorities that he was focusing on was to change the appeals for noise variance permits to go to the code hearings office.

**Wheeler:** Mary, this is a legal hearing, so I really need you to rein it in to the issue --

**Sipe:** Well, so anyhow, I'm just saying as an example I think that that recommendation is a good one. I would support it.

**Eudaly:** For or against the item in front of us?

**Sipe:** Actually, I am -- trying to think of what does for mean. Does that mean I support mr. Bell? I support the appeal. Yeah. Okay. So anyhow, that's it.

**Wheeler:** Excellent. Thank you. Last two, please.

**Moore-Love:** Edith, you decided not to speak? Ok. Thank you.

**Wheeler:** Great. Thank you.

**Eudaly:** The list has been closed.

**Robert West:** They held it for me. Thank you. I don't write. Hello. My name is robert west. And what I want to bring up is that the city apparently did the work against the guy's wants, and even after the city did the work, it's either not in compliance or almost not in compliance which I think is really interesting. If you take your car into a shop and they don't do the work right, you take your car back and you say you want it fixed. If you pay a painter to paint your house he paints it white, and you come back and it's black. Of course you're going to tell the painter, hey, we agreed to a white house. Okay. The city sat there and so-called fixed his property but they didn't fix his property. They didn't fix the sidewalk. They didn't fix the sidewalk. They didn't do the work correctly. He shouldn't have to pay for it. That's my opinion on that. I think he should win his appeal.

**Wheeler:** Good morning.

**Lightning:** My name is lightning. The city is absolutely overreaching here. There's not been adequate communication to mr. Bell. Probably not also the notices sent in the mail. You've also stated several appeals happened when he wasn't even there. Again, we're running into a system here where people don't even know what they are doing. When you look at his sidewalk and the overall pictures, his sidewalk actually looked pretty good. There was one area there that was a higher level, could have been smoothed out at a much lower cost. And then you go in front of these schools, and let me ask you the city, you great city here, are you going to do anything about that sidewalk in front of this school? Have you begun working on that with the young kids out there that we really need to be focusing on? Absolutely not. And here's the point. You don't know what one person is doing here. One person is doing over there. And for mr. Bell, I say he gets this work done free.

\*\*\*\*\*: [whispered] thanks --

**Lightning:** This has been terrible communication. We obviously saw by having this done in this forum, I don't think a lot of you in here even knew what was going on in here and yet you're the commissioners. You're the one overlooking this and then you say no, throw it to a hearings officer over here. No. Mr. Bell probably brought this thing here for that reason alone and I say he doesn't pay one penny of this work. You give it to him for free until you get this under control to where a gentleman like him can come in here and listen to people that have an understanding what's going on here. You have no clue what's going on here.

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He should not pay that bill. You pay it. Take it off your salaries. Take it off your pensions. This is an absolute disgrace to the property owners of this city. Absolute disgrace. That's why you don't develop properties. That's why you don't own properties. That's why you don't maintain properties. You can't even maintain the sidewalks. This is a disgrace to the city of this Portland. Step down. All of you. Step down today.

**Wheeler:** Alright. Thank you.

**Fish:** Mayor?

**Wheeler:** Commissioner Fish.

**Eudaly:** I have a motion.

**Wheeler:** Commissioner Fish then commissioner Hardesty, unless you'd like to defer to the --

**Fish:** If you'd like to make the motion, go ahead.

**Eudaly:** I move to deny the appeal.

**Fritz:** Second.

**Wheeler:** Commissioner Hardesty -- Excuse me. Excuse me. No. [shouting] we'll take a recess, Karla.

**Moore-Love:** We're in recess?

**Wheeler:** Recess please.

**At 11:30, council recessed.**

**At 11:31, council reconvened.**

**Wheeler:** Alright, we're back in session.

**Fish:** So, commissioner eudaly i'm going to support your motion and I wonder if you would accept the following findings. That the work was required by code. That the conditions required the improvements. That the improvements are consistent with code and city specifications. And that the improvement charges are calculated as provided by code. Furthermore, that no adjustments are necessary because pbot has already made an adjustment in the bill. And finally, that the appellant may appeal the determination of council to court.

**Eudaly:** Yes. Thank you.

**Fritz:** It's great to have a lawyer on the council?

**Eudaly:** Yeah. So handy.

**Wheeler:** Good. I assume that's a friendly amendment therefore, it's been supported. But you've accepted that as part of your findings, correct?

**Eudaly:** Yes.

**Wheeler:** Commissioner eudaly has moved -- yes.

**Brown:** If I may, if the council could consider maybe not appeal but via writ of review.

**Fish:** Via a writ of review.

**Brown:** Thank you very much.

**Wheeler:** Okay, very good. So commissioner eudaly has moved, commissioner Fritz has seconded with the friendly addition of the comments by commissioner Fish.

**Fish:** The findings.

**Wheeler:** The findings. So those are currently on the table. Any further discussion? Legal counsel, do we require a vote or simply a head nod?

**Brown:** I think at this point if council can just indicate to pbot if you agree with that.

**Wheeler:** Let's take a vote just to clarify. Please call the roll.

**Fritz:** Well I have a different perspective from mr. Walsh. I'm very famous for tripping on sidewalks as my kids will tell you and I have a scar on my head from tripping on one in Chicago. So I agree with the findings as suggested by commissioner Fish and I agree with the commissioner in charge of transportation's motion. And as the mother of three children it's never been persuasive to me that somebody else has been even naughtier than I have. I think, yes, there are properties all over the city that need to be done and I appreciate that



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the commissioner of transportation is going to look at a more equitable system other than complaint driven but that's the one we have now and the complaint was made, the repairs were needed and that's why i'll be supporting the motion. Aye.

**Fish:** Mr. Bell received notice of the violations, he chose not to take action, the city by code stepped in for him and did the work. The city has now made an adjustment and has given him an itemized bill. I think there's no further requirements under the code that we take further action. Mr. Bell, I believe, is to be complimented for exercising his full appeal rights. This is the first hearing of its kind in my ten years here. I guess I heard for 20 years. I would strongly urge that we take up code language at the earliest convenience of the commissioner in charge to update pccc 1728 so that mr. Bell and the future mr. Bells can have the right of a code hearings officer. Aye.

**Hardesty:** Thank you. I believe that there may or may not have been adequate notice to mr. Bell, but i'm very concerned that the contractor that the city of Portland chose to go out and do the work did just such a poor job. I am very concerned that the violation that could have been -- it was very minimal -- is now going to be a big one because as you look at the sidewalk currently, the city will be back again asking him to do more repairs. I do not agree that mr. Bell should be held financially liable for the repairs that were done so poorly. So I am a No.

**Eudaly:** As was stated many times, we are looking at the current policies and procedures around this issue. I do have concerns. Today we have to use the rules that are in place. I would just echo what commissioner Fish said, and I also want to point out -- I want to acknowledge how frustrating this experience was for mr. Bell. Acknowledge the city has a lot of room for improvement in how they handle these situations. I also want to acknowledge as the mother of a now almost 18-year-old child who uses a wheelchair that sidewalk repair, maintaining that public asset and maintaining access and safety is important. I have to walk in the street sometimes in my own neighborhood because of the lack of curb cuts and because of how broken the sidewalks are, and while mr. Bell's property certainly is not the most egregious violation I have ever seen it was identified in a larger look at his block face and this is how we currently conduct it for efficiency sake. The repairs come with a three-year guarantee. Now the photo that mr. Bell supplied of the gap in the sidewalk, the ruler is not placed in the exact right spot. It looks like that gap is slightly more than a quarter inch, not nearly half an inch, but I do want to direct my bureau to send someone to the site to inspect all the work that was done and if there's in fact any problem with the work, it will be fixed at no additional cost to mr. Bell. I vote Aye.

**Wheeler:** So mr. Bell has done us a service. He may not feel like he's done us a service, but he has. He's called out some of the inadequacies and frankly even the antiquities in code with regard to the process. But the process today is one that is uniformly enforced across the city. That process is complaint driven, a complaint was filed, notification was made. I'm pleased that the bureau was willing will to work mr. Bell in terms of waiving the fees. I think that was in this particular case an appropriate thing to do. But at the end of the day, until we change the process and I hope I have stated very clearly I hope we do change this process, it's not going to work for us going forward is my suspicion. So I applaud commissioner eudaly and the transportation bureau for taking this up. I thank commissioner Fish for raising the issue here today. It's an issue and a sentiment that I strongly support. I vote Aye. The findings and determination are therefore accepted by the council.

**Brown:** Mayor, the bureau will need to bring an ordinance back to council for a final vote because they don't have one here for you today.

**Wheeler:** Do you need a time certain?

**Brown:** I don't know if you need a time certain but I do think it needs to be an ordinance.

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**Wheeler:** Very good. So we are also further directing the bureau to come back to the city council with an ordinance that codifies both findings and determination.

**Fish:** Mayor, within 30 days so that mr. Bell can exercise any other appeal rights that he chooses to.

**Wheeler:** Very good. Within 30 days. Excellent. We're done. I apologize for that interruption that happened earlier. It was brought to you by folks associated with the proud boys.

#### **Item 72**

**Wheeler:** Colleagues, the technology oversight committee provides citizen oversight on significant city technology projects, especially those with high risk or high cost. This gives us early and continued technology oversight by an independent five-member committee for the purpose of increased transparency and accountability. Toc sends quarterly reports to the chief administrative officer who then forwards the reports to us on the city council. The quarterly reports include information from each project's independent quality assurance consultants and toc's assessments of the project's status. Thank you for being here today. We appreciate your patience.

**Heather Hafer, Technology Oversight Committee:** Hello. Good morning. Mayor, commissioners, it's nice to see you. My name is heather hafer, senior management analyst for the office of management and finance, and also staff support for the technology oversight committee. With me are two familiar faces jeff baer, director of the bureau of technology services and last original member of the toc, wilf pinfeld, appointed by mayor wheeler. Toc is made up of five members each named by a city council member. The toc members not here today are dyanna garcia for commissioner Fritz, jimmy godard for commissioner eudaly, victoria trapp was now appointed by prior commissioner Saltzman and now represents commissioner hardesty, and ken neubauer was appointed by commissioner Fish, attended had his last toc meeting in december and we are currently looking for a replacement. As mayor wheeler said, Toc advises the chief administrative officer tom Rinehart and we're here to present information from those quarterly reports from october through december 2018. This past quarter toc followed two different projects, the Portland online permitting system, or what we call pops, and the city budget office's software replacement program formulation management or bfm. Toc also recently started monitoring the Portland, Oregon, website replacement project as well as the integrated tax project which you'll be hearing about more at our next quarterly update. We also received introduction to open and accountable elections in november but we -- toc is not currently monitoring that project. We're going to be providing the project's dashboards which contain information from project management staff, quality assurance contractors and the toc, and jeff and wilf are both here to answer questions you might have. But before that, I'm very excited. Less than 24 hours ago we received a very exciting update about the pops project and we would like to show you an update that demonstrates our recent successes with this project.

**[VIDEO]:** Hi. I'm amy swanson in charge of communications for pops. Real changes are happening with the permitting process and they're happening right now. Let's check it out. The pops team is hard at work on six different projects that are going to bring online services to a whole 'nother level with the city of Portland. We're working with bds sections to implement the AMANDA upgrade to training inspectors to use mobile technology so they can get more work done while they're out in the field. Come on. I'll show you around the pops program. This month our big news is pdx eplans, which is what we calling our electronic plan review system. This all started last july with our first pilot project. It was quickly followed by two more projects in september, one in north Portland, and the other at the gateway regional center, both containing affordable housing. In December, we added saltwood and saltwood south, and this sprig we hope to add one to three more commercial

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new reconstructions. This summer, our plan is to have all 11 process managed projects under review in pdx eplans. Just last night, we started taking in the art tower. Over 30 plan reviewers have been trained on the new eplan system and we have more coming on soon. Feedback has been really positive.

**[VIDEO]:** I'm currently using pdx eplans on a large apartment project that actually involves two apartment buildings and we're currently in the first phase of reviews on these drawings which are about 300 sheets per building. Pretty much every trade in the building is concurrently working on the reviews for this. All at the same time and the same tool. My favorite thing about pdx eplans right now is I turned around and looked in my work space and there were no paper drawings anywhere on the floor, the chairs or my desk. It's just a much more streamlined work environment for me right now. There's room for my code books [laughter]

**Hafer:** And with that i'm going to turn it over to jeff baer.

**Jeff Baer, Director, Bureau of Technology Services:** Good morning, mayor, members of city council. For the record, I'm jeff baer, director of the bureau of technology services. Thank you heather and thank you all for coming here. I just wanted to provide a couple other updates in addition to what you saw for the eplans, which is a huge win for the project team to be able to actually reduce as you saw the whole elimination of those paper-based plans for review and go to a completely electronic review of those. One note I wanted to make is about the projects, the qa record that you saw and the toc report indicates we're in a steady category, so even as of this last week's toc meeting these categories are continued to be rated green. Two green, one yellow but the project team is working to continue this trend and I think we're going to see that continue forward. Also wanted to make another announcement that last week the project team achieved another milestone in launch, doing a soft launch of the customer portal, which is now called development of pdx. This is a public search feature available for the external facing for allowing for trade permit applications and limited fee payments and moving forward more customer service features will be included in that but for now we're doing a soft launch, making sure we're working through any issues we see as people begin to use that. Work continues to do the work on the amanda 7 upgrade. We see and believe there's excellent progress being made and want to see if any comments additional you want to add to that.

**Wilf Pinfold:** I think toc members are feeling very good about the two projects we have in front of right us. I think the pops project is looking good. We have recommended that we move more as a sort of rapid incremental innovation rather than large steps. I think that's starting to show fruit and being able to see things like the electronic review process rolling out at this point, rolling out to a few projects. I think this next quarter rolling out to all the projects and management we're feel good about that. We hope that that will continue. It looks very good to us. Of course the budget formulation management project I think has gone very well indeed and hopefully will provide you with the tools you need as you plan the next budget cycle. We're feeling very good about that. Jeff?

**Baer:** Thank you --

**Fritz:** I just want to say given the difficult history of this project, that is a delightful graphic you've got up there and thank you for all of your work. Also, I just looked it up and it stands for automated management of document access. Which is really disappointing. Somebody needs to make it something that sounds much more interesting – well not interesting but -- I don't know.

**Eudaly:** I told her we named it after her --

**Fritz:** Well, that question has come up multiple times over the course of this project so I just wanted to put it on the record.

**Baer:** I will say I think in looking back over the history of this project I think this is the first time we have actually had two reporting categories where they are actually in green and

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yellow status. Prior to that they were all in red. The team has really done a great job in moving this forward.

**Wheeler:** Great. Thank you.

**Baer:** Any questions on the budget software or the pops before we move on? Okay. I did want to make note about the and heather referred to the open and accountable elections. Even though it's not reported in the quarterly report and at the november 26 toc meeting the project team presented an overview of the project because there hasn't been any development work done since the initial presentation. There wasn't any report at the december and january meetings. You'll be seeing that coming up for the next quarterly report. That will be included and work continues to be moving forward. I believe as of this morning I think there are some commitment to finding a project manager is my understanding so we're moving forward on that rapidly. I believe there will be an upcoming council work session that will scheduled soon to do a deeper dive into the project, or the project, and in discussing this with the toc members this week at that meeting there was actually interest in having the toc members expressed interest in actually attending that meeting if it's possible. I think Wilf might want to share some comments.

**Pinfold:** This I think is an interesting project. It's probably a little different from things we have seen before. The budget available both for the matching funds and the work to do the review of the donations I think is very tight to achieve what we want to do and the time is very tight to achieve what we want to do. I think there's a lot of support for doing it. I think your office, amanda Fritz, has put forward an interesting idea of working with a nonprofit in the area that's willing to do a fair amount of this work as sort of pro bono work and I like that. It's difficult for us within the roles of the toc to formally support that in that normally we would be reviewing work that is paid and making sure that that's done well. It's much more difficult in this environment to assure the work will be done. So there's a certain risk associated with it, but the opportunity associated with working with a nonprofit that's willing to do a considerable amount of this work because they believe in the outcome of it, is --

**Wheeler:** Can I get you to stop for one moment? I apologize. We're off the air. Are we? Is it still working up there? Okay, great. Just council can't see. I apologize.

**Pinfold:** That's good. So I think we're very interested in attending the working session. We would like to understand it a little bit better. But we are supportive of doing this but it does mean doing things a little bit differently than we normally do, working with a nonprofit that's going to try to do this. We'll hopefully give you more information as things go on here. I think we're all very supportive of the outcome of this project.

**Fritz:** Well than you, mr. pinfold. I appreciate your personal advice as we've been negotiating this. The work session probably won't be scheduled until april so we'll perhaps be checking in with the toc before that.

**Wheeler:** Very good. Excellent. Any further questions? If not, I'll entertain a motion?

**Fish:** So moved. I move that we accept the report.

**Eudaly:** Second.

**Wheeler:** We have a motion from commissioner Fish and a second from commissioner Eudaly. Please call the roll.

**Fritz:** You are all done with your presentation, right?

**Baer:** Yes.

**Fritz:** Okay. Thank you very much for all your work as always. Again, it's really great to see the online computer system coming together finally. Aye.

**Fish:** Yes, thank you for your presentation and Jeff, I would strongly recommend that going forward we either schedule these technology oversight committee reports for time certain, 9:45, if it's a wednesday morning, or if it is more convenient for the citizens that we've tapped to do this important work schedule it for 2:00 on a wednesday or Thursday but in any event I would urge us to prioritize the scheduling of this so that we don't tie

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people up for a couple of hours that are here just to provide us with this great oversight and great service. Thank you very much. Aye.

