



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6TH DAY OF FEBRUARY, 2019** AT 9:30 A.M.

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

Commissioner Eudaly arrived at 9:50 a.m.
Mayor Wheeler left at 1:36 p.m. Commissioner Eudaly presided.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Robert Taylor, Chief Deputy City Attorney and Lory Kraut, Senior Deputy City Attorney from 9:45 – 10:24 a.m.; and John Paolazzi and Christopher Alvarez, Sergeants at Arms.

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

COMMUNICATIONS		
92	Request of Lew Church to address Council regarding Portland Gray Panthers (Communication)	PLACED ON FILE
93	Request of Edith J Gillis to address Council regarding Portland Gray Panthers (Communication)	PLACED ON FILE
94	Request of Doyle B. Thibert to address Council regarding Portland Gray Panthers (Communication)	PLACED ON FILE
95	Request of Nancy J Wilkerson to address Council regarding Portland Gray Panthers (Communication)	PLACED ON FILE
96	Request of Sally Fronsman-Cecil to address Council regarding Portland Gray Panthers (Communication)	PLACED ON FILE
TIMES CERTAIN		
97	TIME CERTAIN: 9:45 AM – Adopt updated outside work policy, disclosure form and training materials to increase transparency and accountability in City operations (Resolution introduced by Mayor Wheeler and Commissioner Fish; replace HRAR-4.05) 20 minutes requested Motion to amend exhibits to read “Bureaus may work with BHR to tailor a more restrictive policy to meet individual bureau needs”: Moved by Wheeler and seconded by Fish. (Y-4, Eudaly absent) (Y-5)	37413 AS AMENDED

<p>*98</p>	<p>TIME CERTAIN: 10:05 AM – Authorize agreement with Central Eastside Industrial Council for program management in the Central Eastside Industrial District (Ordinance introduced by Mayor Wheeler) 1.5 hours requested for items 98 and 99</p> <p>Motion to accept Substitute Exhibit A: Moved by Fritz and seconded by Hardesty. (Y-5) (Y-5)</p>	<p>189373 AS AMENDED</p>
<p>*99</p>	<p>Establish Business Property Management License Fee for Central Eastside Industrial District (Ordinance introduced by Mayor Wheeler; amend Chapter 6.06) (Y-5)</p>	<p>189374</p>
<p align="center">CONSENT AGENDA – NO DISCUSSION</p>		
<p align="center">Mayor Ted Wheeler</p>		
<p align="center">City Budget Office</p>		
<p>100</p>	<p>Adopt the Budget Calendar for FY 2019-20 (Resolution) (Y-4; Eudaly absent)</p>	<p>37412</p>
<p align="center">Portland Housing Bureau</p>		
<p>*101</p>	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Stacy DeWall located at 1660 SE Spokane St (Ordinance) (Y-4; Eudaly absent)</p>	<p>189367</p>
<p>*102</p>	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Kōz on NE Sandy Blvd located at 2180 NE 47th Ave (Ordinance) (Y-4; Eudaly absent)</p>	<p>189368</p>
<p>*103</p>	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Halsey 106 located at 10550 NE Halsey St (Ordinance) (Y-4; Eudaly absent)</p>	<p>189369</p>
<p>*104</p>	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Anna Jeter located at 1650 SE Spokane St (Ordinance) (Y-4; Eudaly absent)</p>	<p>189370</p>
<p align="center">Commissioner Jo Ann Hardesty</p>		
<p align="center">Portland Bureau of Emergency Management</p>		
<p>*105</p>	<p>Accept and appropriate a grant in the amount of \$4,955 from the State of Oregon, Oregon Military Department, Office of Emergency Management for the 2018 State Homeland Security Program to fund a low-tech system for tracking disaster response personnel (Ordinance) (Y-4; Eudaly absent)</p>	<p>189371</p>
<p align="center">Portland Fire & Rescue</p>		

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<p>106 Authorize application to Federal Emergency Management Agency for a grant in the amount of \$429,174 for hazard mitigation in Forest Park (Second Reading Agenda 79) (Y-4; Eudaly absent)</p>	<p>189372</p>
<p>REGULAR AGENDA</p>	
<p>Mayor Ted Wheeler</p>	
<p>Bureau of Police</p>	
<p>107 Authorize settlement between Portland Police Association and the City of Portland through its Portland Police Bureau regarding terminated employee Gregg Lewis (Second Reading Agenda 83) (Y-4; N-1 Hardesty)</p>	<p>189375 AS AMENDED</p>
<p>Commissioner Chloe Eudaly</p>	
<p>Bureau of Transportation</p>	
<p>*108 Accept a grant in the amount of \$2.2 million from the Oregon Department of Transportation for the Brentwood Darlington Safe Routes to School Project (Ordinance) 15 minutes requested Motion to add emergency clause because it is in the public interest to receive grant as quickly as possible: Moved by Fish and seconded by Eudaly. (Y-4; Wheeler absent) (Y-4; Wheeler absent)</p>	<p>189376 AS AMENDED</p>

At 1:51 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6TH DAY OF FEBRUARY, 2019** AT 2:30 P.M.

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

Commissioner Fish left at 3:30 p.m.

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

The meeting recessed at 4:29 p.m. and reconvened at 4:36 p.m.

109	TIME CERTAIN: 2:30 PM – Transmit Report to the City of Portland on Portland Police Bureau Officer-Involved Shootings by the Office of Independent Review (Report introduced by Auditor Hull Caballero) 1 hour requested for items 109 and 110 Motion to accept the report: Moved by Hardesty and seconded by Fritz. (Y-4; Fish absent)	ACCEPTED
110	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 introduced by Auditor Hull Caballero; Second Reading Agenda 81; amend Contract No. 30005510) (Y-4; Fish absent)	189377
111	TIME CERTAIN: 3:30 PM – Appoint Yolonda Salguiero to the Portland Committee on Community-Engaged Policing for a term to expire February 6, 2020 (Report introduced by Mayor Wheeler) 10 minutes requested Motion to accept the report: Moved by Fritz and seconded by Eudaly. (Y-4; Fish absent)	CONFIRMED
112	TIME CERTAIN: 3:40 PM – Authorize cost-sharing Intergovernmental Agreement for Levee Ready Columbia Interim Governance for \$233,590 for FY 19/20 (Ordinance introduced by Mayor Wheeler) 30 minutes requested	PASSED TO SECOND READING FEBRUARY 13, 2019 At 9:30 AM

At 5:09 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **7TH DAY OF FEBRUARY, 2019** AT 2:00 P.M.

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

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

113

TIME CERTAIN: 2:00 PM – The City of Portland condemns white supremacist and alt-right hate groups (Resolution introduced by Mayor Wheeler, Commissioners Eudaly, Fish, Fritz and Hardesty)
1.25 hours requested
(Y-5)

37414

At 3:37 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

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Key: *** means unidentified speaker.**

FEBRUARY 6, 2019 9:30 A.M.

Wheeler: Good morning everybody this is the February 6 a.m. session of the Portland city council. C Good morning Karla, could you please call the roll.

Moore-Love: Good morning.