**Hardesty:** I just want to add my appreciation. I know volunteers spend a lot of time talking about technology. And I want to say what you've done with the permitting process is pretty phenomenal. Hopefully that just rolls out across that bureau. I am definitely an Aye. Thank you.

**Eudaly:** I want to start by thanking all the members of the technology oversight committee, but particularly jimmy godard my appointee to the committee. I suspect that bds's permitting software project has set a record for the most analyzed project in the history of the toc. Is that, can I get an Aye? Yeah. Although I no longer oversee bds, I do feel some pride and accomplishment. The pops project was one of my biggest challenges when I first took over the bureau. We were in a situation with a software system that was outdated, unsupported and that spelled disaster for our bureau and for our customers if it were to fail. It's gratifying to see that there's a light at the end of the tunnel. It was one of my biggest challenges but also one of my least favorite if I could be honest here. So it's gratifying to see there's a light at the end of the tunnel and it is green. So exciting. We worked hard with bureau leadership from the bureau of technology services and bds to assemble a team to get this on track. I'm excited to see the next couple of project milestones happen. Expanding online permitting to project managed projects will make the permitting process easier and faster for affordable housing projects that the city finances and obviously we need to be doing everything we can to expedite these projects so i'm glad to see bts and bds engaged in solving that problem. The inspection part of the application will deliver the same kind of efficiency to the building process we're beginning to see with the permitting process. It will make the process from applying for a permit to getting a certificate of occupancy much more easy to navigate for the public and city staff. I know this is kind of boring for most people in the room and probably most people watching, but it should be very, very exciting for people who are attempting to build anything in our city. Thanks again to toc for their dedication to seeing this through to completion. I know there are challenges ahead but I have confidence in your team. Thank you, mayor wheeler, for continuing to dedicate resources to support the team. My only advice going forward is that as we begin to implement the amanda system we look for ways to improve our processes, not just duplicate those we have now. Aye.

**Wheeler:** I think commissioner hardesty said it best. I'll just say what she said.

**Fritz:** Eudaly you mean.

**Wheeler:** Eudaly. I'm sorry. And commissioner Hardesty.

**Eudaly:** I'm not getting any credit today: [laughter]

**Wheeler:** Can we all acknowledge commissioner eudaly for a moment? [applause]

**Eudaly:** Ah, oh geez.

**Wheeler:** I don't think I can top what you said. I agree wholeheartedly with what you said. First I want to thank the members of the technology oversight committee. We do rely on you heavily for that independent, objective, most maybe most important of all experienced oversight of the technology projects that we are engaged in. Commissioner eudaly is right. These projects -- the pops one is particularly I think exciting from my perspective but all of these projects are critically important to the delivery of services to the people in this community. At every step of the process you make these more viable. You make them better and you make sure they stay on track. So thank you very, very much for your service. I also want to thank the bureau. You've been fantastic in a fairly fluid environment and as a council we have been demanding more and more of you even as we add more and more projects to your list as we become more technology dependent and you have risen to the occasion. So, I vote Aye and I thank you. The report is accepted. Thanks for your great work. Next is item number 82.

**Item 82**

**Wheeler:** Commissioner Fritz.

**Fritz:** Thank you, mayor wheeler. I am really excited to have this resolution come to council. I'm wearing sea foam green today in honor of our oceans and i'm going to welcome Yesenia Carrillo constituent services specialist from my office and the leader of this project who will give us background information and introduce our other guests.

**Yesenia Carrillo, Commissioner Fritz's Office:** Thank you, commissioner Fritz. Good afternoon, commissioners and mayor. My name is yesenia carillo, and I'm the constituent services specialist for the office of commissioner Fritz and i'm here today to provide background information on this resolution. In January 2018, the department of interior released its draft of the 2019-2024 national outer continental shelf oil and gas leasing program. The five-year program governs when and where the bureau of ocean energy management, herein referred to as boem, can offer offshore drilling leases to the oil and gas industries. President Obama finalized the current five-year program in 2016 which protected the Atlantic and Pacific from new offshore drilling but the Trump administration fast tracked the process to undo those protections. The Trump administration's new five-year program outlines radical plans to expand future oil and gas leasing to the Atlantic, Pacific and Arctic oceans as well as off Florida's Gulf Coast. The plan proposes the largest number of potential offshore leases ever offered by any president. The process to develop the five-year program is well defined and has several legally required opportunities for the public to provide input. The boem website dedicated to this proposal indicates March 9, 2018 marked the close of the 60-day comment period which is the second stage of the federal government's decision making process towards an approved second stage of the federal program. Now boem must read, analyze and respond to all received comments prior to issuance of the proposed program. While timing is uncertain and [inaudible] is expected sometime soon now that the federal government has continued operations and will be followed by a 90-day public comment period and then a 60-day review process by Congress. It's critical that coastal communities and their allies continue to be vocal and active as boem develops the proposed program to ensure the federal government remains aware of the strong, growing opposition along the coast. This proposal is dangerous and fails to acknowledge the devastating social, economic and environmental consequences associated with radically expanding offshore drilling. Opening nearly all U.S. waters to offshore drilling is a direct threat to marine resources and local communities that depend on a clean coast for the way of life and livelihoods. On August 22, 2018, constituent Briana Bard communicated to Portland City Council a request to passing a resolution to oppose the development of offshore oil and gas in Oregon. Commissioner Fritz volunteered to coordinate the effort with the support of Mayor Wheeler. In consultation with Oceana, Surfrider Foundation, Northwest Natural Gas and the League of Oregon Cities and informed by Councilor David Allen of Newport, Oregon, this resolution is a statement on behalf of City Council supporting coastal communities and opposing offshore oil and gas exploration off our coast. This statement comes at a crucial time just a day after public hearings were held for Oregon Senate Bill 256 which repeals sunset on moratorium on oil, gas and sulfur leasing and territorial sea. The bill was introduced on January 14, 2019. If passed copies of this resolution will be sent to our governor, the department of interior, the bureau of ocean energy management and our state representatives echoing the concerns of Oregonians at large. With that, I would like to introduce Briana Bard, volunteer with the Surfrider Foundation, and the constituent who brought this request forward, and Ben Enticknap, senior scientist at Oceana, who provided his expertise and insights through this process. They will be sharing about their work and their experiences and the current state of any state legislation to protect the Oregon coast.

**Hardesty:** You can move that forward if it's --

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**Briana Bard:** Thank you. Hello? Hi. Good morning. After joining surfrider I started -- I had this interest in pursuing a resolution after I did some research on the leasing program. It became pretty clear to me that from start to finish, drilling for oil and gas is pretty -- can be pretty detrimental more than it is a benefit. From the seismic blasting that can disrupt ecosystems from zooplankton to whales, on shore infrastructure like pipes that inhibit access to beaches and chronic leaks of the refineries. That's all before we get to an oil spill. Although Portland is not a coastal city it's important to show the solidarity with our coastal cities to preserve this resource and not continue to contribute to climate change but rather preserve the existing jobs that we do have on our coast and the enjoyment of the beaches, something that people in Portland do quite often. Our coast is a part of what makes Oregon special. We play in it, we eat from it, we work on it. It would be wise to invest in a more sustainable or renewable energy than to disrupt the joint sustainability of the many than for the interests of few.

**Ben Enticknap:** Thank you, mayor Wheeler, commissioners. My name is ben enticknap. I'm a senior scientist with oceana and a Portland resident. Oceana is an international conservation organization dedicated to protecting the world's oceans. I greatly appreciate your leadership on this important issue. Thank you so much for taking up this resolution to help protect our coast from the dangers and risks of offshore oil and gas drilling. This resolution is timely and I would say it's widely supported as evident by the many businesses, communities, ports and organizations across our state who are speaking up to protect our coast from offshore oil and gas drilling. Normally my role with oceana as a scientist is to work to protect sea floor habitats, like deep sea coral and sponge ecosystems, promote sustainable fisheries. I'm working to help recover our threatened endangered salmon populations and endangered southern resident killer whales that feed off our coast. What is not normal is actually for me to be working on oil and gas issues but with the department of interior's announcement january of 2018 that they would be considering opening up 90% of all u.s. federal waters to offshore oil and gas drilling including those waters off Oregon and Washington, with potential lease sales, we have had to really change our focus and help build this opposition to make sure that our voices are heard throughout the country and throughout our state. This resolution will be very supportive of those communities who are speaking up as well as currently legislation. Yesterday the Oregon senate environment and natural resources committee held a hearing on senate bill 256 and that bill will prohibit drilling in our Oregon territorial sea which extends from shore to three nautical miles offshore. But it's those federal waters from three nautical miles all the way to 200 miles that would still possibly be open so we want to make sure that our voices are heard that that would not be okay. The bill interestingly would also prohibit infrastructure like a pipeline coming from offshore into our Oregon near shore waters. So that's in committee now and will hopefully quickly move through the Oregon senate and house in the coming month. I can personally attest that drilling for oil and gas off our coasts would be a major mistake with potentially devastating consequences to our marine environment. I have led and I've participated in research expeditions off Oregon, diving with remotely operated vehicles to deep sea banks and reefs, to study the sea floor habitats that are there. I have witnessed and documented large schools of rockfish, halibut, lingcod, brightly colored, hot pink corals. Many people don't know that we have these corals on the reefs off of here and sponge beds that look like they came out of a dr. Seuss storybook. It's really a magnificent treasure that we have and we want to ensure that it's protected into the future. I guess, that's not to even mention the marine mammals, the whales, and sea birds that are also living off our shores. So this amazing beauty and productivity of Oregon's coast also supports tens of thousands of jobs in recreation, tourism, fisheries, and about \$2 billion a year in gross domestic product. Our economy is very linked to a clean ocean. All of this would be at risk from offshore oil drilling

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and exploration. I cannot over emphasize enough those risks inherent with oil and gas exploration and development. There's risks at every level including the seismic airgun surveys, drilling operations to transport, and you have seen images of the deep water horizon or the Exxon Valdez, these major catastrophic spills that have clear impacts on marine wildlife. But there's also more acute sub lethal risks from chronic leaks, the release of toxic chemical compounds that are associated with drilling that affect the feeding, growth and development, and increase susceptibility to disease of many marine animals. So this is all to say what you're doing here with this resolution is extremely important. We greatly appreciate your leadership on this issue. To help protect our environment, our climate and communities. Thank you.

**Wheeler:** Thank you.

**Fritz:** This concludes our presentation.

**Wheeler:** Excellent report. Very good. This is a resolution. Karla, do we have testimony?

**Moore-Love:** We have five people signed up.

**Wheeler:** Two minutes each please. State your name for the record. Good morning.

**Moore-Love:** The first three are Shedrick Wilkins, Maggie, and Jeff Black.

**Wheeler:** Good morning.

**Shedrick Wilkins:** Good morning. I'm Shedrick Wilkins. So I've only got two minutes I'll state the conclusion. Because of the situation with the subduction zone earthquake that could hit any time because it's 300 years, happens every 300 years, once it happens usually doesn't happen again, any offshore drilling should not be done until we have such an earthquake then you can think about it but we're overdue for one. Don't do it. Simply it's not good around here. Alaska just had an earthquake. Stuff like that. On the issue of the integrity of oil drilling companies, talk to B.P. When they said everything was safe and there's a whole bunch of oil all over Louisiana. That's March 2010. So if you even want to think about it wait until after a major earthquake off the coast and then we might not have one for a long time. But we are overdue. No. My answer is No.

**Wheeler:** Good morning.

**Maggie:** Okay so we have known about the disasters of oil for years. Oil spills in Alaska, oil spills off the Gulf of our southern border. And of course long ago in 1974 about Half Moon Bay, and I would like to know reference John Francis, who if anybody knows who John Francis is he's the barefoot environmentalist who was driving his car down the freeway and he heard about the oil spill in Half Moon Bay and the birds and the wildlife and the seals all covered in the oil. So he went down there and he was so traumatized by what he saw that he gave up his car. This is back in 1974. And he stopped talking and he walked to the tip of South America. Then he walked back up to the bay area and he got on his bike and he rode his bike to Congress so that he could speak before Congress about the dangers of oil. I mean, it gets in our food. It gets in our water. It's in the particulate matter in the air. You can go online and see the most recent studies about the particulate matter that they measured on the carnival cruises from all this oil. It gets in our lungs. We're drinking it. And you know poor people are the most affected by this. I would love to see smaller tankers, tankers running on batteries. I would love to see less fuel over all. I know that the recent crisis in Venezuela and the sanctions they are going to drive up the cost of oil, but I think that's okay. Let's get the scooters out there. Let's get those electric bikes out there. Let's do everything we can to just public transportation the whole way. Thank you.

**Wheeler:** Thank you. Good morning.

**Moore-Love:** The last two who signed up are Courtney Shawna and Edith Gillis.

**Edith Gillis:** I am wholeheartedly supporting and celebrating this. Thank you so much. I have come from different backgrounds. Every single one of my professions and jobs would be harmed horrifically if this drilling and everything continues. That's why you see me out there on the thin green light fighting this being a sacrifice zone for the fossil fuel industry.



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Every one of my jobs is affected by this. As a field biologist, as a science teacher, as an environmentalist, a search and rescue, state instructor, street medic, home care provider for the elderly and home bound, I advocate for people with disabilities. It goes on and on. I was one of the first firefighting crew that had women in the state of Oregon. All of these jobs would be affected adversely if we have the tankers, the pipelines, the drilling. And each one of these would be better impacted, it would have a better economy. I grew up in Bend and Klamath Falls. We would all be doing better if we move for the solar and the sustainable. I just thank you so much. It's so important that we have this and we amplify, get more voices saying why we are in support of this.

**Wheeler:** Thank you.

**Courtney Shannon:** Hi. I'm Courtney Shannon. Oregon's a green state right after California. A lot of people here from California. We love our green stuff. We love recycling. We love doing things differently. Why would this be different? Why aren't we looking into more things on renewable energy? Free energy even better. The tech is out there. It's being used all over the place. I see no reason for this other than to destroy our environment. It makes no sense whatsoever. Please don't do it. Thank you.

**Wheeler:** Thank you. Does that complete our public testimony?

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

**Wheeler:** Any further discussion? Please call the roll.

**Fritz:** So just to be clear this resolution is to oppose offshore drilling for all the reasons that were stated. I'm just thrilled to be bringing it and noting the difference between this resolution and the one that we passed under Mayor Adams which Commissioner Fish supported to oppose coal trains and at the time that was only passed 3-2. Here we are today with so much more awareness of climate disruption. And it really is climate disruption, it's not just change. It's not global warming. It's climate disruption. My son texted me from Chicago this morning saying with a sign saying it was minus 22 Fahrenheit there and in typical British fashion he said, a bit nippy. And it's, this is serious. It's very timely. Thanks very much to yes Yesenia Carrillo of my staff who worked on this intensively over the last several months and yet is coming at exactly the right time when the bill was just introduced in the Oregon legislature. Thank you, Mayor Wheeler, for your partnership throughout the process and for your staff also assisting. Thank you, Briana Bard for your civic engagement. It's really nice to say, yes, we can help you out on that, and in fact we're more than happy. We're very grateful that you brought this issue to our attention in a timely manner. Thanks to the local chapters of Oceana and Surfrider for their insights. Northwest Natural Gas gave their input. They, their government relations said reviewed the resolution and said upon reviewing the resolution, we have no conflicts with the wording. We look forward to watching its progress and we greatly appreciate knowing that our local gas company is behaving in a responsible manner. Thank you to the office of government relations as well for their work at the legislature and they will be responsible for disseminating this resolution. Thank you to the League of Oregon Cities who are also supportive of it. Councilor David Allen from Newport, Oregon, who sent us their resolution and just extremely gratified to have brought this to you today. Today we are sending a message to our representatives in Washington and Salem that Portland supports Oregon's coastal community in opposing oil and gas drilling off the Oregon coast. We are committed to protecting the marine environment in the Pacific Ocean, the economies and well-being of the cities and counties along its shores. By passing this resolution we join coastal jurisdictions in challenging federal decisions endangering this precious resource. Colleagues, I know that the time is getting on. We would like to take a photograph after the vote so that we can spread the word about this really important issue. Aye.

**Fish:** Commissioner Fritz, thank you for bringing this forward. I don't think I can add anything to your excellent statement so I just associate myself with it. Aye.

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**Hardesty:** Ditto. Aye.

**Eudaly:** I want to start by thanking commissioner Fritz for recognizing this important opportunity for the city of Portland to take a stand against offshore drilling. As a council we necessarily focus on mostly on city of Portland problems, but environmental degradation does not recognize jurisdictional boundaries. We're all connected across the state and throughout the country and around the globe by our environment and through this crisis. I'm proud of the steps we have taken as a city to hold firm to our commitment of addressing climate change and doing our part to reduce our contribution to it. The last few years we have become more aggressive and proactive in our climate goals. I'm going to skip all the accomplishments in interest of time but I just want to note that we are truly committed to this issue. We now know we're on an accelerated path to climate catastrophe in our lifetime, and I want to go on record saying I'm committed to continuing our aggressive policy solutions in particular through pbot to make sure our projects promote clean energy, decreased use of fossil fuels and enhanced use of active and public transportation options. It's too late for slow and steady. We are losing this race. It's time to be swift and bold. The federal government is working against the future of our planet and all living creatures on it. Cities and states must take the lead and set a high standard. Thanks again, commissioner Fritz, and the mayor, for bringing this forward. Also thanks to everyone who testified and everyone who advised in this resolution in all matters of climate justice. I have to add, Briana, keep them coming: I think this is the second item we have passed that you were a vital part of, an advocate for. I just want to encourage you to continue. I vote Aye.

**Wheeler:** First I would like to thank the folks who worked together to bring this common sense legislation before the Portland city council. Thank you again to the Surfrider foundation and in particular Briana Bard, who brought the request for this resolution to city council. Thanks to Oceana, Northwest Natural Gas, the League of Oregon Cities board who worked in consultation with Surfrider and a very special thank you to commissioner Fritz who championed this important legislation. I would also like to thank the other Amanda, Amanda on my team, sitting over there in the corner. Thank you for your hard work on this on my behalf. It's clear that standing alongside our sister cities all around the state of Oregon and particularly those that line our coast is very important. We're Oregonians. We're always going to fight to protect our environment from those individuals and policies that might seek to harm it. By passing this resolution today we're sending a clear message to the president and those pushing for these backward policies that Portland will remain on the side of science, logic and reason. We know the harmful impacts of the proposed exploratory activities would impose on marine life and resources as we heard testimony today which are not only an environmental asset but also an economic necessity for many of our coastal communities. Commissioner Fritz, thank you for bringing this forward. I'm proud to vote Aye and lend my support. The resolution is adopted.

**Fritz:** Can we just take a quick photo.

**Wheeler:** Oh yeah, quick photo break. All right, item 83, Karla.

### **Item 83**

**Wheeler:** Colleagues, this is a very important item and one that's gotten a lot of attention over the last week or so. The basic question boils down to this. This is the question people are asking me. Why are we paying a settlement to get rid of a police officer that both the chief of police and the mayor already agree should be terminated for having made a highly inappropriate and I believe patently racist remark. Why are we paying something to leave when we agree that this officer should be terminated. This is a remark that was made in front of other police sergeants who immediately brought this issue to the attention of the chief's staff. They apparently also believed that the remark was highly inappropriate and unbecoming of a Portland police sergeant. So why don't we just terminate him as we

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would like to do and be done with it? The answer is this. We are required to follow an arbitration process. This is both as a result of a labor agreement in place with the Portland police association and it's guided in part by state law. At the end of the day if the Portland police association chooses to dispute the outcome of the termination, it goes before an arbitrator. So it isn't the mayor and it is not the police chief who make the final determination as to whether or not this individual should continue to be employed by the city of Portland, it is up to an arbitrator. History has shown that arbitrators do not always agree with the mayor and the police chief. In fact there have been arbitrators who have agreed that the action was an egregious action. Yet had still chosen to overturn the penalty suggested by both the mayor and the police chief. This is an egregious case, but the chance that this will go to an arbitrator and then be overturned I believe is too great. Therefore, I am of the opinion that we should take the settlement agreement. Why take the settlement agreement? Isn't this a waste of taxpayer dollars? What you're going to hear from legal counsel is that if this goes to arbitration, we're still going to pay the same amount or maybe even more during the arbitration process. But what we lose through that arbitration process is the ability to make certain once and for all that this individual is not returned to the Portland police bureau. Now I'll just speak for myself. I have heard other people say, ted, aren't you holding the police bureau to an awfully high standard? The answer is yes, I am. I'm holding the police bureau to an awfully high standard but I want to remind people that other sergeants within the police bureau who brought this attention forward also expect the Portland police bureau to be held to a very high standard. And by and large most people in the Portland police bureau would agree that this is egregious conduct. So what are we going to do going forward? The city of Portland has asked that a senate bill be entered into legislation. It is Senate bill 383, which provides for sworn members of a law enforcement agency that has adopted a discipline guide or matrix, which we have, if the arbitrator agrees that the alleged misconduct occurred and the disciplinary action imposed by the agency is consistent with the agency's discipline guide or matrix, then the arbitrator cannot change the agency's disciplinary action. This would be common sense legislation. It would respect the rights, the due process rights of police officers, but at the end of the day, since the mayor and the police chief are held accountable for what happens at the Portland police bureau and held accountable for the standards of conduct in the Portland police bureau, this common sense legislation would return the authority to the mayor and the chief of police to make those decisions. So until the law is changed, we have this difficult decision before us. But I have laid it out. What we're paying for in this settlement is certainty. With that I'll turn it over to mark amberg to take it up from there. Thank you for being here.

**Mark Amberg:** Thank you, mayor and council. Mark amberg with the city attorney's office. A couple of clarifications regarding the settlement agreement.

**Wheeler:** I hope you're better as a lawyer than you are at technology.

**Amberg:** Let us hope so, yes. You should see me doing work at home. [laughter] a couple of clarifications regarding this settlement agreement. First of all, under the settlement agreement, yes, there's a payment which approximates the amount of back pay that likely would be awarded if the city goes to arbitration and the arbitrator does not agree with the city and over turns the discipline decision, which as the mayor outlined we think there is a significant chance that an arbitrator would overturn the discipline decision as egregious as the conduct was. One piece of certainty under the settlement agreement that I believe is very important is the police union and the sergeant who is involved, they would agree under the settlement agreement that he would never be eligible to return to work for the police bureau or the city of Portland. If this case goes to arbitration and the arbitrator overturns the decision there are no guarantees of that at all. In arbitration proceedings, the labor arbitrator has extremely broad rights to fashion a make whole remedy for the

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individual employee who was involved and that could include reinstatement and certainly would not preclude the individual from being eligible to return to work for the bureau or the city. This settlement agreement would make certain that that doesn't occur. In terms of the labor arbitration process, the labor arbitrator under labor law would apply the principles of just cause in analyzing this case, and we have a sergeant, the sergeant who made this I think everybody agrees egregious remark], we have a sergeant who has a 25-plus year record with the bureau of no significant discipline other than perhaps a couple of issues involving preventable accidents, so basically on the record an unblemished career and a labor arbitrator in evaluating this case certainly under the principles of just cause will certainly evaluate the egregiousness of the conduct, whether the conduct occurred at all, which that's a given here. The egregiousness of conduct but will also take into account the officer's record and what the arbitrator believes is an appropriate level of the conduct, given the egregious of the conduct, the officer's record and the comparison of how this type of conduct has been dealt with by other similar-situated employees in the police bureau and taking all those factors into account, our evaluation is that there is a very significant risk that the city would not be successful in arbitration, we would not be able to uphold the termination and we would lose all control over whether this officer comes back or doesn't come back and how much money is paid which in all likelihood would be at least somewhat more than the amount that would be agreed to under this proposed settlement agreement. And if council has any other questions for me, I would be happy to try to answer those.

**Wheeler:** Commissioner Hardesty?

**Hardesty:** Thank you, mayor. So my first question is what is the \$100,000, cover.

**Amberg:** Sure, the \$100,000 that was calculated it basically would be the back pay from the date the officer was terminated up until the -- there is an agreed-upon settlement date under the settlement agreement of December 3, 2018 and the \$100,000 basically would cover his wages for that time period. It would not include lost overtime opportunities which are typically awarded by a labor arbitrator in these types of circumstances, would not include the cost of going to arbitration, including to pay for the arbitrator, and the time and effort expense going to the arbitration.

**Hardesty:** So is there an expectation of overtime if you are a Portland police officer?

**Amberg:** For officers and sergeants, there is generally speaking, they work quite a bit of overtime and the way the labor arbitrators -- the laws developed on that labor arbitrators, they will typically try to estimate how much overtime the officer would have worked and not to get too much into the weeds but usually they look at the officer with the seniority right above that person, the officer right below that person, figure out how much overtime they worked and that is usually the measure they will apply to figure out how much this officer likely would have worked.

**Hardesty:** But in this particular case, this officer is a retired Portland police officer who was hired back under this "we need more cops" program, right, came back as a limited duration employee, right --

**Amberg:** Correct.

**Hardesty:** So why would there be an expectation that there would be overtime for this particular type of officer? Because again, he is already retired, he's already getting his city retirement and this is them coming back at full pay and we were told when it was past that they would not be eligible for overtime so why would the arbitrator expect him to have gotten overtime?

**Amberg:** Well, what was finally agreed to as part of the police association labor contract, they have -- when an officer is brought back on the retire rehire program, they have full rights under the labor contract which includes overtime opportunities.

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**Hardesty:** And so I just want to put this back, so basically we either give him \$100,000 today or we go to arbitration and since we normally lose arbitration, the arbitration would allow him to get the \$100,000?

**Amberg:** Probably more than \$100,000, that's correct.

**Hardesty:** Thank you.

**Wheeler:** Any further questions? Public testimony on this item, Karla?

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

**Wheeler:** Very good.

**Moore-Love:** The first three are Joe walsh, Philip j wolfe and donna hayes.

**Wheeler:** Thank you, two minutes for the record, please.

**Joe Walsh:** Good afternoon. Some of you know I used to be a chief union steward for ibw and I handled all arbitrations and terminations in the federal sector so it's very close to what you are being faced with now. There's a couple of things when I read this that I did not understand. Nobody is saying what the guy said. So it's got to be really bad. I don't know what he said. I read the supporting documentation and it just says he said something derogatory and it was kind of racist and kind of this and kind of that and we're going to give him \$100,000 because we're terrified of arbitration. Well? Let me put it to you this way. If you cannot take a case before an arbitrator and a racist made a comment in front of his peers at an official function which at roll call is official, and the mayor and the chief of police fired him, and you can't sustain that, you got a problem with your people that are representing you. Because I could take that case and win it. I know that. I could take that -- I cannot imagine any arbitrator standing there, looking me in the eye and listening to me say to him that man is a racist and he is a cop and he carries a gun. [inaudible] the chief of police fired him and the mayor fired him, and lose the case? How in god's name is that possible? Here's a question I ask your city attorney over there. I said how often do you redo your arbitrators? She said well, I don't know, you know, seven years, eight years, something like that. We used to do ours every three years. Completely wipe them out, got new arbitrators and the arbitrators had to be people of reason. Don't do this. You vote for this, it'll come back and bite you in the ass.

\*\*\*\*\*: It's biting them I the ass now.

**Walsh:** Thank you for your time. Hate it when people said that to me.

**Donna Hayes:** Ready? I'm finding it hard to understand the thought process of this city. You are building buildings that citizens can't afford and you arrest them because the street is the only place they can afford. You are considering presenting a proposal to give gregg lewis over \$100,000 for a harsh statement about black men. I raised four black men and I constantly worry that one of your sick cops killing one of them. You do nothing about such things as this. Every time one gets into a car or walk down a street or just sitting in their home could come and wipe them out -- a cop could come and wipe them out. Don't you think my family has been through enough from your lewis-type? Don't you remember moose? Don't you think him or others like him might have been influenced this stupid [inaudible] in shooting my grandson? Don't you think him or others like him influence black peoples' death like patrick kimmons or black men or women death in the city you are responsible for? You said, mayor, and I quote, I will not tolerate racism or threats of violence by any police officer. Any officer who is found to have engaged in such behavior will face severe discipline, including termination. So in keeping your word, you pay him off? You are not a man of your word. Take this peace officer's license, but instead you let this racist retire. I am ashamed of the city council. You and all your black citizens down -- you let all your black citizens down. How you all say we still don't mean shit, this state has not changed since february 14, 1859 when it came into statehood [inaudible] --

**Wheeler:** I am going to need you to wrapping --

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**Hayes:** I'm going to let it go because I got a little bit more but I'm going to let it go. You get the understanding. [inaudible] black person. You let me down.

\*\*\*\*: This is what's called a lose-lose.

**[lengthy pause; Philip wolfe types testimony]**

**Wheeler:** Thank you, next individuals please?

**Moore-Love:** Next three are Robert west, jeff black and dan handelmann.

**Wheeler:** Go ahead.

**Robert West:** Okay, my name is robert west and I'm totally offended that you guys would even consider paying this police officer. Everyone knows that there is racists in the police bureau, mark kuger is one of them which is known to be a nazi and I don't mean a skinhead nazi but an actual german world war ii nazi -- he supports this kind of stuff. This officer should be fired. Should not be given a dime and if he is brought back, he should be put on desk duty and removed from it the streets until the time in which the city can figure out how to terminate him. We don't need racist cops. We got enough black kids drying on the streets right now. We got enough black people dying on the streets. We got cops pulling their guns on people that they shouldn't even be pulling their guns on. The difference between someone living and someone dying is a fraction of a second when a cop pulls his gun because if this cop feels an inkling of any kind of danger or imaginary danger, he will shoot and he doesn't care who he shoots and then he will go before you guys and he will say, hey, I felt in danger, he'll go to the grand jury and say I felt in danger, you know. They get away with shootings that the public would not get away with and that is absolutely sorry and then you are going to put guns in a racist's hands? A sergeant has access to every weapon the Portland police have -- shotguns, rifles, pistols and you are going to arm this officer? That is sad.

**Wheeler:** Dan?

**Dan Handelman:** Hello again, I'm Dan Handelman with Portland cop watches and two minutes is woefully inadequate but I will see what I can do. We noticed this case in the police review board report that came out a few months ago that talked about an incident that was so shocking that other officers turned sergeant lewis in. Media reports suggest that he made a comment at roll call shortly after Quanice hayes's death about using force against a black man, which I am glad that quanice's grandma is here today. At the time of Quanice Haye's death, we noted that was the first time that a Portland police shot and killed an African-American in Portland since keaton Otis in 2010 and since then, three more African-Americans have been killed, terrell johnson, Patrick kimmons and Andre gladen. So there is some concern that this offhand remark about whatever he said about let's go use force against black people has an echoing effect. And this is after all the sergeants had already gotten their implicit bias training, right? The line officers just got it last year but the sergeants had it by the time that he made this remark. The fact that it was described as a joke is morally reprehensible. Now I understand you're in a legal bind here because not only do I think you'll fail at arbitration, I don't think the law you're proposing at the state is going to fix this because the, unless I'm reading it wrong, this one guy says that the most serious discipline you can get for a racial bias comment is 120 hours off which is what is in this arbitration -- or in the agreement your saying today -- is 120 hours off. So what you need to do is change the discipline guide, not change the state law --

**Wheeler:** Absolutely, we need to do both.

**Handelman:** And I should add that that discipline guide was updated sometime last year and the directive that guides the discipline guide was out to public review but not the guide itself so at that time we could have made comments. Of course, I think this, I don't know when this decision was made but it might have happened before that. I have a lot more to say but I guess I will just leave it there for now. Thank you.

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**Jeff Black:** Hi, nice to see you on city council, joanne. I'd like to connect the dots here. We had an officer in this day where we talk about the words transparency and accountability. He stated a racist comment in a morning briefing with fellow sergeants and with the Portland accountability, we citizens apparently are not privileged enough to know exactly what officer gregg lewis said. As bob noted, as dan noted, there is context here that is missing for the people and you are asking us to support you and we really don't know what this guy said. Secondly, this was three days after the murder of quanice moose hayes by officer andrew hearst, so these things are connected. When the sergeants are racist, then they are passing on marching orders to the cops and the cops know they can act that way. They can persecute people of color in a different way. And Joanne, I watched you when you were campaigning and you talked about the fact that people of color get ticketed for spitting on the sidewalk when people that are not of color don't, right? We know there is an implicit bias here in the city and in the Portland police from everything from spitting to running with a handgun somewhere in the dark. So what we need to do is understand that the orders are passed from the top down. This is not acceptable. It is not acceptable that mark kruger is still on the force. It is not acceptable that you are asking us to give money to sergeant gregg lewis. if the city needs to take a hit because they can't manage their police and keep the racists out, then take the hit and fight the legal case, but don't give our money away while you are supporting the very racism that got Patrick kimmons killed, that got moose hayes killed, and that got, just this year, andre gladen killed and the Portland state police killed Jason Washington, so it's going around and it is contagious. Let's stop it, thank you.

[applause]

**Moore-Love:** The last person who signed up is edith gillis.

**Wheeler:** And then colleagues after this, I would like to make a motion and also like to bring legal counsel back --

**Fritz:** Before you make the motion, mayor, may I comment, please.

**Wheeler:** Absolutely, good afternoon, edith.

**Edith Gillis:** I would like to come with really clear-cut answers and solutions and i'm feeling heartbroken that I don't have that. I definitely think it's pretty easy in moral issues to keep it simple, that we cannot make crime and racism and hate pay. My heart also goes out, too, when you think you would have less control over someone if the arbitration allows you to pay more money, the whole process costs more, and then have no accountability for that person and others. I heard you say that it is a bad situation but you don't know of a better one. I don't either, but I am absolutely convinced that there is an answer. I don't know what it is, but I know that god is not on the side of our tax dollars being used to pay and reward racism and hate for this settlement or future punishments through arbitration. And I know we need to change our discipline policy, we need to change our hiring and training, our accountability, the numbers of cops, we need to change the arbitration and we need to change the state law but I just -- I wish I knew a better way.

**Wheeler:** Thank you, if that completes public testimony, colleagues, I'd like to move -- commissioner Fritz, I'm sorry.

**Fritz:** Thank you, mayor. I just want to acknowledge that I feel physically ill about supporting this settlement and the most important thing is to get rid of this person off the police force and to make absolutely certain that he can never wear the police officer's uniform, never carry a Portland police gun, never be out in our community and this settlement is the only way that we can make sure that happens. It is also going to be the most cost-effective way that happens because if he were to -- if we are to lose at arbitration, which since this was the first time he has made a comment, he's never had any discipline for making inappropriate comments before so the arbitrator would say, that this is, in looking at the discipline guide, as Dan Handelman pointed out, that this is

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inappropriate discipline and then we not only pay back pay, we pay the penalties and get this person back on the Portland police force and that is absolutely unacceptable and so that is why reluctantly I am going to support this settlement while recognizing we need to change the discipline guide, we need to change the state law, we need to give the mayor and the police chief the power to fire officers who do not behave with portland's values.