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

Wheeler: Here, folks, we are now in session. If you want to talk you can, but you can do that out in the hall. Rule change this morning, I just want everybody to be aware, we have had some confusion on public testimony. If you want to testify, you must sign up on the testimony sheet. They are available outside in the hallway or you can consult with the clerk, Karla, but we are not going to allow people just to run up to the podium any more. You need to sign in. That is the rule. Thank you. Good morning.

Robert Taylor, Chief Deputy City Attorney: Good morning. Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during city council meetings so everyone can feel welcome, comfortable, respected, and safe. To participate in council meetings, you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. If it 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 are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left, a yellow light goes on. When your time is done a red light goes on. If you are in the audience and would like to show your support for something 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 thumb's 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: Thank you. Communications, I note all five slots are taken by folks who I believe are representing the same organization. Would you like to come up together or individually?

*******:** Together.

Wheeler: Karla could you please call all five.

Item 92-96

Wheeler: If you would like, you can pull up two more chairs, if you just --

*******:** The other people are coming.

Wheeler: Okay. Very good.

*******:** You save six minutes unless you give it to me.

Wheeler: Somebody else will take it, I am sure. Good morning.

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****: Good morning.

Sally Fronsman-Cecil: I am going first. Okay.

Fish: Thank you very much your time is up, law. [laughter]

Lew Church: Make sure you tell patricia about your procedure, nick.

Sally Fronsman-Cecil: Yes. We are here representing Portland gray panthers. I suppose our opinions on several different things. You heard the introduction, so I think that redundant to introduce people again so I think that I will start in the interest of having people have plenty of time. Gray panthers see a clear and present need for the vital basic survival infrastructure provided by the compassionate change district we're in favor of their proposal. Portland constituents living on the streets need access to water, bathrooms, sinks, showers, and laundry facilities to perform crucial activities of daily living. In addition to these gray panthers supports access to lockers or some kind of private storage for people who are on the streets. Carrying everything, we believe, is a true burden on elders and on people with disabilities who are houseless. Just not feasible, basically. Access to refrigeration is also a crucial issue for elders. People with disabilities and anyone, really, with a chronic health and some kind of position that requires medication that be refrigerated. Is something that I became aware of because I suddenly got prescribed something that's refrigerated and went well if I am on the streets, how do people do that. Portland is an ongoing state of emergency with so many people houseless. Yet, we are not treating people most affected by the state of emergency as seriously as we would a population this size affected by a natural disaster. In any other scenario, where people are displaced without water, basic sanitation, food, shelter, and medical support, we would be providing these for all survivors. That sort of is the gist of the statement of where we are coming from for services for people who are actually presently on the streets. There is not enough shelter available at the shelters for people, long-term solutions of having affordable housing, building new or rehabbing things are not only sufficient for not only the people here do not believe that they will be sufficient in the future, especially, I think, in our case where looking at people who are elders and with disabilities of largest group of people becoming disabled are elders, and that is a growing group. We are the leading edge of the baby boom and I think that the city of Portland really needs to have the had to be aware of these people. To, actually, just not say we are worried about houselessness, but be worried about individual people who are houseless.

Wheeler: Thank you.

Lew Church: Amanda, and Chloe is not here, Jo ann, nick, and ted. For some of the things that Sally and edi who's also going to speak, for being here and speaking for gray panthers, on social justice and safety net issues, it appears that on council's February's agenda there may be two issues gray panthers are happy to support. The compassionate change district and the abolition of Portland's marriage to and engagement with jttf. We look forward to support on these issues from hopefully Amanda, Chloe and jo ann, but it will be great if nick and ted would make these unanimous votes when they come before council. We need the compassionate change of district on the central eastside, not more cops. We need to stop profiling people via Portlands enabling trumps federalistas on the jttf, yes on compassionate change, no to jttf. In addition rent control, gun control and disarm psu are issues that gray panthers have supported and pushed in the past year. It appears that Shemia Fagan, Alissa Keny-Guyer, Tina Kotck and Kate Brown will finally pass rent control in Oregon in the legislature this year despite naysayers, a statewide rent control law is an excellent step forward. On disarm Portland state, panthers support the susu's three demands, one, a memorial permanent for Jason Washington, fire the second campus cop who still work at Portland state who fired 17 bullets at Jason, take the guns away from the campus cops now for 47 years psu campus cops did not have guns. We urge Portland state president Rahmat Shoureshi to get off his tuffet and his \$600,000 year

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salary and disarm psu now, stop stonewalling year after year after year. Lastly, valentine's day marks the one-year anniversary of parkland. We thank Amy Gonzales, David Hogg and parkland student organizers for calling out Marco Rubio, Ollie North, the nra and donald trump. Banning assault weapons and high caliber magazines from Salem to Washington d.c. is needed now, not someday. At Portland state we are happy to see Mackenzie river gathering, generously support the grant that I was able to write to fund our psu conference for gun control. Robert Kennedy once said, "Some people see things as they are and say why, I see things that never were and say, why not'. Bobby, like his brother john and dr. King, who was killed by a man with a gun, as a democracy, it is entirely possible to break the log jam of Ollie North, the nra and donald trump, whose presidential candidates like elizabeth warren, Kamala Harris, Cory Booker and Kirsten Gillibrand, there is much reason to call for a what the senator Keny called for, that is to seek a newer world.

Edith J Gillis: I heard that the January 16th Merrill house to Davis vote was one of the most positive experiences you have had in two years. It made my heart sing. You listened with empathy and patience, you said the truth. You think that -- you thank the Davis's for their fortitude, courage and integrity. You acknowledge wrongs and ongoing harm, including opportunity losses. You acknowledge its reasonable to be angry and cynical. Saying sorry is not enough. We need right actions, practical amends, and prompt right public policy and practices. To do more to earn hope and trust through justice, to reward faith. You work with diverse groups and individuals of different backgrounds, biases, styles, pain, and trauma to come up with a win, win, win, win. This is what the ideal of city calls from each of us, and every decision, every time that we reexamine our motives, and the consequences of our choices. It increases the ever-going spiral of good, hallelujah. You heard and spoke the truth, you acted on the demands of truth, love, principle, you set it straight. You said, it's wrong, unfair, racist, mean, ongoing harm, together those add up to pain and anger, which releases cynicism and despair and lose, lose, lose. But being kind and honest feels good. It feels good to do good and be good for the greater good and I want you to feel good with each decision that you make. To write the wrongs of good policy, practices, relationships, and improve character. It feels bad to do bad, to cause bad, to be bad. Hubris, hierarchy, hypocrisy and harm going add up to pain and anger, cynicism and despair, alienation and the lose, lose cycle, the spiral that gets worse and worse. These same words describe choices before us today. Criminalizing victims of serial crimes including physical, sexual, economic abuse, denied the help they need, using police and the halessness exclusion districts, the criminalizing of compassion. One of the best, most inspiring examples of the decisions of the city of Portland made was in hiring and funding the Polo Catalani, he is what we need more and more in the city. We need that incredible, humble, cultural sensitivity and trauma understanding, the knowledge, skills, experience, policies, organizing, role modeling, relationships, mutuality, compassion, spiral healing character , but we need the person, the soul of someone like Polo, and we need all of us to do that. We need to courageously persist in stretching ourselves. We need to be able to say again, like he did, it's wrong, unfair, racist and mean with ongoing harm. I need, instead, to commit to compassion, curiosity, communicable conciliation, and that's what we can do when we right the wrongs done to polo. We can clear his name, pay him restitution, fully fund and support immigrant refugee services, get out of the jtff, require training assessments and on-going progress with all city employees and elected servants in culture humility, trauma informed care, non hierarchical community, conciliation and restorative justice. We need to refuse extortion in rewarding hate and bigotry.