**Wheeler:** I would like to move an amendment to remove the emergency clause.

**Eudaly:** Second.

**Wheeler:** We have a motion. We have a second. Call the roll on the amendment.

Fritz: Aye. Fish: Aye. Hardesty: Aye. Eudaly: Aye.

**Wheeler:** Aye. The amendment passes. Could I speak to, is Mr. Amberg still here? Very good. Thank you. So you have heard the testimony. You understand, and I frankly, I empathize and understand the frustration of tax payers who say okay mayor, you made a pretty strong statement about racist behavior and racist remarks. You've set a high standard for the police bureau, which I have and I've acknowledged that, and I believe by the way, most men and women in the police bureau support having high standards for the police bureau, you've heard people say it is egregious that we would pay somebody who has made a remark that I have already acknowledged I believe to be deeply offensive and racist and I will go so far to say we wouldn't be having this conversation in the private sector. The individual would already be gone. There wouldn't be this lengthy process surrounding it and we wouldn't even have this angst. I have chosen not to say on the record what this individual said because I believe it has been reported. If I am wrong, I will make sure that remark is reported. I do not think it is appropriate to say it here today, I just personally don't. If somebody else wants to say it, that is fine but it is egregious and I think most people acknowledge it is and the other sergeants who overheard it, also agree it is egregious. My goal here is to make sure that my wish and the police chief's wish is carried out, which is that this individual is not able to wear the uniform of a Portland police officer because I believe his actions disqualify him from that. He does not rise to the high standard that I hold as the mayor and police commissioner for this city or the high standard that police chief outlaw holds for this city. It is my understanding that because of the arbitration process as you described it, he will not -- officer Lewis will not be judged merely based on the moment, what he said in the moment, which is the way most employees in most companies are evaluated. If you screw up, they don't go back and review the entirety of your record. If you screwed up, they hold you accountable for the screw-up when it happens. We don't do that. The arbitration process, as I understand it, would require a broader view?

**Amberg:** Yes, mayor, that's correct and I think, I want to make clear, I don't think anybody disputes the egregiousness of the comment --

**Wheeler:** Right, so the question then really is -- and I think what is really galling people, at least those who have testified is the payoff. So here is the question and maybe you already answered it. I feel like you did but I am going to ask it slightly different which is isn't there a historical precedent whereby other people have been suggested -- disciplinary actions have been suggested by mayors and police chiefs that have then been overturned by the arbitrator and did you not say you believe is a highly likely scenario in this particular case because they will look at not just the event itself but they'll look at a broader context and broader history, is that what you said?

**Amberg:** Yes, mayor.

**Wheeler:** Good, with that, I want to acknowledge the frustration and the anger people are expressing in this room. I am willing to take the heat. I believe it is so important to get rid of this individual that I am willing to take the heat and pay that settlement to get rid of him because he is not up to the standard that I have for the Portland police bureau or frankly



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the standards that I believe this community wishes to hold the police bureau to. Thank you for that. Any further questions, commissioner eudaly?

**Eudaly:** Yes, since we're not voting today, I would like to put comments on the record in recognition of community members who came here to give testimony today and respond to some of the concerns that were raised. Like the mayor and commissioner Fritz, I understand the public's frustration. I am very frustrated. I had planned to vote no on this item on principle. I had planned to vote no on this item on principle. Past councils have bargained away a lot of our power to oversee the Portland police bureau. I want us to get rid of mandatory arbitration altogether. I don't want to change the rules. I don't want it. We should be able to get rid of any city employee who engages in this kind of conduct and many others, but this is the frustrating and flawed system we have to work with today and it is not just local, it is the d.a., it is state law and it goes all the way up to the supreme court. all we have power right now is our jurisdiction. I want to thank the sergeants for coming forward and holding this officer accountable. I think it is so important for the public to see police officers breaking rank and calling out other officers on this kind of behavior. And frankly, we need to see more of it if we're ever going to restore trust in the community with the public and I don't know if that is even remotely possible. I want to thank the chief and the mayor for their swift and decisive decision. This is an imperfect solution made within a flawed system and highlights what many of us know. Our ability to effect meaningful change is limited when structures themselves are broken. We cannot continue to sign off on an arbitration process that circumvents being able to hold officers accountable and we're skirting around the issue because we can't talk about the specific cases, but we know that time and time again officers have been fired or disciplined by the chief and the mayor and through mandatory arbitration, it is overturned. The public blames us and to a certain extent, that is reasonable, but again, our power isn't bargained away and we need to get it back. I look forward to working with my colleagues to revisit this and the bureau's retire rehire program and many other issues in the next union negotiations which is our big opportunity to really effect some change and I hope everyone in this room comes back for those conversations. For now however I think it is important to state the obvious. none of us are happy with this outcome, not all of us may support it yet we know the arbitration process will very likely leave us in a worse position, spending more tax dollars and open to this officer coming back. Police chiefs come and go, mayors and commissioners come and go. There is no guarantee that a few years from now, and we're not talking about a 65-year-old retiree. We're talking about someone who still has lifespan in their career, right? This individual could come back to work for the bureau or any other Portland city bureau, and I don't want that to happen. I don't think anyone here does. I support for the settlement is in support of my desire to terminate the relationship between this officer and the city quickly and permanently as well as limit our expenses I don't feel good about it and I don't think anyone else feels good about it either.

**Wheeler:** Well said. Commissioner hardesty?

**Hardesty:** Thank you, Mayor. If you run into a drunk on the street who is white in a suit, let him go because he will probably sue you. If he is latino, call chairs. If he is black, shoot him. That is what the officer said. That is why other officers turned him in I am happy that those officers turned him in and that there was a process. I appreciate the fact that the mayor has taken the emergency clause off because I would not under any circumstances vote for this settlement. It is clear as commissioner eudaly said that we have a broken system. This afternoon, I am going to be reading a resolution for black history and if I cannot believe that this particular officer worked for 25 years for Portland police bureau and never uttered a racist thought before are he was in this roll call, I just can't believe that. Anybody with common sense would not believe that. Therefore, it is absolutely critical that the next Portland police association contract talks include people like me who have

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been around for a lot of contract talks, to make sure that the people of the city of Portland are well-represented. If it was up to me, I say let's go to arbitration, let's fight the good fight because even if we lose it, we set a very strong message that this is just not acceptable and you don't get to sit in roll call and make racist comments and then get a payday on top of your -- on top of your city-paid retirement. This is absolutely not acceptable and this is not the first time we have seen but I certainly hope it is the last time.

**Wheeler:** Very good. This is a first reading of a nonemergency ordinance. It moves to second reading. Thank you, Mark, appreciate it.

**Amberg:** Thank you.

**Wheeler:** Next item.

#### **Item 84**

**Wheeler:** Good afternoon.

**Craig Haynes, Office of Management and Finance:** Afternoon, mayor, good afternoon, council. For the record, my name is craig haynes, I'm an analyst in the city's grants management division and today I'm here to put forward the recommendations of a special appropriations committee for the fiscal year 18/19 competitive special appropriation grants. I just want to point out this is the third year the grants in my division is overseeing the administration of the special appropriation competitive grants process. In the first year, the allocation to the program was a million dollars and we awarded 20 grants. In the second year, fiscal year 18 -- 17/18, sorry, the allocation to the program was also a million dollars and awarded 26 grants to organizations in and around Portland. In the current year, the allocation to the program is \$765,000 and 32 organizations will be receiving funding. So I have a few slides that shows the organization receiving funding. They amount they applied for, the amount they will be awarded and also the program here under which the organization applied and received funding. Here we go. I want to point that out of the 32 organizations receiving funding for the current grant cycle, only 7 of those organizations were funded at the full amount they requested and those organizations are constructing hope, north by northeast, Oregon made creative foundation, Oregon volunteer lawyers for the arts, Portland ecofilm festival, Portland Mercado, and welcome home housing program. Additionally of these 32 organizations receiving funding under the current cycle, five of those organizations have received prior competitive funding from the city of Portland. Those organizations are college possible, vanport mosaic, Portland's teaching university institute of aging, the community cycling center and African youth and community organization. Each year the committee reviews the competitive grant process and tries to implement with similar process better for future applicants, a few recommendations for the next grant cycle are hopefully to start a process early in the year, having more than one informational session and hopefully collaborate with one of city's partners, PCC, to host a grant writing workshop. I want to say a special thanks to the committee members who contributed their time and efforts towards this program. I want to say a shout-out to Pollyanne Birge from commissioner eudaly's office, cristina nieves from commissioner fritz's office, Seraphie Allen from the mayor's office, Everett Wild from commissioner Fish's office, and Shaina Hobbs, formerly of commissioner saltzman's office. Commissioner hardesty, when this process was happening you were not yet sworn in to council but we look forward to working with your office in the next appropriation cycle. That concludes my presentation and I'll try my best to answer any questions the council may have.

**Wheeler:** Very good. Colleagues, any questions? There should be no surprises here for any of us.

**Haynes:** There should not be.

**Wheeler:** I'll entertain motion.

**Fish:** I move the report.

**Fritz:** Second.

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**Wheeler:** We have a motion from commissioner Fish, second from commissioner Fritz, please call the roll.

**Fritz:** This is a process established by mayor charlie hales which is so much better than the previous process where if you happen to know a council member and had their ear, you could get an earmark for whatever you asked for basically. So this committee reviewed 75 applications and when I look over the list of what was funded, it is just a plethora of covering all of the, many of the good things that Portland does so thank you for your work guiding the committee, thanks to cristina nieves on my staff and all the other staff members who participated. It is a good process and I hope we will have an allocation in the upcoming budget so that we can do the same thing and that way it is fair and equitable for everyone to be able to apply. Aye.

**Haynes:** I agree commissioner. I hope so, too.

**Fish:** I'm very pleased to support these recommendations. I want to thank Everett from my team for the hard work and time he put into fulfilling his responsibility. Colleagues, out of an abundance of caution, I'm going to disclose that since mercy corps northwest is one of the grantees or applicants I should say, I'm going to disclose that my daughter works for mercy corps. Mercy corps and mercy corps northwest are separate and distinct entities. I have not been lobbied by mercy corps northwest under application and am pleased that it's being funded but it was not, I did not participate in that process. So I do not have a conflict that prevent me from voting on this but I want to, out of abundance of caution, disclose my daughter does work for mercy corps. Aye.

**Hardesty:** Aye.

**Eudaly:** I want to acknowledge how tough it is to go from such a serious issue of racism and police accountability to our special appropriations program. I don't feel able to bring the level of enthusiasm that I truly feel about special appropriations, so I'm going to just read my remarks. The competitive special appropriation grants allow for the city to invest in people making a real difference in their communities and is one of my favorite council items. From the Ecofilm festival and mobile bike library to college skill building programs and services for Portlanders facing houselessness, these 32 nonprofits represent a broad array of Portland's education, health and arts organizations. I want to thank the staff and volunteers from all the groups receiving special appropriations funding. We know how hard you all work and recognize your leadership and commitment that is the key for success for our city. appreciate how hard you work for the city. A special thank you to craig haynes and Sheila Craig from OMF for managing this process and to Pollyanne Birge from my office for her careful evaluation of special appropriations requests. Aye.

**Wheeler:** I want to thank craig haynes and Sheila craig from the office of management and finance for outstanding leadership and shepherding the selection committee in awarding these grants. I also want to thank all the city council staffers who reviewed these applications and worked together to craft these decisions. I am told it was a ton of work and it was not easy. Everett Wild from commissioner Fish's office, pollyanne birge with commissioner Eudaly, cristina nieves with commissioner Fritz's office Shaina hobbs with past commissioner salzman's office and of course seraphie allen representing my office. The committee was tasked with recommending organizations to be awarded funding for the fy18-19 competitive special appropriate grants totaling \$765,000. They narrowed it all the way down from -- they reviewed 75 applications totaling almost \$4 million in requests and I am proud of the diversity of organizations that they selected and the quality of the organizations. At the end of the day, they had to narrow it down to 32, they did the hard work, they got it done, I'm really proud of their work. I vote Aye. Report is accepted. Colleagues, here's where we're going to do item 85 which I am told will about take two minutes. That is a report. Then we're going to do item 86 because we have people who have been waiting patiently to testify on item 86. We are going to move item 87 to the

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beginning of this afternoon's agenda and we will try to expedite that because I understand that we'll the pcc folks, future connect folks, standing by and ready to do that. So that is my plan. We will get out of here in just a few minutes. Item 85.

**Item 85**

**Wheeler:** Alright, we have lester and scott, good afternoon.

**Lester Spittle:** Good afternoon mayor, commissioners, I'm here to make a quick introduction to scott schneider, procurement services, is going through some changes and scott has been given a bigger role within the organization and you'll start to see him more often delivering these chief procurement officer services reports. Thank you.

**Scott Schneider:** Alright. Thanks Les, and good afternoon. Scott schneider from procurement services. You have before you a procurement report recommending the award of three price agreements for a combined, and not to exceed amount of \$18,500,000. These price agreements have a five-year term and will be utilized as specific projects are identified by the bureau transportation's budget process. On September 5th, the chief procurement officer advertised invitation to bid 869. On october 11th, we received four bids. All bids deemed responsive to solicitation. City issued a notice of intent to all four birds responsible bidders, however one bidder subsequently has cease production of asphaltic concrete so we're recommending the award to the remaining three. All three of the remaining bidders have current city of Portland business tax accounts and are in compliance with the city's contracting requirements. Based on the expected spend over the five years, the bureau is expected forecast for city projects, the confidence level is the procurement is high. If council has any questions regarding the bidding process, I can answer those, or we have mike mcgee in chambers from the bureau of transportation if you have any project specific questions.

**Wheeler:** Colleagues, any questions? Very good, I will entertain a motion.

**Fritz:** I move to accept the report.

**Eudaly:** Second.

**Wheeler:** We will a motion by commissioner Fritz, second from commissioner eudaly, please call the roll.

Fritz: Thank you for your work. Aye.

Fish: Aye.

**Hardesty:** Aye.

**Wheeler:** Aye.

**Eudaly:** You skipped me Karla.

**Moore-Love:** I was just checking. I was running along.

**Eudaly:** Did I lose my job in the last five minutes?

**Moore-Love:** Eudaly.

**Fish:** We only needed three votes.

**Eudaly:** Welcome to city council. Aye.

**Wheeler:** Karla, I've been here two years and I've never seen you make a mistake before.

**Moore-Love:** This is my second week in a row.

**Wheeler:** This is like an auspicious occasion. There it is. Well done.

**Fritz:** Low blood sugar.

**Wheeler:** I overall get angry.

**Eudaly:** Yeah we've been in here a long time.

**Wheeler:** So last but not least, item 86, please.

**Item 86**

**Wheeler:** Alright, we have Dorothy elmore, security project manager and it looks like we have larry. You weren't even on the agenda today and here you are. Congratulations.

**Larry Pelatt:** Just can't get rid of me. I won't go away. What can I say?

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**Dorothy Elmore:** Good afternoon mayor and commissioners. We are here before you to ask for, to seek authorization to move forward with the rfp process to hire a security contractor to provide ongoing security services for several city facilities. The current security contract expires on may 31, 2019 and there is a need to have a new contractor in place prior to this date as, so we would not disrupt security services. Here with me to talk to you about the procurement process and to answer any questions is larry pelatt.

**Pelatt:** Good morning, mayor wheeler, commissioners, i'm larry pelatt, procurement services, the one who won't go away. As dorothy stated this legislation for an ordinance to authorization procurement services in the facilities division to create a solicitation which will allow the city to investigate the market and solicit responses from contractors who believe they can effectively provide the requested security services. Once the responses, proposals have been received, they will be evaluated by a group comprised of city staff and community members. Once that evaluation is complete, we will return to this council with a request to authorize a contract. If there are any concerns which have not addressed prior to that, the contract even at that point could be postponed or stop. Again this legislation in itself does not authorize any contract or obligate the city in any way. If you have questions about that process, I am still here.

**Wheeler:** Colleagues, any questions prior to testimony, commissioner hardesty?

**Hardesty:** Thank you. There is a requirement that the people who were hired under this contract, be former police officers. Why is that? Is that not true?

**Elmore:** No, that is not true. We would like to have them have law enforcement experience and/or military experience but that is not a mandate.

**Hardesty:** Thank you very much for the clarification.

**Wheeler:** Any further questions? How many people do we have signed up for public testimony?

**Moore-Love:** We have eight people.

**Wheeler:** Very good. Two minutes each please, name for the record.

**Moore-Love:** The first three are joe walsh, donna hayes and maggie.

**Wheeler:** You want to start?

**Joe Walsh:** Good afternoon, my name is joe walsh, I represent individuals for justice. NO!

**Donna Hayes:** My name is donna hayes. My thing is against g4s. I really don't want them to be a part of the pool when you are looking for it. The first thing you read when you go to the website of g4s is the world leading global intricate security company specializing in delivering of security and related service across six continents. What happened with hiring a local company right here in Portland? People who understand it Portland? Or a company that at least is in the united states. Their investment information is listed in pounds. A local company will keep jobs in Portland. It will help with the economy. These people are located in the united kingdom. Did you know gs4 had their fair share of legal problems? Just six days ago, they agreed to \$130 million settlement over labor laws. This was in california. These well-trained security put children in painful restraints in england. What will they do to us adults here? G4s is now shaking in its boots worrying over a few lawsuits against them for what they did while guarding a are refugee camp in australia. There are quite a list of all of the items and -- and all of them is not more than 12 days old. Again, I'm asking what is wrong with local? Cornerstone security, advanced security, northwest enforcement, imperial security, just to name a few. Instead of dealing with a based -- okay. Now my problem with this company is right after moose was killed, I came to city hall and I was greeted by your g4s security with a blue lives matter hat on while he was in full uniform. He stood in front of me and his arm was folded with a hat on to antagonize me. That was so unprofessional. I am asking you don't them be a part of the gene pool.

**Wheeler:** Good afternoon.

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**Maggie:** As far as her comment on foreign security companies coming in, I highly agree. We don't want any foreign security companies coming in and doing security in Oregon. We want a local grown. Having said that, I've been in what I believe is a city facility, pioneer square, right, and they have private security in there, pacific security. I was at a protest for the BID. They were going around and taking pictures of us. Why was that? There's already cameras in pioneer square. Why was a private security company taking pictures of us during a protest of BID, completely legal, permitted, why? I think these private security people are not well-trained. I can talk about mall security being inappropriately attired, like federal marshals or state troopers and they're armed too, but they're concealed carry. They should not be allowed to concealed carry. If they're going to have a gun, it should be out in the open. These people are allowed to carry concealed weapons because they're private and they're allowed to dress like state troopers and they're allowed to dress like police officers and that is totally wrong. And as far as training, it should be a mandate that they have full police training full vetting as far as racism. You know, it is really 50/50 out there on the street in terms of what I see as police officers being genuinely concerned about public safety and other problems where I have seen police officers behave in a predatory manner towards disadvantaged people.

**Wheeler:** Thanks, Maggie.

**Maggie:** So let's –

**Wheeler:** Time is up, maggie, thank you.

**Maggie:** Lets have – trained --

**Wheeler:** Maggie, your time is up. Thank you. Next three people.

**Moore-Love:** The next three are robert west, jeff black and dan handelman.

**Robert West:** How are you doing? My name is robert west and I am going to bring up some stuff about g4s. I notice you guys are on this police sergeant but yet g4s does the same thing. If you look at their records. First of all, they are from england. Second of all, they are being investigated for crimes against humanity by the united nations. They are in charge of are refugee camps in israel and other countries. Their officers overseas have been known to be involved in rapes of women and children and murders and by paying them, you are supporting not just the ones here but you are supporting the ones overseas doing those crimes. G4s should not be -- should not have a contract with the city because, you know, just because their record here is good doesn't mean they shouldn't be punished for what they did in another country. I just don't think that they should be allowed in here. I have seen them involved in pushing and shoving matches. One g4s female officer told me to hit her and that is on video and to g4s, that's professionalism. So that's what I've got to say.

**Wheeler:** Alright. Thank you. Dan?

**Dan Handelman:** Dan Handelman again with Portland cop watch. While I would agree there are definitely concerns with g4s, the good thing about this agenda item is it allows you to hire somebody else. The think the bigger question is are we spending too much money on security for city hall and other Portland buildings when there are human needs that are not being met? I remember when we could still walk through the front door of this building, period, but then there was a turnstile put in and somebody would ask you where are you going today and that seemed like a pretty good way to kind of screen out people that didn't really know what they were doing in here. If they're going to cause trouble. But now you get treated like a criminal and you have your bag searched, and you get a wand waved over you. One thing they can do that at the airport. This is city hall where we have a right to redress our grievances with the government. Everybody who enters this building now is treated like a criminal and I know people who won't come here because they feel that this is excessive security on the way in. So I think that if this is going to be authorized, I think you should be talking about lowering the amount of money and having a serious

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discussion about how much of this security to actually needed here. I notice before I think there were people on the balcony, is that right. Was the balcony opened up again? That's great because it has been a while. I know they got escorted out and the mayor accused them of being with a certain group and I think if that is true, that's whatever, we don't agree with those groups' politics or policies, but I think you have to be careful about labeling people about being with a certain group or not. You have to, you know, let them self-identify what group they're with. I don't know if you knew for sure.

**Wheeler:** We'll call them the interrupters.

**Handelman:** What's that?

**Wheeler:** We'll call them the interrupters.

**Handelman:** Sure, sure, that's fine. That's more, you know, that's fine.

**Wheeler:** I happen to know the individuals who were up there and so that's why I made the comment.

**Handelman:** Okay, well I just, as a member of a group where our name is the name of a movement, cop watch, where we get mistaken for other people. I just want to make, it's very hard when you start labeling people about what group they're in instead of describing their behavior.

**Wheeler:** I said associated with, just to be clear and I am 100 percent certain that I am accurate.

**Handelman:** Okay, you're not – well, to my point. So any way, again I am not sure if you are going to be able to have this discussion in a timely manner about whether or not to spend this amount of money and whether this amount of security is reasonable since you are trying to meet a may deadline but would really love for the city council to think about what you actually need here.

**Wheeler:** Good, thanks.

**Jeff Black:** Hi, my name is jeff black. G4s is an organization that is occupying this building illegally. They have been violating the civil rights of many individuals of the public and when I started a documentary film on the murder of moose hayes last year, I learned a lot about the different groups that are on the street, some that are called right-wing, some called left-wing, but we're all residents of the city of Portland and g4s has created a police state in this building and you guys allowed it to happen. You are our neighbors, you're people we voted for, you are people we see at public meetings, you don't need to be afraid of us. I know police chief outlaw rarely appears in public and ted, you seem way overly concerned with security relative to the risk. Dan made a very good point. What is the history of violence within city hall to need a global security firm to lock it down? And when I say lock it down, I am talking literally. I came here to watch a couple of cop watchers interact and they were literally doing nothing except being followed by g4s. It is like a silly game that g4s was playing and the perpetrator is g4s. Right? These are free people that are allowed to in city hall, they're allowed by statute to take photographs, they're allowed by law to record, they're allowed to go into offices and what you have empowered g4s to do is become the violator of civil rights of the people, and you're skipping out on the accountability because they are a mercenary firm that you hired. So you need to take responsibility ted for what g4s has done to this city, the way that it makes people feel when they come into city hall and as a stranger to city hall, coming in this year and being locked out multiple times because they associated with somebody else who was in the building? These are not credible security people and they don't belong in in Portland city hall, thank you.

**Wheeler:** So I assume then that since what's really up for discussion here isn't g4s. What we're doing is actually issuing an rfp which would potentially give other providers the opportunity to compete for the contract. I assume you support that?

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**Black:** No, I don't. I think ten million dollars is way overblown for security for this city and the fact that the city feels it needs to spend two million a year keeping the people of the city from entering the buildings and locking offices and acting inappropriately, violating civil rights, as I witnessed personally and as I suffered from, I think it's a terrible injustice and I think it's a waste ten million dollars.

**Wheeler:** So no security?

**Black:** Security is not needed. You can have a couple of security guards who also –

**Wheeler:** I got it –

**Black:** On the security - you can't just say you got it and blow me off. I mean if we're going to have a discussion, you should let me answer, shouldn't you?

**Wheeler:** You said no security. I heard your answer.

**Black:** No, that was not my answer.

**Wheeler:** What was your answer?

**Black:** My answer is that security in city hall, this is not the white house, this is the house of the people. Everyone should be welcome here, everyone should be able to --

**Wheeler:** Everyone is welcome here.

**Black:** -- everyone should be able to go in the offices and when you select out individuals to have g4s terrorize them like you have with a couple --

**Wheeler:** Okay, your time is up. We do not do that.

**Black:** Yes, you do --

**Wheeler:** Come on, seriously? We do not do that. Seriously –

**Black:** Seriously, yes you do –

**Wheeler:** Thank you, your time is up. Your time is up. You are out of order. Your time is up.

**Black:** You're a liar man – [witness continuing]

**Wheeler:** I am not a liar. I am not. This is, by the way, we need security.

**Eudaly:** Tell him he's disrupting and start the process.

**Black:** He and I are having a discussing.

**Eudaly:** No, you're not. He's the mayor. He ended your discussion.

**Black:** You don't have rights to put a hand on me. You're g4s and we're going to prove that you guys violate civil rights. No, no you'll get some real security.

**Wheeler:** This is why we have security.

**Black:** No Ted, you persecuted people in the public. [witness causing commotion; disruptive]

**Wheeler:** We are adjourned. We'll vote on this at 2:30.

**At 1:34, Council recessed.**



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**Closed Caption File of Portland City Council Meeting**

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

Key: \*\*\*\*\* means unidentified speaker.

**JANUARY 30, 2019**

**2:30 PM**

**Wheeler:** This is the January 30th, 2019 afternoon session of the Portland city council. Karla, please call the roll. [roll call taken]

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

**Wheeler:** The long shadow of this morning's session unfortunately is still over us a little bit. So for those of you who are just joining us this afternoon there are two items that we need to quickly finish up from this morning's agenda before we get to the business at hand.

Karla, my recollection on item 86, if you could reread that I believe we're ready for follow-up discussion from members of the council then we're ready for a vote.

**Karen Moynahan, Chief Deputy City Attorney:** Mayor, if I may, can I please read the warning?

**Wheeler:** I'm sorry?

**Moynahan:** If I may, may I please read the warning?

**Wheeler:** Yes, of course. The instructions that everybody will ignore later. Go ahead.

**Eudaly:** Looks like a rowdy bunch.

**Moynahan:** Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during city council meetings so everyone can feel welcome, comfortable, respected and safe. To participate in council meetings, you may sign up in advance with the council clerk's office for communications to briefly speak on any subject. You may also sign up for public testimony on resolutions or first readings of ordinances. Your testimony should address the matter being considered at the time. If does not you may be ruled out of order. 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. The presiding officer determines length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left a yellow light goes on. When your time is done a red light goes on. If you're in the audience and would like to show your support for something said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do a thumbs down. Please remain seated in council chambers unless entering or exiting. If you are filming the proceedings please do not use bright lights or disrupt the meeting. 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.

**Wheeler:** Excellent. Thank you. With that, item 86. If you could just reread it and then we'll get to the roll.

**Moore-Love:** I show one person who may not have gotten to testify. Tony hadden.

**Wheeler:** Is Tony hadden here? I don't see mr. Hadden. Very good.

**Item 86**

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**Wheeler:** Just so those of us who are here this afternoon understand this is from this morning. We had a presentation, we took testimony. Then we ran out of time. So here we are. Please call the roll.

**Fritz:** Aye. **Hardesty:** Aye.

**Eudaly:** No one wants to talk about what happened earlier? [laughter]

**Fritz:** We ran out of time commissioner.

**Eudaly:** I will just say that while I largely agree with the issues brought forward by community advocates they lose all credibility by defending people whose behavior is abusive, intimidating and threatening to us who sit on council, to our office staff, to security, and to city workers. I don't like how it feels coming into this building for the public anymore. I have devoted myself to making this place feel more welcoming and less intimidating. It's very disappointing that we have had to take these security measures. I cannot agree with people who are discounting the actual threat that we face, but more importantly, I do want to go on record as saying I want us to seek a new service provider. I would like for our current employees to be retained with what wages and benefits equal or greater to what they currently receive, and I would like the city to explore the feasibility of making security officers city of Portland employees rather than contracted providers so perhaps a shorter term contract could give us time to move in that direction if we decide it's a better thing to do. G4s has been accused of human rights violations, unlawful killing, excessive use of force and security losses in other countries. But their most frequent offenses are around labor and that includes wage theft, labor relations violations, employment and workplace safety. So I'm afraid this might be another wells fargo situation where we can't find a provider that can give us the service that we need. I hope it's not. I vote Aye.

**Wheeler:** I vote aye. I think it's very important that we rfp this. This is a normal part of our city process. This helps ensure accountability, it allows us to see and test what else is out on the market and who new players and entrants might be. It gives us the opportunity to look at the overall operation. Again, I'm sorry for the delay that was caused this morning. I vote Aye. The ordinance is adopted. Next item we also carried over from this morning is the last item carried over, item 87, please.

#### **Item 87**

**Wheeler:** Mark, you just can't seem to get rid of us, can you?

**Mark Amberg, City attorney's office:** Or the other way around.

**Wheeler:** Or vice versa. Very good. [laughter]

**Amberg:** Good afternoon, mayor and council members. Mark Amberg with the city attorney's office. This ordinance presents a proposed settlement agreement with the afscme local union and the city. It's a fairly long standing issue that's been out there. Basically the afscme filed a grievance over the use of sworn police officers to perform police desk clerk duties. Generally speaking it's at the front desk of the different precincts, primarily the central precinct. In essence afscme said wait a second, that's our work. It should be done by our represented employees and not by sworn police members who r down there because they're on some form of light duty or are otherwise are not out on the street to patrol. A settlement was reached whereby basically there was an agreement that that work, the police desk clerk work, belongs to afscme and sworn police officers will only be used in very limited defined circumstances. Essentially if it's like true police work like taking a report or something like that that a nonsworn employee can't do, and there is a financial component to this. The afscme claimed that the police desk clerks, their represented members lost overtime opportunities as a result of police officers doing the work, and therefore there was, to compensate them for those lost overtime opportunities there was an agreement that the 16 affected police desk clerk employees would each receive a payment, a flat sum payment of \$500 each, which brings the total value of the

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settlement to \$8,000. That in essence is the settlement agreement that is being asked to be approved by council.

**Wheeler:** Commissioner Fritz.

**Fritz:** Thank you. It says sworn police officers and nonrepresented employees. What about the public safety pss3, public safety specialists? They are not sworn police officers but they are represented.

**Amberg:** Yes. The pss3s, public safety specialist position, actually did not even exist when this settlement was negotiated. It was last summer this was negotiated.

**Fritz:** So if it turns out that these officers, that these specialists are doing a lot of desk work, then there will be another grievance?

**Amberg:** I think that's fair to say. Apscme would probably consider that to be their work. I don't want to speak for our friends at afscme but I believe that would be true. As far as I know there's no attempt to put the ps3s, public safety specialists, doing desk work.

**Fritz:** I know the mayor has stated as such but i'm glad there's also another backstop that if it does start that they are doing this kind of work that afscme will certainly be aware of it.

**Wheeler:** I would be disappointed if they ps3s were deployed in that capacity. That's not what the vision was at all.

**Amberg:** Sure and I haven't heard anything of any intention to do that but i'm sure afscme would be more than happy to assert their rights if they felt they weren't getting the work.

**Wheeler:** Very good. Any further discussion? Any public testimony on this item?

**Moore-Love:** I think they both left. Robert west and jeff black.

**Wheeler:** Ok. Good. Please call the roll.

**Fritz:** I'm glad to see this. I agree that bargaining units ought to stay in their lane. Everybody else ought to respect those lanes. Aye.

**Hardesty:** I share commissioner Fritz' joy in making sure that afscme members are protected. Especially since the Portland police bureau has been kind of in my neighborhood trying to steal members. So I think this is a good settlement and a good reminder that represented employees are in fact represented. Aye.

**Eudaly:** Yeah, I support this effort. I would love to see the bureau get staffed up on the admin side. It's not an effective use of officers' time. Aye.

**Wheeler:** Aye. The ordinance is adopted. Settlement is agreed to. Thanks, mark. Appreciate it. We're on to today's agenda.

#### **Item 90**

**Wheeler:** Colleagues, Portland community college future connect is a scholarship and support program for students who identify as first generation or low income residents. By providing scholarship money ongoing career guidance and personalized advising future connect eliminates barriers to college and builds pathways for their students' futures. The city of Portland is very proud to support the pcc future connect. Before we get started with the presentation, commissioner Fritz, is there anything you would like to add as a strong and longtime proponent of this program?

**Fritz:** Just that this is one of my favorite presentations of the year, so I'll save my comments for later. Thank you.

**Wheeler:** Very good. Commissioner Fritz has set the bar very high for you, which is fantastic. Here to present the latest on future connect is pcc foundation board president, susie lahsene. Is it lahsene.

**Susie Lahsene, PCC Foundation Board President:** Lahsene.

**Wheeler:** I wasn't even close. But I did try. My heart was in the right place. Thank you and welcome. Thank you for being here.

**Lahsene:** Good afternoon, mayor and city councilors. I'm susie lahsene, president of the pcc foundation board. As president of the pcc foundation I want to reiterate our deep gratitude for the city of Portland's commitment to future connect program at pcc. As you all

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know the city was an inaugural partner with pcc foundation in the creation of future connect and your ongoing support helps pcc foundation sustain this innovative, successful program. Future connect provides a path forward to college degrees and living wage jobs for first generation low income students. Our unique scholarship program includes early engagement with students while still in high school and ongoing support as they transition to pcc. The program is administered through the pcc foundation. We provide scholarships but more importantly future connect provides intense coaching to help students navigate significant barriers that may prevent them from achieving their academic and career goals. Kelly our program manager will speak to some of the supports and program improvements we're implementing. We know that these efforts are working because of the high retention and transition rates our students demonstrate and some of that material I think has been provided to you. Your investment and vision continues to create regional and state impact. The pcc foundation is proud to count the future connect program among its top fund-raising priorities and currently we're in the midst of our first ever comprehensive campaign and future connect is a campaign goal. During the time when we are seeing a growing divide between our haves and have nots future connect offers a path forward to greater prosperity for our students and their families. By changing these students' lives you're changing many and strengthening the health of our community. In addition to the generous support from Portland and other city and government agencies the foundation has also secured more than \$2.5 million from private individuals, corporations and foundations who, like you, understand the life changing power of education for both our most vulnerable citizens and our region's work force. The foundation's commitment to you is to continue and expand efforts to find additional dollars that strategically leverage the investment you're making and we stand with Portland city leaders in your vision to create a strong, sustainable local economy. Working together you are helping today's students become tomorrow's thriving members of this wonderful community. So for more information about the program's results and its impact on the city of Portland I would like to welcome future connect program manager, Kelly Love.