Wheeler: I will need to you wrap it up.

Gillis: We refuse to let murder pay and say no to Greg Lewis.

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All right. Thank you. Thank you. Thank you. Thank you for your testimony. The consent agenda, Karla, have any items been pulled?

Moore-Love: I have no requests.

Wheeler: Please call the roll.

Fritz: I am not really happy with the budget calendar but I know that's what's going to happen, aye.

Fish: Aye.

Hardesty: Aye. Maybe we will have an opportunity to revise the budget calendar at a later date. I look forward to that conversation.

Moore-Love: Your microphone is off.

Hardesty: I was just agreeing with commissioner Fritz that maybe we will have an opportunity to expand the budget calendar at a later date. I vote aye.

Wheeler: I just want to point out that on the consent agenda there are four multi-unit limited tax exemption programs. All of those are under the inclusionary housing program, I vote aye. The consent agenda is adopted. First time certain item, we are going to run -- excuse me, we are going to have -- back to my first page, item 97, please.

Item 97.

Wheeler: Commissioner Fish.

Fish: Thank you, mayor and colleagues. Last October we passed a resolution directing our city attorney and the chief administrative officer to update the city's rules regarding outside work. We asked them to clarify and simplify the rule, create a new disclosure form, and develop training materials for city employees. The premise of that action was that when our employees have been in harm's way, excuse me, the premise of that action was that our employees have been in harm's way, and we owe them better. Outside work is generally allowed provided it does not interfere with an employee's duty to the city or present a conflict of interest, but the rule was so poorly written and so poorly understood that in our experience most employees didn't know it existed, much less what it required of them. The city takes conflict of interest very seriously and violations can result in discipline up to and including termination. We have a responsibility to ensure that our employees understand these rules and have the tools that they need to follow them. Today I am pleased to bring back materials for your council colleagues for your review and adoption. They will, in my judgment, result in increased transparency and accountability and better protect our employees. We have incorporated feedback we received from our labor partners at pte, labors and afscme, and I want to thank them, in particular, for their thoughtful engagement. Today we have an all-star panel comprised of the chief administrative officer, Tom Rinehart, chief deputy city attorney Robert Taylor and senior deputy city attorney matt Farley here to present, and then we will take a vote on the resolution. Gentlemen.

Tom Rinehart, CAO, Office of Management and Finance: Good morning, council. Commissioner Fish, thanks for that introduction. I am pleased to be in front of commissioner Hardesty for the first time. Good morning to all council. My name is tom Rinehart, I'm the chief administrative officer, on your direction my office worked with the city attorney's team to develop this proposal for you to update our city policy on outside work. As we all know the rapid widespread adoption of digital technology has lowered the barriers of entry for entrepreneurs and people seeking multiple jobs. The bureau of labor, statistics data shows 5% of the labor force holds some type of second job. However across the nation, 18-34-year-olds report numbers closer to 40%. For some people, having a second job enables them to augment income, advance their careers, learn new skills, and engage in advocacy. Setting aside the legitimate and important debate about how this trend relates to the rise in income inequality in our country I firmly believe the city of Portland is taking a necessary proactive step in recognizing that more of our employees in

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the coming years will engage in paid work outside of their city employment, and we should have a solid transparent process for it. As you will hear from the team, the proposed disclosure form, and training removes the need for employees to determine on their own if there are other jobs or businesses are a potential or actual conflict of interest. It provides a clear process that is transparent and details what is expected from our employees, making it easier to participate in outside work. Now I will give the podium to Robert Taylor to talk about the proposed updated approach.

Robert Taylor, Chief Deputy City Attorney: Thank you. My name is Robert Taylor, I'm the Chief deputy city attorney. This resolution will clarify and simplify the administrative rule on outside employment. The new rule is more protective of both employees and the city because the rule will help us better prevent and resolve actual and potential conflicts of interest. The current rule really puts the onerous on the employee to make the decision as to whether to report outside employment. Employees have to parse the existing rule which can be challenging. The existing rules are vague and complicated and they can be difficult to interpret. For example, employees must report outside employment that quote, "directly or indirectly subject, is directly or indirectly subject to the control inspection review or audit by the city. Elsewhere in another part the rule says that employees must report outside employment that entails responsibilities that includes financial transactions or financial decisions involving funds received directly or indirectly from the city. That can be difficult for employees to understand and interpret, and under the existing rule, they carry that burden. As a result, the existing rule can be a trap for the unwary, and it's unfair to the employees. The new rule provides a consistent process that takes the onerous off the employee. There is a standard form to report outside employment. There is a regular reporting interval and then the manager is responsible for resolving the issue of conflicts through a written plan. The new rule also requires training for employees and managers. These are substantial improvements to the existing rule and make the situation more fair to the employees and the city. Now matt Farley will discuss the rule in more detail.

Matt Farley, Senior Deputy City Attorney: Good morning. So I worked closely with the cao on this policy under the direction of commissioner Fish, and you know, hats off to commissioner Fish and his chief of staff, Sonia Schmanski for identifying this issue and taking it on in a proactive basis before we have some sort of crisis. To start off I am going to be very brief, but I think that we need to be reminded there is a state statute that governs us. Ors-244 requires all of us, every single employee at the city to disclose potential and actual conflicts of interest of which outside employment would be one. So we are bound by a state law to do this self disclosure. There is no getting around that. In addition, we, as the employer, are required by that state law to come up with a written plan to resolve any potential or actual conflict of interest. So this rule is not intended to prevent people from that having outside employment unless it presents an actual conflict of interest. It does allow people to engage in outside employment, but there must be a written plan by the city to resolve it. So, for example, if someone owns a landscaping business, that bids on projects for the parks bureau, that employee should not be on any type of committee that would select bidders for such a contract. We need a written plan that takes that person out of that decision-making loop, and that statute requires that written plan to be held and documented and you know, for potential disclosure. So we have to keep a written record, is what I am trying to say. So we are all governed by that. So our prior policy, hr-405, had no training component for employees or managers. The prior policy had no disclosure form and our prior policy had no resolution form or clear place for these records to be held as required by the state statute. So, the improvements are, as you have heard, that we will now have trainings. We have a disclosure form that will be filled out by all employees on a recurring basis. We have a form for the written resolution plans, and then the idea is that these will be stored in an employee personnel file. So we will be in

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compliance with the state statute and I have had some discussions with the state ethics commission staff, and the state ethics commission is very excited about this. They are very much in favor of our approach and commend us on this process. So that's, I think, why we are doing this, and it's a good idea.

Wheeler: Matt, it's my understanding, also, that there is a clarifying amendment that you would all like me to put on the table, so I would like to that at this time. I want to clarify and acknowledge that bureaus may have different policies, some of which could be more restrictive than what is appropriate in the administrative rule-making supplementary document, the language currently reads, bureaus may implement more restrictive policies. This amendment proposes the following language instead. Bureaus may work with bhr to tailor a more restrictive policy to meet individual bureau needs. Could I get a second?