**Kelly Love, Future Connect Program:** Good afternoon.

**Wheeler:** Good afternoon.

**Love:** Thank you for your time today. I'm Kelly Love. As you all know, future connect has been a partnership with the city since 2011 and this year we're proud to have our first two students from that group finishing their doctoral degrees. We have a doctor of pharmacy and a doctor of physical therapy. In sum we have now served 2318 students. As Susie mentioned we serve students through a combination of scholarship, a college success coach who provides personalized coaching and advising and is the student's main connection to pcc. Cohorted classes to build skills for students to succeed in college and a community of peers and staff to ensure success. It is the community, connection and wrap-around support that makes this program different. Additionally we know that students also need support to reach their goals after pcc. We have transfer coaching for these students who want to continue their education and earn a bachelor's degree and we also have an internship program for students to get real life work experience in their field of interest and be ready to enter the work world. Margarita Hernandez is our transfer and internship coach and she will talk to you more about these programs in a few minutes. Also we address things outside of academics that can be key to academic success. Every student has access to food in our offices on campus so they don't go to school hungry. Every student has access to bus tickets so they have a way to get to school. We have also found that short term emergencies and crises, a sick parent who can't pay rent, an unpaid bill can cause students to drop out of school and so to address this, we have a fund for emergencies. This can pay for things like groceries, utility bills and rent when crises come up. These are our core services that we have. Wrap-around coaching, transfers coaching,

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internship support and emergency support but what we found as a program is that there are a greater number of students wanting support than can be served in the program and we've worked to develop innovative programming to address this demand. We start in our high schools providing information about attending college, financial aid, scholarships and visits to students' schools and classrooms. This both works to both fill a student's knowledge but really more importantly their identity as someone who is college bound. Last year we reached over 5,000 students in our high schools and expect similar numbers this year. We have also found that students need a support once they have applied to future connect so this year we developed an innovative texting program that we're reaching out to all applicants. We found that most high school students prefer to be texted rather than e-mailed so we send out texts with small steps each week to keep students on track toward attending college. Students get information about admission, fafsa, orsaa completion, scholarships, Oregon promise and other steps they need to take to successfully enroll. Students can reply to these texts and get individualized support and connection with a person. Second, as we admit each year's group of students but we had over all who cannot be admitted are wait listed. Last year we admitted 345 but had over 1,000 who applied to the program. Now every student on the wait list is offered the opportunity to attend workshops on campus that we call summer connect, that include advising, financial aid support, resources and community building. Students also receive text based coaching advising over the summer that continues into their first year of school. I want to draw your attention to the back of the handout in front of you. This has some of the demographics of the students on our program and wait listed students. We're admitting students who have the highest need. We're not looking at the students with the highest academic indicators. We prioritize those with most challenges and most barriers to attending and succeeding in school. Last year the percentage of low income students and students in foster care who were admitted to the program increased. We are also serving more wait listed students in helping those students get admitted and started at pcc as well. We are going to continue to work to broaden our supports to every student who is interested in our services and we once again want to thank you all for your support of future connect. And now that I have given you an update i'm going to pass this to transfer coach margarita hernandez so she can share about the work she's doing with students.

**Wheeler:** Great. Thanks.

**Margarita Hernandez, Future Connect:** Good afternoon.

**Wheeler:** Good afternoon.

**Hernandez:** I have been working with future connect program for the last two years as a transfer specialist and an internship coordinator. My connection with Portland community college started in 2003 at the rock creek campus taking classes to learn english. For a long time my dream was to one day serve the college that opened the doors to me as a student. Like students in future connect I was a first generation low income student. And I relied on encouragement and support from our pcc faculty and staff. I later transferred to Portland state where I earned a bachelor degree and in march I will complete my master degree in educational leadership. My own transition and experience navigating college has given me the inspiration to help our pcc students with dreams of achieving an education.

**Fritz:** Excuse me one second. Karla, could you put our speaker on? Okay. Go ahead. Thank you.

**Hernandez:** It's truly an honor to be part of a team that supports students at every step in their academic journey. I feel so fortunate to know almost every student in our program and to be an ally to them in finding ways to follow a career path despite the challenges they face. I started working with our students after last year at pcc. I reach out to all of them and ask if they want to transfer to a four-year school. I visit every pcc campus and meet with our students there. Every student has a unique interest and goal and my job is

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to support those goals and help them to prevent any anxiety surrounding the transfer process. The advice and support I provide in my role a transfer specialist is essential to our students success. Not only during the transfer process itself but also to the persistence in the institution. I have developed tools to guide our students' transitions together with the students we navigate timelines, applications, admissions and scholarships. We can probably say that many of our students earn full rights at Oregon universities and others outside of the state. Our students have stories to tell and be proud of. I feel privileged to be trusted with our students' stories and to help them use those stories to find empowerment to move forward. In addition to the transfer work I also coordinate the access to internship for our students. We have made many connections with nonprofit organizations and the cities that also support funding our program to help students become involved in the communities. Organizations like vera over environmental science services in Portland, the city of Portland, the city of hillsboro, GEAR up, summer works, providence hospital and others welcome our students on paid internships each year which often leads to more employment opportunities. Our students are active members in our community and the access to these internships open doors for them both academically and professionally. These internships also provides experiences that the students can use when applying for the number of scholarships we make available to them through our generous city partners and academic institutions. We are fortunate and grateful to all the colleges that welcome our future connect students each year especially Portland state university, where their offer of partial scholarships up to 70 of our students. Lewis and clark with three full rides, linfield with three full rides, in addition to half of the cost of housing, offering these scholarships each year helps our students make the dream possible. It also gives our students the opportunity to be debt free by the time they finished a bachelor degree. Thank you so much for all your support and for inviting me to share about our program. Now let me introduce you to Rachel Hartford one of our future connect alumni and now a student and a scholarship recipient at lewis and clark.

**Rachel Hartford:** Good afternoon. My name is rachel hartford. I graduated from grant high school in 2015, and boy was I glad to be done with high school. [laughter] I felt like I was lost in the crowd of students. I had struggled to keep up in all of my classes. But I knew if I didn't turn things around to get my diploma so many doors would be closed off to me. So -- and it would be very difficult to make a living. So, in the beginning of my senior year I talked with my councilor to see if it would still be possible for me to graduate. She helped me register for night school classes and online classes to retake the classes I had failed. By the end of my senior year I was able to graduate with a 2.0 gpa. I come from a low income first generation immigrant single parent household and it just felt like the cards were stacked against me. I would have to settle for a low class life and I would probably be working just to make ends meet. But then my councilor told me about this incredible opportunity. She told me about this program at pcc called future connect which was designed to help students just like me. I doubted that I would get accepted. I mean, I only had a 2.0 gpa, but I applied anyways and I got it. The amazing thing about future connect is that it not only helps financially to pay for the cost of attendance but they also provide or designate coaches to help students throughout the entire time at pcc. My experience at pcc with future connect was completely different from my experience in high school. With every student being assigned a coach they are available to help at any time whether it's via text, call, in person in their office. It was amazing. If we didn't have food they had snacks or meal tickets. If we were having issues at home, I would be able to talk to my coach and they helped me work through issues so I could put my focus back onto school. At pcc, I was able to turn my 2.0 gpa from high school into a 3.5 gpa. I stopped worrying about what my grades were and I started to explore my interests in school and learned that education is not about getting good grades although those are nice too, but it's about

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furthering my knowledge. When the time came for me to start thinking about transferring from pcc, what seemed like a daunting process was easy with the help from future connect transfer specialist margarita hernandez. She's a God-send. She truly cares about her students. She took the time to get to know me, my interest and goals, and helped me to create a plan so I could take the next step forward. At my meetings with Margarita, we figured out what classes and prerequisites were required. And throughout the time she would constantly check in with me to make sure I stayed on track. At the beginning of my final year at pcc, we started working on the college transfer application, and she helped every single step of the way. She was always ready and available to support me. Lewis and Clark was my first choice. However, Lewis and Clark is a private university and was way out of my budget. I was torn. I wanted to go to Lewis and Clark, but I don't want to be over \$150,000 in debt. But lo and behold, Margarita comes to my rescue. She informed me that Future Connect and Lewis and Clark have partnered up to provide scholarships to three students, and it would cover all tuition and fees for all years of attendance to complete my bachelors degree. I'll be honest. I doubted I would get that too, like I got into Future Connect, but Margarita talked me out of my doubts and helped me complete my application for the scholarship. On May 3rd last year, I got a notification saying an update was posted to my application status page. I was so nervous to open it, but I did anyways. I saw I was accepted. I was super excited. And the first person I had to call was Margarita because she's the one who helped make my dreams to become a reality, and I'm beyond thankful to her. I started attending Lewis and Clark last fall, 2018, and I'm currently on my second semester there. It was a bit of a transition from pcc to Lewis and Clark as I had gotten used to all the support from my Future Connect family, but they provided the tools I needed to thrive at any school. Currently, I'm majoring in mathematics and doing the pre-engineering program. I've always enjoyed and been deeply intrigued by mathematics and realized I should study what I'm interested in and not the path that maybe many others have gone on. By completing the pre-engineering program at Lewis and Clark, that opened the door for me to become an intellectual property lawyer, which is my dream.

**Wheeler:** That's great.

**Hartford:** I'm so grateful to be in a position where I can pursue my dreams, and it is all thanks to Future Connect. They have helped me so much. It is difficult to summarize, but they have helped with all aspects, with my success at pcc, my application process for Lewis and Clark, and they taught me what habits create for successful students, how to advocate for myself and how to seek help when needed. I do miss everyone at Future Connect, but I am so excited to see what the future holds for me at Lewis and Clark and beyond, and I just want to say thank you to Future Connect and all the donors and founders for making my dreams possible.

**Wheeler:** We'll suspend the rules. Thank you. [ applause ] That's great. Thank you for sharing that.

**Fritz:** So, Mayor, I obviously should have taken you up on your suggestion to make a speech beforehand because I almost can't talk right now, so thank you for that. I'd like to ask you to add another metric to the statistics that you give us every year, and that is how many of your graduates become city of Portland employees. I thought I had you when you said pre-engineering. I was going to offer you a job at the water bureau on the spot, but then you said intellectual property. My daughter is actually in law school in Irvine, California, and got a nice scholarship there. So again, don't be put off by the sticker price. There are lots of scholarships for people who are willing to work hard. And so I just wish you all the best in your success and thank you so much for coming to share with us.

**Hartford:** Thank you.

**Wheeler:** Well we always are looking for good IP attorneys aren't we. The loss of one bureau may be the gain of another. We'll see.

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**Fritz:** Well that was initially the, you know, looking at how can, it was part of the start of the equity work at the city of Portland. Is how can we establish a pipeline? And, oh, let's support students both in ninth grade and through high school but then on into college and so I'd really like to see us, now that we've got some grads and doctorates coming online -- and now is the time for us really to let your, so if you also could let your students know, that the city of Portland is really eager to get their applications.

\*\*\*\*\*: Yes.

**Eudaly:** Mayor?

**Wheeler:** Commissioner eudaly?

**Eudaly:** This is always an uplifting presentation in what is not always an uplifting chamber. I'm also always struck by how I much I could have benefitted from a program like this. Although, things turned out okay for me, I did struggle with the fact that I didn't have a college degree. I didn't have a high school degree for a long time, and we need to create multiple avenues to success and prosperity. College isn't for everyone. But if it is for you, you should be able to go. And i'm really glad that you have had this opportunity.

**Wheeler:** Very good. With that, i'll entertain a motion.

**Fritz:** I move to accept the report.

**Eudaly:** Second.

**Wheeler:** We all have moved and seconded the reports. I'll give it to commissioner hardesty and commissioner Fritz this time respectfully. Karla, please call the role.

**Fritz:** Thank you for taking the time to come in all together. Thank you, Susie, for volunteering on the board. I always have to give honor to mayor sam adams who put this forward in the middle of the recession. I thought he was absolutely nuts. He was the mayor and it was the one thing he asked for and it was I think at \$360,000 at the time. And yet it was, captured the imagination of the business community and of private donors. I know the foundation does a lot of work to fundraise for it as well. Then we got the Oregon opportunities -- is that what it is called?

**Lahsene:** Oregon promise.

**Fritz:** Oregon promise, right, which provides some the tuition. It doesn't provide the kind of wrap-around services that future connect offers. And so, although I give the credit to mayor sam adams, it was actually kali thorne-ladd who was on his staff, who had the, it was her brainchild, and now, lo and behold, she's an elected official on the board of PCC. So that's a nice full circle too, but it would be really great to get your graduates coming to work at the city of Portland.

**Lahsene:** Absolutely, yes.

**Fritz:** People say sometimes that we don't stay in our lane. Well, I'm really proud that we didn't stay in our lane on this one. It really is our lane because the whole community values that our students succeed. It is important for you to have the opportunity to have a good job and not just make ends meet. So thank you all for what you do and thank you, mayor, for continuing to fund this program and to be supportive of it. Aye.

**Hardesty:** I think commissioner Fritz did a wonderful job of providing thanks and appreciation. This story is awesome, and I just think about how many young people out there could say the same story. Except they would stop before they got to future connect because they wouldn't have had access to it, and so take advantage of all the opportunities that it presents. I certainly am grateful that there's a program out there like this that will help first-generation college students get over that hump. I don't know who said this, and they said it much better than I can. It's not that we aren't all capable. It's just that we just don't all get opportunity to do so. Aye.

**Eudaly:** I already said my piece, so i'll vote Aye.

**Wheeler:** Well, i'm just warming up. This is fantastic, and I obviously strongly support this. And I definitely want to give credit where credit is due. This has been in the works for a



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long time. You mentioned commissioner sam adams. Commissioner Fritz is under selling her role in all of this. Of course she has been staunchly supportive of this over the years. Sam maybe had a partner back I the day in the Multnomah country chair, some guy I don't remember him, whoever he was. But the important thing here for me is as I listen to this story, it took two leaps of faith for you to achieve the level of success that you've currently achieved. First of all, you had to overcome sort of the belief that you had that the barriers you were facing might actually be formidable barriers. You jumped over the barriers, and you had an advocate who helped you jump over the second barrier and see the possibility in lewis and clark. You didn't give up. That speaks I think as much to your innate drive and sense of personal ambition as it does to the program overall. My challenge to the program is this as we move forward in the years ahead. We can't leave it to happenstance. We can't leave it to just the chance that you have a student who's really driven and highly motivated. We have to figure out how to find the kids who are maybe on the periphery who don't see that opportunity or maybe don't have that opportunity to reach out to the right people or maybe the right people don't reach out to them in the program. I'm hearing so much about how instrumental you are as the outreach coordinator for this program. We have to figure out how to institutionalize this, right? How to make this seamless, how to make it accessible to everyone as part of the process. In the meanwhile, this is just a fantastic partnership. And I know I'm proud to be a bit player in all this. Thank you. I vote Aye. The report is accepted, and we have a request for a photograph up front. We even have a professional photographer here.

**Love:** On fridays in our program, we give out hoodies. One hoodie to a student at each campus with the future connect logo. We do it to build community and make students feel more connected. So if you all would like, we have brought hoodies for you all today as you are also part of the future connect family.

**Wheeler:** Great. You want us to wear it for the photos?

**Love:** If you would hold them up, we would love to -

**Wheeler:** Okay, because it does not violate - my only rule in photographs is, I have a no silly hat rule.

**Love:** We have no silly hats for you today, so we're all set.

**Wheeler:** Okay great. So let's just go ahead and do it up here.

**Eudaly:** It might violate city dress code, but - [laughter]

**Hardesty:** It actually is color coded to you, commissioner.

**\*\*\*\*:** We're indiscriminate about sizes, so we brought a whole bunch of different size -

**[photographer]:** All right, everybody. Three, two, one, smile. Let's grab one more. Three, two, one, smile.

**Wheeler:** How did it turn out?

**[photographer]:** Excellent. Thank you.

**Wheeler:** Check this out. Look at this. Think of the things I could do right now.

**Hardesty:** [laughter] The power -

**Wheeler:** So, believe it or not, the only thing i'm authorized to do at this particular moment since our next item and our only remaining item is a time certain, we're going to take a 15-minute break so commissioner hardesty can eat her lunch. We'll be back at 3:30, time certain.

At 3:15, council recessed.

At 3:32, council reconvened.

**Wheeler:** Good afternoon, everyone. Welcome. Thank you for those of you who have been here, thank you for your patience. At this point, Karla, we'll take up item 91.

**Item 91**

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**Wheeler:** I would like to welcome everybody to Portland city hall. I would like to start off our presentation today by introducing irene marion from equity and inclusion in the Portland bureau of transportation. [applause] welcome.

**Irene Marion, Portland Bureau of Transportation Equity and Inclusion:** Good afternoon, mayor and commissioners. Thank you so much for having us today here to celebrate black history month. I'm irene marion. I work at the Portland bureau of transportation as equity and inclusion manager. I'm here today representing the CAAN network, the city african-american network. We are an affinity group of the deep employees of the diverse and empowered employees of Portland. We represent the 820 current black employees that work across the city. We appreciate having easy access to information about our demographics. I was actually on the oehr website today where I was poking around and kind of learning a little more about us. So I want to walk you through the materials that we just distributed to you so that you can kind of follow us along on our journey today. So the city african-american network again, we are an affinity group of staff. Our work is really to connect the black employees across the city and to help empower them professionally so that they can not only be retained here as city employees but really make it up through the ranks. So the first material that I want to point out to you is again from the oehr website.