Fish: Second.

Wheeler: We have a motion, a second from commissioner Fish.

Fish: Karla, can we pull the power point up?

Moore-Love: We have it up here.

Fish: We are done with the power point. So we just come back to the panel.

Wheeler: I will leave that amendment on the table for further questions or public testimony.

Fish: And I just want to make, if I could, mayor, one comment to my colleagues. We had a terrific intern last summer named Sheila ponyam. Some of you may remember her as being part of a championship, we the people team, but in addition, just a very smart and capable person who is now at the University of Washington and she devoted a number of months looking at how other cities deal with this. The thing we concluded early on is that the idea of having a very convoluted and hard to decipher policy that required employees on their own initiative to make disclosures with a non-starter, and what we also concluded was that Portland shouldn't wait until we get an audit or some event to trigger a response. We should be looking at best practices across the country and figure out where we land. There are some cities that are -- that have put in place policies that are, frankly, a little more aggressive than the ones that we are proposing today. There are some jurisdictions locally that are already ahead of us like Multnomah county, which has had a mandatory disclosure requirement for some time. Based on the conversations that we have had with colleagues and stakeholders and with professional staff, where I think that we have landed is a policy that is light years ahead of where we were, but I want to be very clear, my hope is that you will support this resolution so that we can test drive this. The best way we are going to learn as to whether we hit the right balance and whether it needs refinement is for us to jump in and do it. One of the things that we don't know, for example, is how many employees have outside employment. That would be nice to have that data. We don't have a sense of the kinds of things people are doing. We don't know until we try how effective is that interactive process between the ultimate manager and the employee? In terms of scoping out what you can and can't do. There be an iterative process where we are working with key city staff to refine it. I suspect in the next three years we may come back and sharpen and tighten some bolts, but I think that this is really an outstanding first step. I want to be clear the thing that offended me the most about the policy when I read it was first I couldn't understand it. It seems to me if conflict of interest is something that we all agree is sort of the coin of the realm of good government is making sure we avoid conflict of interest, having a policy that on its face is hard to understand is a non-starter. The second thing is I thought it was unfair to put the burden onus on the employee. If you have a policy that is not clear and we don't train on and then we say that, you know, how convenient. The employee has the responsibility, and by the way, if they get it wrong, we are going to come down on them like a ton of bricks. It seems like we had the wrong framework. What I am asking for is your support for a resolution which launches the program. We will give you feedback as to what we are learning. We may end up at some

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point coming back with suggested further refinements, but we think that we have hit the right sweet spot for at least launching it, and we want to get started, and I urge your support.

Wheeler: Thanks, commissioner. Commissioner Eudaly.

Eudaly: I need clarity on the amendment. We currently have bureaus with stronger policies. Does this amendment require them to go back and renegotiate with bhr in order to keep those policies in place?

Wheeler: Matt.

Farley: That's a good question. I think that as a question for bhr and the bureau to work out. Presumably in the past the bureaus, that implemented their policies, such as bds had some issues happening over the years with conflicts of interest that were an embarrassment to the city, and those bureaus responded to resolve those things aggressively so that some of those actions by some employees would never happen again, and bhr was consulted at the time. We have new leadership, and so I think that that's a discussion for the bureaus and bhr to have.

Eudaly: Okay.

Fish: Colleague, can I add one comment to that?

Eudaly: Sure.

Wheeler: Commissioner Fish.

Fish: There is two categories, existing policies, which may be more restrictive, and under this language I think simply a communication with h.r. ss what's required. But there is also a couple of examples where in a collective bargaining agreement there is a restrictive regime like with the police contract. The way I read this amendment is that it has no application to those circumstances where through collective bargaining a different regime has been negotiated, and the police have a separate process.

Eudaly: I had bds more in mind with this question, and I want to ensure that the bureaus retain some ability to manage their unique circumstances because I don't think a blanket policy will work for every bureau, but as long as that's what we are doing, I am comfortable with the amendment.

Fritz: What's the purpose of having to consult with the bureau of human resources?

Taylor: If I might, Robert Taylor, chief deputy city attorney, one of the goals of the policy, the new policy as drafted is to have a standard process that's clear to all employees throughout the city, both the form that's standard and the regular intervals that are standard and the training that is standard. So, recognizing that some bureaus like bds because of their unique circumstance and history might have a need for a more restrictive rule. The amendment would require them to consult with bhr so bhr could understand the need for it and how it would be consistent with the existing policy and what the differences would be, so that then those employees could be trained on that appropriately. That's the main purpose, so bhr could have a full understanding of what all the rules are for all the employees because the goal is to clarify it as much as possible.

Fritz: Human resources rather than the commissioner in charge would get to make that decision?

Taylor: It would be the bureau director, so the bds bureau director in consultation with the bhr director. They would both report to their respective commissioners in charge.

Fritz: I share commissioner eudaly's concern. I would not want to see in the name of uniformity doing away with the policy which has had good results since the previous problems in that particular bureau. My next question is what is the role of the commissioner in the supervision of his or her bureau directors? How did bureau directors relate to this policy?

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Farley: The contracts for the bureau directors can and should address outside employment, the actual individual employment contract with the bureau director can address these questions.

Fritz: But after the first three years, as commissioner Hardesty found out, we don't have contracts. Previously, whenever I've been assigned a new bureau, and therefore, a new director, in that very first conversation, there has been a disclosure of what outside income the director may have, and a discussion of whether that's okay or not. Is that still allowed and-or required?

Fish: Can I answer that question? I've been thinking about how this would affect. So it's both required and allowed. In fact, the commissioner in charge is the person that oversees the director. So it would -- it would be my intent under this rule to sit down with my directors on a regular basis, and there are some directors that do outside work. You have a director, for example, that stores horses.

Fritz: I am well aware of that cause its only the very first time we met.

Fish: I learned it early on and quickly concluded that storing horses, as long as it was not storing horses.

Fritz: It is not storing them. It's a horse ranch, its much more exciting then storing them.

Wheeler: Boarding.

Eudaly: Even I know that.

Fish: But it did not scream obvious conflict of interest, but it's my understanding under these rules that it would be the commissioner in charge that would then meet with the director, engage in this disclosure process, and have this iterative process, and since this is a policy that is subject to discipline, if a director defied a commissioner in charge in terms of that conversation, that is grounds for discipline and including up to termination.

Fritz: Is the director under this policy required to report any new outside income?

Fish: The we structured this is I think that there is going to be an initial disclosure, and then I think that within three years there is a follow-up. We are trying not to create a bureaucratic system, which is unduly burdensome to the city because we have a lot of these things. What I would say is I believe that's up to the commissioner in charge, but it seems to me upon any reassignment, that's a conversation that we want to have, and I would think that since we do letters of performance every year and evaluations every year, I think it should be part of the formal process with the director to say are there any changes, but that's uniquely within -- excuse me, the commissioners prerogative to do that. I think that we should do that at least on an annual basis when we are doing performance reviews.

Farley: If I might add, the state law requires disclosure. So if there was a change in circumstances, under the state law, we are bound to make a disclosure.

Fritz: State law only applies to conflict of interest, is that right?

Farley: Conflicts of interest of which outside employment would be one.

Fritz: If there is an outside employment like a horse ranch, it is not a conflict of interest, would there be requires to report that under state law?

Farley: I think if there was a conclusion that it did not present a potential conflict of interest or a potential conflict of interest, then maybe wouldn't have to disclose that, but.

Fish: Let's be clearer on this. Currently the requirement is that you disclose a, an actual or potential conflict of interest. If you have an outside employment, and by the way, as a model employer increasingly we are going to have people with outside jobs, and that's the nature of the workplace, they don't have to disclose that they have an outside job if it doesn't present a conflict. Under these rules you are required to disclose outside employment. Whether it presents a conflict or not, and that, then, is determined by the manager. That's different than what the low water mark is currently with state law because under state law you would only have to disclose if there is a conflict.

Farley: Or a potential conflict.

Fish: We are requiring the disclosure of outside employment, which may or may not present a conflict, but requiring someone then to do a follow-up discussion to determine whether there is a conflict.

Farley: Yes.

Fish: So that's different.

Wheeler: Very good. Does that complete --

Rinehart: I want to say thanks to matt and Francis Garfia from my office who worked long and hard on this. Thank you.

Wheeler: Very good. I also understand that the director Serilda Summers-McGee is here and she would like to testify, and so we will bring her up first as invited testimony. Good morning.

Serilda Summers-McGee, Director, Bureau of Human Resources: Good morning. For the record my name is Serilda Summers-McGee, I'm the chief Human resources officer for the city of Portland. Thank you commissioners and mayor for allowing me to come up and testify before you here today. Mayor and commissioner, I want to say that the bureau of human resources is in support of this updated and consolidated as well as centralized city of Portland secondary employment law and rules. Ors-244 and hrr-405. There are hundreds if not thousands of employees who have secondary employment at the city. Some inherited buildings and leased their space, some work nights and weekends as a janitor or pick up additional shifts to cover pay gaps. Others moonlight as writers, graphic designers, videographers and so much more, and some have small businesses not at all in conflict with the city of Portland in any way. Today's workforce is evolving to have multiple streams of income, technology is allowing individuals to contract their skills and project-based ways so think about Etsy, Craig's list, Thumb tack Angie's list and countless other websites where individuals can promote skills and be hired and compensated for their time and expertise. I believe secondary employment that is not in conflict with the city of Portland with the city employees' job strengthens the city and allows us to promote our workplace as being one that welcomes creative entrepreneurs. This consolidated rule is a step in the right direction for the city of Portland and bhr plans to do more to streamline human resources rules, help promote a healthy and transparent workplace, workplace culture, and work to foster a work environment where people feel free to be who they are and feel like the city is a safe and supportive environment to be the fullest versions of themselves. In 2019 workplace culture will be the central point of focus for the bureau of human resources. We believe that reflecting thoughtfully about the culture and how employees will respond to our services, policies, and approach to our work, will truly help establish the city of Portland as the best place to work no matter the sector. So again, bhr supports centralization of this rule.

Summers-McGee: Thank you.

Wheeler: Thank you.

Appreciated it. Any questions for the director Summers-McGee? Great. Thank you for being here and thanks for your testimony. All right, so we will open it up to public testimony. Karla, how many people do we have on the list?

Moore-Love: Four people.

Wheeler: Very good. Three minutes each. Name for the record, please.

Joe Walsh: Good morning, my name is joe walsh, I represent individuals for justice. One of the things that we were concerned about was what happens with an employee who fails to disclose? You are going to have to take some kind of discipline. Is that discipline set up? Or is it just, willy nilly, whatever we feel like or the supervisor feels like? The second issue that we have with this is, we don't like new regulations and laws coming down on employees. Just -- we have a negative free hatch into that immediately and a lot of things

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that commissioner Fish said was also talked about. And we did go -- the employee has to do everything on this. And the employee has to do it to their supervisor. If the supervisor doesn't like the person that's coming to them, what do you think the reaction is going to be? What appeal does the employee have? Can the employee go over the supervisor's head to the director or to the bureau chief? The person in charge of the bureau of the commissioner? And if they do that, what kind of negative is that? I was once in my working life a supervisor. Someone went over my head and I was not happy. So those are the things that came up in the discussion that it seems to us that when you do these things, you have a plan, and commissioner Fish wants to play games with it for a couple years and kind of tweak it. Well, that's on the back of the employees. You guys ought to sit down and spend more time on this, and figure out are we hurting the employees and the way that you are doing it and the way that I am reading the supporting documentation, unless I am totally wrong and I am getting old, I may be wrong, you guys ought to go back and think about this. You might just aggravate a whole bunch of people, and you don't really want that. And I think that commissioner Eudaly and commissioner Fritz feel it. They know that there is something wrong with this, but they cannot put their finger on it and that came out last night, also. We can't put our fingers on it, but we are nervous about this. Thank you very much.

Wheeler: Thank you.

Maggie: Okay. There is two things that I want to address. One is low level of employees like janitors or, you know, sort of -- or police department people or.

Eudaly: This is only impacts non represented people.

Maggie: people outside of the city, like at another job. I don't think that that's really a problem as long as they are honest about it, but, I do think, and we were talking about this at the county last week, that it hurts inclusion, fairness, diversity, and equity when you just take a core group of people, and you just hire them over and over again because maybe they are trained and it cost too much money to train somebody else to come in, and then all of a sudden you just have gotten the same group of people working for you all the time. The other thing is high level employees, bureaucrats, representatives, okay, let's take this situation of something like publisher's clearinghouse or, say, a McDonald's sweepstakes or you know, a sweepstakes on the back of a cheerios box, and those -- no family member of a sweepstakes can participate in the sweepstakes, so if somebody is on a committee for awarding a contract, and they are also, you know, working in the city, and their father or their cousin or their sister or their aunt or uncle is you know, has a construction company you know, I never thought that I would say this, take the event of the example of just sessions and recuse yourself. So, you know, disclosure is not enough. You need to pull yourself off of the committee making the award. And you know, don't be sitting in a position of the power to hire someone and then hire your cousin. You are going to have somebody else come in and hire that person. Just -- does that make sense in terms of the diversity?

Wheeler: Yes, thank you. Good morning.

Charles Bridgecrane Johnson: Good morning, commissioners. For the record, Charles bridgecrane Johnson. It's a beautiful day here in cascadia. We are privileged to have some of our friends from sisters of the road upstairs in the recently remodeled balcony with us. They will be talking about an issue more impactful to a broader collection of people than the city employees, but this issue was discussed here in these chambers that we're talking about right now before commissioner Hardesty came on, and I am glad to see that a lot of work -- the clerk has incorporated the power point into the 19 pages of online presentations. So I feel that the presentation is -- and the policies are in a more confident position, and I won't have to be as forceful as the last time I testified from this table right here. Particularly the last time we discussed it, there was no direct mention of the relationship between bureau directors and the person that does their oversight, the elected

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commissioner. So I am very glad that commissioner Fritz and commissioner Eudaly brought that into the discussion, and that we were able to learn that people, that people the bureau director level pay when they come to the city have a three-year contract, but when we renew their services, it's -- we reached the level of comfort and confidence where we don't have to nail it down always in a legal contract. So commissioner Eudaly was adamant the last time, and recently just spoke up a few minutes ago that, you know, the target of this is really executive people where the risks are higher, and that most of the people that I was most concerned about when we spoke in the lower wage classes in the city have found protection. I don't know if we thought about exactly how this might extend to some of the part-time non-permanent summer parks employees. Are we going to have to track them?