**Fritz:** Office of equity and human rights.

**Marion:** Office of equity and human rights. Thank you, commissioner. There's an employee demographics dashboard and what I have put before you is information about the black employees across the city. It's interesting to look at this information to see how the staff is scattered across the city, what types of positions we represent, how we are making our way through the ranks of the city, how many of us are veterans, how many are disabled. Our age and also the increases in black employees across the city over time are on the back page. So I just wanted to flag that because we represent all these folks. We don't talk to them or see them every day but we represent their interests and we definitely encourage you through your work with your bureaus to be connected with them as well. So today we are here. This is one of the types of programs that we host. We actually host monthly meetups with black employees across the city. We called it the never eat alone meetup, where we meet monthly, mostly at the housing bureau just to connect and talk about different things that we are dealing with as city employees, but also to have social engagement as well. During black history month we host usually a series of events. Last year we had a great series of events and appreciated all of your support. This year we have five events that we are coordinating and i'll talk a little bit more about that at the end of today. Then on juneteenth you can expect us back for hopefully a proclamation on juneteenth and to have another series of events. I'm here to introduce our black history month theme then kick it over to another couple other CAAN network members. So this black history month theme is set by the association for the study of african-american life and history. Their established theme this month is black migrations. What they're looking to do is really focus on the story of how black people have migrated to America, how we migrate around the country and for us here today, we want to share stories about how we're migrating around the Portland region. So I'm excited because we have a panel of really cool youth that have come from different black organizations and networks across the area. They are going to talk about their black migration stories and they are also going to pose a question to you. So we have a couple of those in our run of show packet for you here today but they will present them as they share their black migration story. With that I will kick it over to kim mccarty, who will introduce our first speaker.

**Wheeler:** Thank you.

**Kim McCarty, Portland Housing Bureau:** Good afternoon, mayor, commissioners. I'm kim mccarty with the Portland housing bureau. I'm pleased to introduce our young leaders

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here today. They're going to talk about their migration stories. To start off, we have taji chisimete. Taji is 17 years old and a junior at de la salle north catholic high school. Taji has been active in civic engagement and leadership since middle school. Taji currently sits on the Multnomah youth commission. Over the past year, Taji has founded a nonprofit called youth educating police that works with the Portland police bureau to sustain youth involvement in the training process and to have strong investment in building relationships between police and youth. Taji believes in uplifting and empowering all minority groups and does so in intersectional frameworks to guide his work. Thank you for coming in. Let's hear his remarks.

**Taji Chisimet:** Thank you so much. Thank you, commissioners, mayor wheeler. My name is taji chisimet, i'm here to give you my opinion of the state of black america. I'm a first generation son to a kenyan immigrant. My father came to america seeking educational opportunity and his journey was similar to millions of others who since have come to america for economic hope, political relief and educational forituity. Today we're lost in a perilous and scary fight for a future build on multi-culturalism and acceptance. The issue of black migration isn't in the limelight, however more close to home there's something very pervasive in our own neighborhoods. Gentrification. I moved to the city about seven years ago. I lived in new columbia and north Portland where I discovered my identity as a black man. Nowhere else would I have found such a salient culture, a culture at the brink of extinction. See the state of black america begins where I call home, Portland. As of now I live in this gray area of Portland called bethany and I feel as if i'm looking at Portland through a window. This conversation and issue of housing has never been more apparent and is certainly at an apex. Despite the attempts of our administration to renounce refugees and immigration Portland deserves to be a city of acceptance and inclusion. This practice begets nativism and I do not want to wealth to be the end of our culture and our people in Portland and I feel as if my story and my experience is not singular in that way. However, I have spoken to friends and peers who claim gentrification is not a bad thing, that we should see it as a tool. Such an arrogant statement perpetuates the experiences of those who can no longer call Portland home. I sit here today and ask you to recognize those stories and see how Portland can play a role in uplifting those voices. Over the last summer I had the opportunity to collaborate on the black male achievement summer cohort for the second year in a row. This specific year we focused on black owned businesses and black space and that work in specific force me to further question the accountability of people in power. And this leads me to my question of, as city council members, what is your vision and what are your goals of how you can improve outcomes for black communities in Portland and what is your plan for reaching those goals? See, this question does not have to do with work already done but rather the future initiatives in areas of our voice, community, housing and safety. All values and principles that city of Portland holds. Thank you.

**Wheeler:** Thank you. How would you like us to go about responding to the question?

**Chisimet:** I believe the responses will be after the other stories are told.

**Wheeler:** We'll take our lead from you. Thank you.

**McCarty:** Thank you. Taji has to leave, but as he said we'll restate the questions and we're looking, all of the youth are looking forward to your responses.

**Wheeler:** Great. Taji, thank you very much for your talk. [applause]

**Eudaly:** I would like to recognize taji as perhaps the youngest member of the very thrilling office of community and civic life code change committee. I'm so impressed with all the youth who are involved with Multnomah youth commission. I have a special fondness for taji, and just anyone willing to serve on that committee gets props from me. Thanks for being here, Taji.

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**McCarty:** Thank you. Our next presenter is mariam. Mariam admasu is ethiopian american who was born and raised in northeast Portland. She's currently pursuing her master's in social work at importantly state university while working at central city concern as the associate director of equity and inclusion. One thing that she would like people to know about her is equity inclusion are not buzzwords or check marks in work that she does. It's a plan of action that consists of breaking down barriers, feeling uncomfortable and shifting the norm.

**Mariam Admasu:** Thank you. Good afternoon, mayor, commissioners. When I think about black migration, so many things come to me based on my personal experience and my vicarious experiences. When I narrowed it down to my immediate family's experience, I landed on the story of my parents coming to america. In 1984, my dad fled ethiopia into Kenya as a refugee in hopes of a better life. Three years later my mom joined him in kenya and they got married. Shortly after my mom became pregnant with my brother and they found a family who would sponsor them in a small town called the dalles, Oregon. In november 1988, my parents arrived in Oregon and my mom was eight months pregnant at the time. When they arrived they had no idea about the racist history of Oregon but they learned quickly. Not even a week after their arrival they were met with the horrific news about the murder of Mulugeta Seraw. If you don't know, Mulugeta Seraw was a 28-year-old ethiopian immigrant who was beaten to death by white supremacists off the corner of 31st and pine right here in Portland, Oregon. That wasn't the welcome they were expecting when they envisioned their american dream. When I take a step back from my family's migration experience black migration can mean many different things. Although my family came from ethiopia on a plane I am not ignorant to black migration that's been met with racism, exclusion and trauma. Let's think about the transatlantic slave trade. I consider that to be called stealing and selling of human beings but that was a large population of africans who were enslaved and brought to america. Then there's the great migration which is when more than 6 million black people migrated from the south to the north, midwest and west between 1916 and 1970. Then if we really zoom in, we'll see the history of black migration to Oregon. This history, one filled with hate, exclusion and systemic racism continues to impact the black community in Portland today. From the golden west hotel to vanport to north and northeast Portland, when I think about black migration to Portland I think about families that have been torn apart, people and businesses that have been displaced, and communities that have been traumatized. But then I think about it again and that's not black migration. That's gentrification. Black migration can mean many things to many different people but when I try to wrap my head around it the one thing I do know is black migration means resilience, dedication, and the strength to keep pushing forward. Thank you. [applause]

\*\*\*\*\*: Thank you Mariam.

**McCarty:** Like to introduce our next speaker. Jamartae Brown is 23 years old from northeast Portland and attended jefferson high school. In december he just graduated from peru state university, in peru, nebraska. He just recently signed an ifl indoor football league contract to play football and is leaving tomorrow to be stationed in north Dakota and traveling around the country playing. He will share his question with you. Do you want me to read it or -- how are we going to improve our city's gentrification without moving the black and brown out further?

**Jamartae Brown:** I appreciate the introduction. It's like you said before, i'm a native of northeast Portland. My family came out here from the south. My great grandfather, on my dad's side, he came from world war ii and moved out here from mississippi and on my other side, mom's side of the family came from little rock, oklahoma. I mean that was in the earlier years when black migration was real, real big coming from down south and also you know dealing with the grandparents and great grandparents dealing with world war ii war

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and, you know, I grew up all around this area. I attended woodlawn elementary as an elementary kid, went to sei academy, which is a self-enhancement nonprofit organization. That's something you guys might be familiar with and I attended jefferson high school. It's been a journey seeing how the city has transferred, just the different ways and the different outlets. You know that different communities have made it. My grandma stayed on Kirby, Emerson. As we speak right now, right across the street, and three houses down. I think it will be half million dollar homes but that wasn't the original homes that were torn down, you know, building new homes. Not saying that's a bad thing, but what happens when we have to move all the way out to 122nd, 148th, 162nd, so forth, so on. So one of the main things that I feel like you know being a part of the black community we have to understand that we have a voice, you know, and we are just as important as anybody else. It is not just about the black community, it's about all people as well. So I want to make that real clear. But just the whole migration piece has been a journey. I think I have been very fortunate to have all the individuals that educated me about how it was in the '50s, in the '60s, in the '70s. When I'm a 90's baby, born in '95, I was born right into, you know, the gang epidemic, the whole epidemic of that era and in the early 2000s and so I feel like we up here as young folks in the community we have a voice. I think we should be heard. We are just ready for change and change in the right way. [applause]

**Wheeler:** Thank you.

**McCarty:** Thank you, Jamartae. Our next speaker is malia forney. She's 25 years old sociology student at Portland community college and currently works at mt. Scott community center. She is originally from indiana but moved to Portland about a year and a half ago from atlanta, georgia. At pcc's southeast campus she is the club coordinator for the black student union and an active member of the black community of Portland.

**Malia Forney:** Thank you all for having me. Thank you to the commissioners and the mayor today. Like she said I am originally from indiana. After going to indiana university about seven years ago I decided it wasn't the environment for me and I moved to Washington d.c. Where I served as an americorp member doing ten months of service. After my time in Washington dc, I moved to atlanta, georgia, where I worked at the martin luther king, jr., national historic site. I learned all about the history of our people and the strength and resilience in our community. I learned for the first time about the richest black neighborhood in the world, auburn avenue, and I was captivated. Moving here to Portland about a year and a half ago was almost a 180. I have learned a lot about the city, especially being a sociology major, going to pcc, which has fantastic teachers, fantastic educators and being a part of the black community of Portland which strives to bring black people to the resources that are here in this community. It's been very welcoming as a person who has not grown up in this city, as a black person who has not connected to the gentrification in the same way that people have been affected. It's been welcoming being here but one of the things that I have learned is that a lot of black people move because they say there are not enough black people here so therefore they move. So the black population here is decreasing every year. So one of the questions that I had was what does the city plan to do to make black people feel more comfortable in this city and enjoy being mentally strong here and economically strong as well. [applause]

**McCarty:** Thank you Malia. Our last presenter is syairah sims. She's a junior at reynolds high school and is a classically trained cellist. She's a straight A student, bsu president, delta gem and a member of the national honors society. During the spring she syairah plays softball for her school. She's also a dancer, actress, and appeared in both local and national print ads and commercials and has performed on stage since the age of four. She is interested in everything from fashion to law and is looking to attend her dream college, columbia university, after graduation. Welcome.

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**Syairah Sims:** Thank you for having me. My name is Syairah sims, as she stated. My story of my family's journey to Oregon starts with my great-great grandmother dorothy, who moved from texas to come and work on the shipyards in vanport. They later were moved into red line communities after the flood and my family has been in Portland ever since. My grandma had my mother, who was born and raised in Portland and my mother had me, who was born and raised in Portland, Oregon. We were then moved out into the eastern community where I have basically grown up since I was a little girl, and most of my story starts with education because that's all I have known since I have been in school since preschool. So education in the eastern community is very difficult for african-americans, especially those who have been moved out because of causes of gentrification. So we often don't have the same resources as other peoples have, and educators are not prepared to deal with african-americans who move out that way. What I have a question about is what are you doing now to make resources and politics more accessible to african-american youth today. [applause]

**Wheeler:** Good.

**McCarty:** Thank you, everyone. I want to introduce cj Robbins from the office of equity and human rights. He's going to facilitate a conversation between our young leaders and our mayor and the commissioners. Thank you.

Wheeler: Great. Thank you. Excellent. [applause]

**CJ Robbins, Office of Equity and Human Rights:** Good afternoon commissioners and Mayor wheeler, thank you for the opportunity to have our young folks speak on some topics that are close to their heart and important to our community. I coordinate black male achievement efforts as was shared out of the office of equity and human rights. The way I see it, we had five questions and we have four commissioners. So if we can have -- and the mayor. Three commissioners and the mayor.

**Wheeler:** I'm still a commissioner. I just get more grief. [laughter]

**Robbins:** So what I would like to see is have each of our young folks reiterate their question and those that didn't get a chance to ask their question to ask. Then I will leave it up to you all who responds to each question. I will remind the commissioners, specifically, we only have about 15 minutes for response [laughter] so this is an invitation to a much longer conversation with these young leaders from our community. Speaking as well to how they can engage in that broader conversation and join in ways like taji is engaged with the office of civic and community life. With that, we'll start here.

**Admasu:** Sounds good. So my question today is, as we know, houseless youth of color and lgbtqia+ youth are disproportionately affected by houselessness in Multnomah county. In addition to the services we provide that are specific to the lgbtqia+ youth and the homeless youth continuum, what efforts are being made to provide culturally specific services for black youth and youth of color in the homeless youth continuum.

**Wheeler:** I'll go ahead and take a first swing at that. First so we don't claim credit for other people's work, Multnomah county manages the homeless youth continuum but obviously we're huge supporters of the overall homeless services network through the joint office of homeless services between the city and the county. Of course, there are significant culturally specific service providers. We recently had the Q center give a really good presentation here at city council. We have been very supportive of outside in, new avenues for youth, janus youth services and others. Our own strategies around housing focus specifically on the needs of the african-american community and lower income communities. Cupid alexander, sitting behind you, runs the housing services for the mayoral administration. We have been focusing on a couple of very specific projects, the north northeast housing strategy, which includes what's called a preference policy designed to ensure that families who were impacted by previous development and gentrification are at the top of the list in terms of being able to return to the community and

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take advantage of the affordable housing that's being created by the city of Portland. That is largely a community driven process. Similarly since we're talking about gentrification, the hill block over near legacy, that hill block was taken away from historically -- a historically black neighborhood under the guise of urban renewal with the expectation that it would be developed. The black families' homes were demolished and no development ever took place. So that's been a very, very sore spot for the black community here in the city of Portland for a long time. We have a community driven process to work with the city and legacy to talk about the redevelopment, how that redevelopment is actually going to take place. It's a community centric effort to actually engage. So from my perspective, those are some of the tangible ways that we're getting results.

**Admasu:** Thank you.

**Wheeler:** Thank you.

**Robbins:** Okay. Just really quickly, mayor, what are some ways that Mariam could join in some of those efforts you mentioned or have her voice reflected?

**Wheeler:** We would love to have her voice reflected. The best advice I can give you, Mariam, before you leave, make sure you connect with cupid, sitting right behind you. We'll get you plugged in. We would love to have your perspective on it.

**Fritz:** Before you go, I just want to call dibs on miss sims' question. [laughter]

Hardesty: You're calling dibs on that question. [laughter]

**Wheeler:** I didn't know we could do that.

**Hardesty:** I didn't know that either: [laughter]

**Eudaly:** She can have it. [laughter]

**Brown:** Just like I stated before, you know, just how we all stated before about the gentrification, before I say my question, one of the big things I feel like was one of the big things in gentrification was when a lot of black families are offered a lot of money for their home, they sell it for other reasons, financial problems, they may have children that have needs, going to college. Stuff like that. So somebody knocks on your door and offers you \$100,000, \$200 thousand dollars for your house, in cash or whatever, you know, whatever the money part is, and here in your mind you're thinking about your family. What can this money do for me and my family in the long run? Now whatever they do with that money is up to them, but that's a lot of money to deal with when you're coming from nothing, so I just want to kind of make that very clear as far as when you get offered for a lot of money for your home and you need the money, especially if you come from a big family. The money is kind of like the motivation. Okay. We'll move out, wherever we need to go because this money is going to help us. But, back to the gentrification part, my question was, how can we improve gentrification without moving the black or brown? You kind of stated a little bit about that, but since gentrification has already happened and people have already been in their communities out in southeast Portland or wherever for probably quite some time now, how do we keep improving that in the way we're -- you know, not interested in moving back to the north and northeast, but how can we still just improve that without moving the people that are currently still in the north and northeast?

**Hardesty:** Jamartae, I want to try to answer your question. First, let me just say congratulations on being a black young man from the inner northeast who has gone to college and is on your way. You had a good support system because none of us do it without a very good support system, so congratulate you for what you have done and what you will do for your community. In regard to your question, you spoke truly from your heart when you talked about somebody knocking on your door, offering you \$100,000 or \$200,000 for your home. Unfortunately, that happens to a lot of black families, right, because if you bought the home 30 years ago, you paid \$25,000 or \$35,000 for it. This looks like a windfall until you go and try to buy something with that \$100,000 or \$200,000 that they offered you, right? What you find is you can't buy anything for the little bit of

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money that they offered, right? I would love to see the city of Portland develop a financial literacy program where we can help homeowners understand the value of the homes that they have so that they're not falling prey to predatory scam artists who want to come and just offer you pennies on the dollar and then turn around and put a little paint on it and sell it for four times as much. That happens over and over and over again, especially in communities with limited financial literacy. You're absolutely right. There are a lot of black and brown people that no longer live in inner northeast. For those who want to come back, more power to them. But the other ones who now live in east Portland and are making home in east Portland and Gresham, and in all the other places that they're making their home, we have an obligation to make sure they can build community where they are. We should not be trying to tell people they have to go back to something that just quite frankly doesn't exist anymore, right? Having people come back to something that's just a dream of what used to be is not what we want to do, right? We have to build towards the future, so in my mind that means let's stake a claim in east Portland. I think Gateway is a great opportunity for us to stake a claim and say, okay, we're going to have a black neighborhood here. Let's make this happen, right? But we need young people to show up like not just on Black History Month but show up on a regular basis to make sure your voice is heard. Thank you. [ applause ]

**Robbins:** Thank you, commissioner. I also wanted to ask the same question. I'll just reiterate it. It'll go for all the commissioners. How can Jamartae join in some of the efforts you mentioned there as a young leader from our community?