Fish: Can I answer that? Commissioner Fritz raised that at the last hearing, and at her urging, we have excluded seasonal employees. It seems to me that people that work episodically and are coming and going, it's both administratively unworkable to do this and probably a little unfair, so they are bound by the rule about having to disclose a clear conflict of interest, but we have taken seasonal out of the perspective.

Johnson: That seems wise especially from a paperwork perspective and I don't know that a seasonal employee can have that much of a conflict of interest impact on the good brand of the city. I think that we are in a position and I anticipate a unanimous vote coming up but that's just a gut feeling. Thank you.

Maggie: By the way, I love the gray panthers.

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

Wheeler: Very good, colleagues any further questions of staff? Karla, to the amendment, please call the roll.

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

Wheeler: Aye. The amendment is adopted. The main motion is amended. Please call the roll.

Fritz: Commissioner Fish, I appreciate your chief of staff's Sonia Schmanski's work on this project. I think that it's a good first step. I do believe that there should be additional clarity over bureau directors and what they do in their outside time so that the public knows that they are getting value for money, and I think that there is a lot of issues regarding bureau directors and their at will status, that needs to be clarified in some future project. Thank you for your work on this one. Aye.

Fish: Thank you very much. It's been a pleasure to work with really a high level team on this. I want to thank all the professionals of the city, particularly the cao, city attorney, and h.r. who have helped us to shape this. I am proud that as a city we are moving closer to the best practices emerging in the cities like Dayton and Syracuse. I never thought I would say that in a public forum that we are trailing Dayton and Syracuse, but they are ahead of us. And following the lead of Multnomah county across the river, which has had a mandatory disclosure process in place for some time. I am really proud that we are doing this for the right reason and not because of a scandal or an audit or some reaction. We are doing this because we care about conflicts of interest, we care about ethics in government, and we want to have a policy that protects our employees, educates our employees, and makes sure that we get the information that we need to keep people free of conflicts. I want to thank, in particular, commissioner Fritz and the mayor for their partnership on this. I want to thank my chief of staff, Sonia Schmanski, who is an absolute gem, and for the work that she has done on this. I want to thank Sheila ponyam, is one of the best interns that we have had, who doggedly researched this and really, I think, the public doesn't appreciate the value of internships that we have. We have interns from the Hatfield school, we have interns from all kinds of places, but we often get high school students and college students who want to intern. When you have a smart intern who is willing to really dig into

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something, you get the results that we got from Sheila and this is as much a testament for her hard work and diligence and the work that she did for our office so I want to thank her and acknowledge her role and I am proud the council is making this, which I believe is the first in a number of steps that will take over the next few years to strengthen our policies. Thank you to my colleagues for their support. Aye.

Hardesty: Thank you. I just wanted to make sure that people knew that the onus in this ordinance is on us as the supervisors to actually proactive in determining whether or not people have additional employment. I think that this makes it better because it is not putting the burden on the employee's shoulder to self disclose. I vote aye.

Eudaly: I want to acknowledge that I misspoke earlier. I had a little brain schism, and I am blaming it on the fact that we no longer have the coffee shop at city hall and I am a little under-caffeinated. I appreciate this ordinance. Conflict of interest is something that I am concerned with, take seriously, wish that we had better policies at the state legislature level, but that discussion is for another day. I vote aye.

Wheeler: Well, it goes without saying that the city of Portland wants to be an employer of choice of course as commissioner Fish said, to be an employer of choice we have to remain relevant to those who want to be employees. I believe this is an excellent policy. It's going to allow us to continue to be transparent and accountable, but it's also going to give our employees the space that they need to help provide for themselves and their families economically. I think it also encourages us through the amendment to bring all of our bureaus together to achieve some sense of parity, and on the whole commissioner Fish, I think this is excellent work. When you started this, I knew it was going to be very complicated and I knew that there would be some potential trip wires in this policy and I think that it showed true leadership that you are willing to take up something that, as was mentioned here, maybe is not of great importance to the community on the whole, but accountability and transparency is really significant to the overall the community placed in us and in our government, so I want to thank you, commissioner Fish, and I want to thank tom Rinehart, our chief administrative officer, director summers McGee, matt Farley, Sonia Schmanski who we all know as elected officials who does the real work. It's our staffs, and we value them and this is just another example, commissioner Fish, where you and your staff have really worked tirelessly to bring something to all of us that we can vote on, apparently, 5-0, which is great. I vote aye. The resolution is adopted as amended. [gavel pounded] next item, Karla. We are going to read items 98 and 99 together, please.

Item 98.

Item 99.

Wheeler: First I want to start off thanking the central eastside folks for going the extra mile to continue to engage with us as the city council, but more importantly, to engage with the community at large to hear their concerns and bring forward what I think is going to be one of the most interesting and progressive esds anywhere. The central eastside as we all know it is a critical employment center, its the innovation quadrant and the driver of both Portland's and a driver of Portland and the region's economy. The district's character is innovative. They have approached this with the values driven approach. This is an opportunity for us as a government enterprise to leverage the resources in the private sector to stretch our public dollars further, colleagues because we worked on this until the last minute, Particularly the community part, I would like to substitute the exhibit with the refined proposal that we have collaboratively arrived at, and just to be very brief because I know our presenters are going to talk about this, the main changes in exhibit a, which is the description of the eastside, the central eastside enhanced service district, on page 2 of the document it changes the board of directors. The relevant point here is that 15-20% representatives with lived experience of houselessness, housing and security appointed by organizations with the location in the central east side which represents vulnerable

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populations, that's up to three directors, that is at the bottom of the one, two, three, four, five, sixth bullet point, and then the request for proposals sections, which is down under the sidewalk, operations, and cleaning, you will see that the long and the short of it is that the grassroots organizations from the community are encouraged to apply. That was brought forward again through the central eastside industrial district's conversations with the community. Could I have a motion to substitute exhibit a.

Fritz: So moved.

Wheeler: We have a motion from commissioner Fritz.

Hardesty: Second.

Wheeler: A second from commissioner Hardesty, and I will go ahead and leave -- actually, because it is the substitute, I am going to call the roll now and unless anybody has questions. I would like to substitute. Go ahead and call the roll, Karla.

Fritz: I really appreciate these changes and all the hard work that's gone into getting to where we are today, aye.

Fish: I am going to support the substitute, but the question that I have actually is who is doing any work today in the central eastside industrial district. We have the entire senior workforce, what's going on.

******:** We have two people.

Fish: Good aye.

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

Wheeler: Aye. So the substitute is now on the table, and with that I will turn this over to the central eastside esd panel. Brad Malsin who the president of the central eastside industrial council and the sd steering committee will kick us off, good morning.

Brad Malsin: Good morning, that you mayor and thank you commissioners. I have a couple things, I have a letter from earl Blumenauer that I want to read, but I wanted to first take a moment to thank you, the mayor, and all of the commissioners for working so deliberately for us to find common ground. We are all on the same side. It's all about trust. We want to do the right thing and you guys have helped us figure out how to do that, and I just want to -- it's been a really good process, and I think that it's built -- we want you to know who we are and we want to get more of who you are, and work collaboratively together. I think that's what's going to move this city forward. It's about trust, so with that. So my name is Brad Malsin, I'm president of the central eastside and the enhanced services district steering committee. In full disclosure I don't own any horses or a horse farm, but.

Fish: Why not?

Wheeler: He have nowhere to store it. [laughter]

Malsin: I am the owner of Beam development. I am here today because we have worked for the last two years to ensure the central eastside industrial district as a national model for thriving urban industrial districts. Central eastside diverse mix of businesses industries, makers, manufacturers, creatives, residents, advocates, contributes to the innovative environment that generates quality jobs, promotes a vibrant pedestrian experience, ensures a resilient, welcoming, and connected community. Central eastside, by the numbers, I think that it's kind of impressive, the central eastside is an industrial sanctuary, an employment center, a transportation hub and home to nearly 1500 small businesses. Locally owned businesses. We provide more than 20,000 jobs. The fifth highest geographic concentration of jobs in Portland with the majority paying higher than Portland's average wage. The only constant is change. Central eastside is changing a lot. A number of businesses in the district increased 21% and the number of jobs increased 30% over the last eight years. Portland is also changing. A lot. As our district and our city gets denser, we must harness new tools and revenue to solve the biggest challenges facing our city today and in the future. We have come to the conclusion that we want a

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new esd, and it's been involving, creating a new esd, first in Portland in the last 15 years was never going to be an easy job, let me tell you. Not an easy job, but we are excited and up to the challenge of creating not just a new esd, but a new kind of esd. The goals, we have big goals in increasing cleanliness, improving safety for everyone on the street, managing parking, transportation demands, supporting innovation in all forms and ensuring central east side is a great place to create, innovate, work, and visit. Together our private investment will create great public benefit. I have a letter from congressman blumenauer dated February 5. For over 30 years I've been proud to help lead the fight to preserve, protect, and enhance the central eastside. As a preservation, as a presentation rightly pointed out, it is a complicated district, but one that is vital to the health of the city. The mix of small locally owned businesses that have played an important role in the vitality of the city for generations is a critical part of the future. This proposal balances respect for the past, the needs of today, and the promise of the Future, in a way that I am very excited to see. I was proud to have led the charge to initiate the first economic improvement district for downtown Portland that started this process. It's been gratifying to watch these concepts take root and grow. I am proud to lend my personal support and commitment to work with the district and with the city to make it a success.

Wheeler: Thank you.

Kate Merrill: Thank you, brad. Good morning, commissioners, mayor. My name is Kate Merrill, I'm the executive director of the central eastside industrial council and the enhanced district steering committee. As brad explained we are creating a new esd, one that is driven by our values of collaboration, innovation, responsiveness, transparency and equity. For four decades the central eastside industrial council has invested in our district supporting permanent and temporary shelters, helping innovative events get off the ground and securing funding for area nonprofits to implement unique workforce and community investment programs. Central eastside has spent the last two years engaging our diverse community of businesses, industries, makers, manufacturers, creators, commercial property owners, residents, and advocates to understand the district's challenges and opportunities. In addition to our consistent communication with more than 1500 central eastside businesses, residents, and supporters, we facilitated 25 formal community outreach meetings, hosted three esd open house, met with non-commercial property owners, stakeholder groups and discussed esd assessments with 240 individual property owners. That's not all. We met with 31 nonprofits, social service providers, and houseless advocacy groups, 28 times. Members of city council and your staff 20 times and mailed our proposed service plan to every property in the -- every property owner in the district twice. Our website has been updated consistently as our proposal has evolved, and you have likely read articles about the proposed esd have been published in the business journal, Oregonian, Portland mercury, Portland tribune, Willamette week, and on katu. And finally we secured support from a wide range of government partners, including Multnomah county and prosper Portland, and in response to the signature feedback we received from our district we launched three pilot projects in 2018 to help us gather additional data to understand the magnitude of the challenges we want to address, assess the impact of specific types of services, and provide a visible benefit to educate potential esd payers. Last spring we partnered with central city concern to bring their peer-based clean-start program to the central eastside combined with your three longstanding annual volunteer cleanups, just to shout out to solve and the graffiti resources program in civic life, thank you. They are great partners. Clean start removed 80 tons of trash and more than 100 incidents of graffiti last year. I am pleased to introduce jay McIntyre from central city concern to talk about the clean start program. Jay?

Jay McIntyre: Thank you, Kate, good morning Mr. mayor and council members. Thank you for giving me a few minutes of your time. My name is jay McIntyre and I'm the

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business director of central city concern's clean start program. Central city concerns, serves low income people currently or at risk of experiencing homelessness with a high priority for serving people experiencing substance abuse disorder and seeking to engage in recovery-based services. Our social enterprise and supportive employment programs seek to build individualized career attainment goals. Central city concerns clean start is a homeless to work social enterprise employment program. The program is a janitorial-based employment opportunity that is accessible to people using central city concerns recovery services. Often these trainees have not worked in many years while others have never held a job. This program offers a place for the trainees to get into a routine and comfortable with working. Clean start provides a work environment that is understanding, compassionate and where the focus is to help the trainees move on to permanent, full-time employment. Over the last year central city concern has partnered with the central eastside industrial council to place six clean start employees in the district. These employees were tasked with cleaning up trash, biohazards, needles and removing graffiti in the service area. During this first year these employees removed 8,000 bags of trash and nearly 6,000 needles from the service area. If the enhanced service district is approved by city council, the central eastside industrial district has identified that they would like to double the size of the team in the area. That could increase the team to 12 employees including a new entry level supervisor opportunity. These are good entry level jobs that specifically support people in recovery who have experienced homelessness or would otherwise be at risk of homelessness. Roughly 50 people a year find employment through this program and are able to start or restart their journey of independence and self empowerment. This year we have a goal to support 70 people in the program, and this partnership with the central eastside industrial council could go a long way in achieving that goal. We understand that we would need to compete for this contract in the future rfp and we are confident our high quality mission-based services would compete well for a full contract under the new esd. This employment opportunity helps people regain their confidence and stability, which is just as impactful as stable housing and healthcare for some people trying to rebuild their community and find their path to recovery. On a personal note, 11 years ago I had been on the streets of Portland for about four years homeless. I attended substance abuse treatment at central city concern, and central city concern gave me a roof over my head and gave me an employment opportunity similar to what we provide today in the clean start program. Without central city concern providing me with this housing and employment, I don't know where I would be in life or if I would be here speaking to you today. I would like to take this opportunity to thank the central eastside industrial council for choosing central city concern. We appreciate this opportunity and hope to continue this partnership. Together this partnership can create jobs that intentionally lift people up and lead with our values. Thank you for your time today.

Wheeler: Thank you.