**Hardesty:** Well, I can tell you that in my office Matt McNally is my -- they make me call him a community coordinator or outreach something or other, whatever the city term is for that, but he's an organizer, right? If you have some young people that want to actually work together and envision what it looks like in east Portland today, connect with my office. Ask for Matt. He'll help you make that happen. Quite frankly, anything I'm involved in young people are involved in. It's not an extra thing. It's just how we roll.

**Robbins:** Thank you. To Malia for your question, please.

**Forney:** Thank you. My question has kind of been answered a little bit, but I kind of want to open it up a little more. As someone who hasn't been here for long, when you do a Google search of Portland, the first thing that comes up is whitest city in America. A lot of Portlanders know that, and they seem kind of ashamed of it. So I often ask people what do you think we should do to make people want to be in Portland because the black population is slowly decreasing every single year? And I did a little bit of research and found out in 2015 -- I think that was the earliest I could find -- was the Diversity and Civic Leadership Program. I'm not sure if it is still a part of the city's initiatives, but essentially had this idea to make black people feel more comfortable here, but that program is no longer there. So does the city have any initiatives to increase that program, continue it, or start something new?

**Eudaly:** Are you talking about the DCLs --

**Forney:** Yeah, the DCL program.

**Eudaly:** I'm going to take a stab at this because this is my question. Yes, we still have that program actually, DCLs. It's under the office formerly known as Office of Neighborhood Involvement. It's now called the Office of Community and Civic Engagement. It was originally created to support Portland's neighborhood association system, and that system tends to be dominated by older more affluent white homeowners. For I don't know how many several years -- I've only been here two years -- they took on a broader and broader scope and the DCLs were part of that in recognition, especially during a time of mass displacement in communities of color that community in Portland is no longer geographically based and that we needed to better serve culturally-specific groups. That is where the DCL program came from, and it is resources and training for different communities of color through our



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community partners for advocacy and getting into leadership roles. Am I forgetting part of your question? You asked about dcls, but I thought it was the gentrification.

**Forney:** I just was wondering how much support the city is giving the program or if they plan on expanding that.

**Eudaly:** Oh, well thank you for raising that issue. That is actually my bureau. We can always use more financial resources. I will say that I believe that Portland is a progressive city that doesn't know how to reach -- achieve its progressive ideals, and especially in the realm of past harm done to communities of color through racist public policy. And I do believe, although it is fair to criticize equity as a buzzword and something that people are paying lip service to, that we are making meaningful progress toward remedies. I don't think that we can ever make up for what happened, but we can start where we are now. Gentrification is a great example. Gentrification is not a natural, unstoppable phenomenon. We got to where we are today by design, and we need to get out of where we are today by design. That means reversing harmful policies and creating remedies, so i'm really committed to tenant protections. That's a big focus of my office and trying to keep people in the housing they're in to stem that tide of gentrification and displacement. I've also asked the office -- I always forget what omf stands for -- office of management and finance to look at the anti-displacement measures we adopted in our 20.35 comp plan because it is all well and good to say we have adopted these anti-displacement measures. Unless someone is holding us accountable, that may not happen. Omf is creating a multi-bureau approach to making sure the bureaus with the most impact to housing and transportation are sticking to those commitments. I could go on and on, but i'm pretty sure we're about to run out of time, so i'm going to stop. But I welcome you to talk to my staff if you're interested in anything that civic life is doing. We can get you connected there. There are lots of opportunities for people to get involved on a volunteer basis. There's also intern opportunities. It's also great to have lots of pressure from advocates on the outside. Not everyone has to get involved on this side.

**Forney:** Thank you.

**Robbins:** With that, to syairah, did I pronounce your name correctly?

**Sims:** Okay, so we all spoke a little bit about gentrification, but with that being said, what resources are you providing for african-american youths and african-americans in general to those that have already been pushed out towards the east because of gentrification?

**Fritz:** Your question also asked about the engagement in politics, right?

**Sims:** Yes.

**Fritz:** So that's why I dived in and reserved the opportunity to respond to that because we're just starting the open and accountable elections program, which is a matching fund for citywide campaigns. Thank you. That means that future candidates for mayor, city council, auditor won't be dependent on big money donors because a small donation is going to be matched by city dollars. A \$50 donation will get \$300 added by the city to make a \$50 donation turn to \$350. That will mean that there'll be more candidates campaigning in east Portland asking people to house parties to give their opinions and to give \$10, \$50, whatever and remember you can get \$50. tax credit. So essentially, you're lending the money until you get your tax refund from the state. That means there'll be much more opportunity for people to run and be successful. Commissioner hardesty just got elected from east Portland. Commissioner hardesty, commissioner eudaly and I ran small donation campaigns. We're going to be involved in doing some of the trainings which are coming up. And I would say in anticipating c.j.'s question, how young people can get involved if you're not yet old enough to be a candidate, one of the best ways to prepare to be a candidate is to volunteer on a campaign. We're going to be having trainings about how to use this program. It's a program where there are a number of rules about what you're allowed to accept in donations, who you can get them from, and how you can spend the

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money, so it is not quite as simple as I outlined earlier, but it is something that an intelligent high school student could certainly help a candidate win. And then also, I want you to know about there's a program called "new leadership Oregon" at Portland state university. You don't have to go to Portland state university to go to it, and it is a summer program that prepares particularly young women of color to be candidates and leaders in our community, so I encourage you to look into whether that might be available. Does that answer your question some?

**Sims:** Yes, thank you.

**Fritz:** Thank you. If you want more information about the open and accountable elections program, just contact Yesenia Carrillo in my staff who is my constituent services specialist. She would be happy to tell you more about it.

**Robbins:** Thank you all. We have one more question, which is Taji's which he read, but I'll restate. It's the bonus round. I will let you all -- again, I'll let you all mediate how you choose. Taji's question is, as city council members, what is your vision and what are your goals as to how you can improve outcomes for black communities in Portland and what is your plan for reaching these goals? This question does not have to do with work already done but rather the future initiatives in areas of our voice, community, housing, and safety. All values that this city boasts quite proudly.

**Fritz:** I have one quick answer and that we just hired Dr. Markisha Smith to lead the office of equity and human rights. She's an african-american who's been in Oregon since 2011. She's got a lot of experience in education and in equity work, and so partly what we need to do appoint people to the highest positions who can guide the work, help the council understand what we need to do. And so that's just one example of something that Cj will be working with Dr Smith because he's the office of equity and human rights.

**Hardesty:** I will simply add that it took 147 years to get an african-american woman to sit in this seat that I'm sitting in.

**Fritz:** Well, just because there is somebody there now, not that it took 147 years to do so. I always think it is interesting when people applaud that because it is appalling it took so long.

**Hardesty:** That is absolutely my point. I mean when I've been out in public and people applaud being the first african-american woman to sit on a city council, I remind them that's not something to celebrate. We should be ashamed. Because it's not that I'm more talented than any other african-american woman who's ever come in the city before me. It's not that I had big friends with big money that allowed me to be able to run and serve in public office. It is that nobody works harder than I do. No one. [applause] And so I say that, and I agree absolutely with commissioner Fritz. I say that to remind you is that nobody is going to give us the opportunities that we deserve. We just have to take them. That's my response. Take it. [applause]

**Wheeler:** I have a longer response, but I always talk too much anyway. It's a very provocative question. It sort of ties together the whole panels' question. I was trying to figure out how do I summarize a four-hour speech. First of all, you have to speak to the history. You have to own the history. Until we talk about the history collectively -- and I mean the broader community, the majority community -- until we own that history, it is very hard for us to really work together to achieve common goals. I believe this council has worked very, very hard to acknowledge and to own the history. I'll just give two quick examples. The first state of the city speech I gave was largely on this history of african-americans in our community. I thought at least for the majority community it started to open up a conversation that frankly should have been had years and years prior but for reasons hadn't. Number two, a single sentence in the job application for chief of police of the Portland police bureau, which simply stated the obvious in many people's minds, in my mind, that the police chief would need to have an understanding of the history of race in

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this community and understand how that history bleeds over into today -- those of you who are here remember it created firestorm. It was almost ridiculous. What some saw as controversial others, including myself, saw it as essential. So we have to keep calling out the history. The second is leadership. As both commissioner Fritz and Hardesty just identified, we will hire the best leaders, and the best leaders at the city of Portland currently include many people from the black community. Chief outlaw, the first african-american woman to serve on the Portland police bureau, in my estimation is doing a fantastic job in a really difficult job and a difficult environment. Maurice henderson, who is my first chief of staff, again one of these sort of outrageous, ridiculous, I can't believe it is so situations where he's the first black man to serve as a chief of staff to a mayor in the city of Portland in its entire history. Sirilda Summers-Mcgee, who heads up all of the hr operations for the city of Portland, and many, many others. Inclusion. I actually love the fact that everyone on this city council works really, really hard to include people. Not only people of color generally or underserved communities generally, but with a lot of interest focused on the youth voice. The last question asked about housing -- and it asked about safety and it asked about economic prosperity. One of the most important community engagement committees we have right now is around police reform and public safety. We deliberately put two positions on that board. They are full voting positions for two young people. We currently have two young folks serving in those positions. Those positions will rotate. Other people have an interest in that were certainly interested. Two other quick last wrap-up points. One of the ways you avoid this question of gentrification is by being proactive. While there are things we are doing in east Portland to be proactive against gentrification particularly on the housing front, the southwest corridor is the first large public transportation project that will come before this city council where we, as a council, have already said through resolution we will not invest in the transportation infrastructure unless there is an intentional anti-displacement job opportunity and housing strategy to keep the lower income people who are there today there permanently. That has been largely well received. Finally, what ties this all together for me, how do you keep people of color in Portland? You keep them here through shared economic prosperity. They feel that they have worked hard, and they have been justly compensated for the effort and the blood, sweat, and tears that they have put into this community. That's why we've been pushing programs like the Portland means progress program where we're getting young people, particularly from historically underserved communities into jobs. We're focusing on our business community and encouraging them to work with women and minority entrepreneurs to help them grow their business operations. Last but not least, we're getting them to commit to bring younger kids in as well-paid interns to get them exposed to some of the opportunities that they could have in the community and then connect them to the job training or to the educational opportunities they need in order to be successful in those careers if they're inspired so to do. There's a lot of work this council has ahead of us in addition to the work we've already been undertaking.

**Eudaly:** I prefer to have the mayor wrap up, but I don't want to not participate in this conversation. I'll just throw four things out there really quickly that I'm interested in and involved in: One is how we spend our public dollars. Our utilization rates of women and minority contractors for public projects have been abysmal. They are slightly better. They need, it needs a lot of work. So that's an area that I'm committed to and something meaningful through pbot because we spend a lot of money and we hire a lot of contractors. Two, is pcef, Portland clean energy fund presents us with an incredible opportunity for -- I hate it when I say the same word two times in a row. Creates a huge potential for increasing economic opportunity in communities of color. The office of civic life and prosper Portland both have initiatives specifically targeting entrepreneurs of color that I will continue to champion. The final one, the one i'm most excited about telling you about

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today is the rose quarter i-5 plan. Public comment is about to open up through odot. I would love for massive participation in that. The focus has been on improvement to the highway, but what I really want the community to focus on is what we can do on those surface streets and what we can do is begin to stitch back together -- stitch lower alibina back into the broader community. And there's just an incredible opportunity there. Your voices should be at the forefront of that conversation.

**Robbins:** Thank you all. I would like everyone, but especially our commissioners, to join me in thanking the panel of young folks who have taken time out to be here. [ applause ]

**Marion:** Back again to close us out. Thank you so much, mayor and commissioners, for having us here today. This group of young people is awesome and amazing. We had a mission to present to you with some representative voices of black youth under 25, 25 and under, to tell their stories, so thank you for listening and thank you for engaging with them on their comments. As we close out, I want to give a couple comments before we kick it back to the mayor and commissioner Hardesty to read the proclamation. I want to thank the community partners who identified and nominated these young people to speak to us so self-enhancement inc, central city concern, black committee of Portland, black male achievement and world center stage. They represent the type of partnerships that we want to strengthen across our city, so thank you so much for your support of our effort today. This is really for me a full circle moment because as I was a young leader here in Portland organizing I actually was introduced to commissioner Hardesty through the NAACP when I was active with the NAACP youth council and then established the chapter of Portland of state university. Awesome and amazing that I can now open the space and opportunity for other young voices to come forward, but also I get to do it within the presence of someone who did it for me. Thank you so much. And on that note CAAN definitely wants to honor and celebrate the fact we do have our first african-american commissioner woman sitting on this council, so we want to be a resource to you and all of you in support of the black employees of the city of Portland but also, just in support of your tenure. Please let us know how we can be of service. I want to quickly just shout-out all the events we have going on for black history month. We're working in concert with a number of organizations in the community and also a number of bureaus across the city. The first set of events -- the next set of events we have going on is this friday, february 1st from 12:00 to 1:00 p.m. We'll be hosting a bike town bike ride, launching from here at city hall, we'll be traveling through downtown, going to chinatown to support dead stock coffee, which is an african-american-owned coffee shop in chinatown. We'll be riding there and back. Later that afternoon, we'll be partnering with Nike on an event. They are a partner with our bike town program. They'll be unveiling their black history month design of their bikes. So you'll see those floating around the city, but Friday will be the first opportunity to see them. On february 18th, on president's day, we're working with world stage theater to host a professional development event, so that's monday, february 18th. They'll have an all-day event, and we'll have some CAAN specific events that evening for professional networking. On february 24th, sunday, february 24th, we're partnering with the parks teen program at a Montavilla community center. We're hosting a black family festival and city resource fair. We have positioned many city bureaus to be there tabling to be offering information about the services and programs that they have to offer. We'll also be hosting workshops with the bureau of human resources and procurement about how to get jobs at the city and how to do business with the city. Lastly, on february 26th, every year we try to highlight one of our partner organizations, so we'll be going to self-enhance. Inc. that morning to hear how they are transitioning as an organization to an african-american cultural center. It's an opportunity for city staff and other community members to join with us to learn more about how we can partner with that organization. That is it from us. After this, we invite all of the community members present to join us downstairs. We'll have a reception at city hall that

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is generously supported by the mayor and commissioner Hardesty. We'll have information about all of our upcoming events and some information about CAAN and signing up for our email list. We also have an active facebook page where everyone can RSVP for these events. With that, I'll turn it back over to the mayor. I do want to flag that for our youth speaker, we are going to have a framed copy of the proclamation. We'll get signatures from all the commissioners for this, and we'll get it to our folks. Our thanks for joining us today so you can remember your time here. [applause]

**Wheeler:** I'm going to say this now because I'll forget to say it otherwise. At the end of the reading of the proclamation, can we get a photograph up front here, Irene, with you, and with our youth? That would be a lot of fun if we could do that, so in honoring black history month, it is traditional that we read a proclamation on the part of the city of Portland. And of course as this has been noted, this is an especially historic time as our city has elected our first African-American city commissioner, Commissioner Hardesty.

**Hardesty:** Woman.

**Eudaly:** Woman.

**Wheeler:** What did I say?

Hardesty: You said first African-American.

Wheeler: I'm sorry. First African-American woman. That is correct. No disrespect meant to Commissioner Jordan. He was also an amazing and important leader here in our city. And Mr. Bogle, Commissioner Bogle. Anybody else want to add anything else before I -- ?

**Wheeler:** All these important people but the important thing is Commissioner Hardesty is right here now. [applause] This is the progress, the kind of progress, that must be noted and must be celebrated and as such, it's my honor to have Commissioner Hardesty introduce and read the city's black history month proclamation on behalf of the Portland city council. Commissioner Hardesty, thank you.

**Hardesty:** Thank you, Mayor. It is my pleasure. Whereas the city of Portland takes pride in joining Americans throughout the country in recognizing February 2019 as Black History Month and whereas Black History Month pays tribute to the contributions African-Americans have made to American history and their struggles for freedom and equality and deepens our understanding of our shared history and whereas the theme of 2019, Black Migration, honors those of African descent who moved to new destinations and new social realities, while inclusive of earlier centuries, this theme emphasizes the 20th century through present day. And whereas many African-American families migrated to Portland and the greater Pacific Northwest to seek employment, escape violence, and pursue the American dream, and whereas these individuals and families, their children, and those who have followed them are important members of the Portland community and have helped shape it into the more diverse and inclusive community we know today, and whereas people of African birth and African descent continue to migrate to Portland and the greater Pacific Northwest, and whereas our diverse cultures enrich and broaden the American experience of which Black heritage is an inseparable part as it weaves throughout our country's history, profoundly influencing every aspect of all our lives, and whereas we commend the many achievements, successes and contributions of African Americans in all fields of endeavor, and whereas inequality and injustice still linger in our cities, states and country and it is the responsibility of citizens to advance the American notion of life, liberty, and the pursuit of happiness for all. Now therefore the Portland City Council of the city of Portland, Oregon, the city of roses, do hereby proclaim February 1 through the 28th 2019 to be Black History Month in Portland and encourage all residents to observe this month.

**Wheeler:** Thank you everyone for being here. If we can just gather here for a photograph. Karla, we are adjourned.

**At 4:32, Council adjourned.**