Merrill: Thanks so much, jay. Another part of our pilots, we hired northwest enforcement to provide safety services in the northeast part of the district which have an increasing amount of crimes against people and property. In fact, in November 2018 it had the Portland seventh highest rate of crime per capita. Our unarmed safety ambassadors documented nearly 1200 incidents of trash, graffiti and vandalism, coordinated services with our clean start cleaners, launched a warm winter drive and donated more than 100 winter coats, blankets, hand warmers and first aid kits, dog food, you name it to vulnerable populations on the street. Most recently they donated a shower replacement to r2d2 Lloyd location. Finally, to improve the efficient movement of freight in our district and transit access we launched the water avenue shuttle, this free transportation option connects employees, residents, and visitors to district destinations and an additional transit and parking option. Ridership continues to grow. In fact, it more than doubled between

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september and December. We have learned an incredible amount over the last two years about our district. Its constituents and the political process. We are proud of our value driven approach and have worked hard to build trust through transparency, responsive programming and compromise. Creating a new esd, the first in Portland in the last 15 years was never going to be easy. Choosing to do it in the central eastside made it more complicated. We have almost 1200 commercial parcels owned by nearly 600 individuals. For context, downtown Portland's esd has 602 parcels, and Lloyd, last approved esd in Portland only has 125. Compared to those other districts our parcels are small. Only eight represent more than 1% of assessed value and 78% represent less than .1% in the central eastside. So small is really big in the central eastside. We are a different kind of district creating a different kind of esd, one that fosters community, strengthens our economy and promotes our unique identity. Our proposed district stretches from the Willamette river east to 10th or 12th from I-84 south to division or Hawthorne, and was created in consultation with district businesses, commercial property owners, and area neighborhood associations. In fact, we have official endorsements from kerns and buckman neighborhood association, we will deliver six distinct categories of services including sidewalk operation, parking and transportation management, streetscape improvements, community and workforce grants, district advocacy, and overall district administration including a financial reserve. Sidewalk operations include documenting and addressing district graffiti, trash and safety needs, emphasizing peer-based hiring. We will utilize highly trained cleaners, unarmed safety ambassadors and a crisis worker to deliver these services which will be contracted through an rfi process. Significant district specific training including two innovative central eastside certifications will be required of all sidewalk operations service providers upon hire and every six months thereafter. In addition safety ambassadors will be required to receive at least four additional hours of professional development every month, all training will be trauma informed and every effort will be made to ensure trainings are provided by housed and houseless trainers. Finally, a safety for all oversight committee will be convened to assess training, complaints, and service trends over time. Parking and transportation management services include continuation of discounted transit passes for the central eastside employees and residents, our innovative transportation wallet makes transportation, transit affordable with the goal of reducing single occupancy cars in the district to improve freight efficiency. We will also continue to manage district parking permits, purchases, purchased by businesses, and whenever possible we will add safety improvements, and our safety ambassadors will provide free escorts to transportation and parking options district-wide. Streetscape improvements include all efforts for the east side, and improve way finding for employees and customer and residents and visitors, especially along transit routes and add public amenities like murals and trash cans. Our community and workforce innovation fund will provide small grants to businesses and implementing innovative workforce development strategies including providing job training or opportunities for people at risk of or experiencing houselessness or community organizational will be providing services in the district that supports the esd goals. All grants funds must be used for projects located in the central eastside. Finally we will create a new 501c3 nonprofit to manage the esd. This organization will have robust internal controls and transparent finances, an external audit annually will be performed and an annual report will be provided to all district payers and other stakeholders, in addition we will have biannual property owner and stakeholder meetings to secure community feedback. The esd will be governed by a diverse all volunteer board of directors. This group of 10 to 20 volunteers will represent the district's stakeholders including having up to three directors representing vulnerable populations. The property manage license fee will be based on each parcel's improved value building square footage and land square footage an annual escalator of 2.3% will start in the 2020

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license year, and we expect this formula to generate \$1.2 million in year one, and \$4.1 million over the three-year life of the esd. The esd's total year one budgeted is \$2.6 million, which includes \$1.2 million in esd assessments and \$1.4 million in transportation parking funding. Both streams are restricted, and finally I want to note that while nonprofit best practices state that administration should represent no more than 20%, of an organization's budget, our esd is well below that figure ensuring that almost 90% of all revenue will be spent on programs and services benefiting the district. You have heard me and Brad say repeatedly that the central eastside is complicated because of the size and scale of the properties and owners in our district. As of today we have secured esd support letters representing nearly 60% of the district, and know that this proposal is widely supported district-wide, but you don't have to take my word for it. This proposal is -- there are a number of property owners here that will tell you why they support this proposal and are not just willing but excited to pay into our innovative esd. Thank you. I will turn it over to commissioner Meieran.

Sharon Meieran: Thank you very much, and greetings, Mayor and Commissioners. I am so pleased to be here today to voice my support for the CEIC enhanced services district proposal you are considering and I don't know if I need to say my name for the record or anything. Sharon Meieran, Multnomah County Commissioner from District 1.

Wheeler: Thanks, Commissioner.

Sharon Meieran: So I feel that this opportunity today represents a unique and different way of doing business as an esd that I find hopeful and encouraging. The central eastside is in this District 1, which is in my district, and it also is home to the building I work in nearly every day. As a County Commissioner one of my top priorities is improving access to mental health and substance use disorder services. I am also very involved in addressing housing and homelessness in our community. Especially our region's dire need for more affordable, deeply affordable, and supportive housing. Through the joint office of homeless services and work at the city and the county we are working on strategies that I believe will move the dial, and in fact, are already moving the dial in the right direction, but many of the strategies are long-term. The reality today, I don't know if I am fading in and out, but the reality today is that there are a lot of people experiencing homelessness in the central eastside and all across our community. What we see on our streets is an experience often characterized by distress, displacement, loss of dignity and trauma. We need short-term strategies that can address what is happening on the ground today. I think that this proposal represents an important and powerful shift in how we collectively respond to the needs in our community. Not with more displacement, more distress, more trauma, but instead, with new approaches to support safety and dignity for all who live, work, or visit the central eastside. This plan will not and cannot solve our housing crisis nor the urgent need for behavioral health services in our community. I think we often look for that silver bullet that will give all of us a uh-huh moment, where we say "oh here's something no one has ever thought of before and we can solve whatever crisis is at hand", but that is not something that really happens in the real world. No single sector, local government, business, healthcare, philanthropy can do it alone, but we can make an impact together. What really stood out to me when I first spoke with Juliana from the CEIC was that they were thinking about this differently. The process was different. From the very beginning it was clear that they wanted to find a way to address a problem that is all too real with a broad and inclusive perspective. I found sometimes we don't know what we don't know -- all the time we don't know what we don't know, and this has become all the more apparent in my role as an elected official. The key is to be willing to listen, to learn, and to adapt. CEIC has demonstrated a sincere willingness to think critically, listen, to be open to new ideas and honest feedback and change course when that need becomes apparent. They continue to come to the table to create a better program, better policy and better buy-in.

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I've been really impressed with ceic and want to acknowledge their work in arriving at this proposal today. They are walking the walk to show others how you can partner effectively, thoughtfully and collaboratively in this kind of work. I want to highlight some provisions of this revised plan that I believe are particularly important and compliment our efforts at the county and with the city. First, trash removal and cleanup. There is a clear need for this in the community. This benefits not only business owners, but residents, the public, and people who are houseless and do not have adequate access to waste disposal. Second, unarmed safety and crisis response. If done well I think this can improve everyone's feeling of safety in the community and I do want to also highlight the pure aspect of this that they are focusing and highlighting the need for peers to do the work. Third, opportunities for improved hygiene access through the innovation fund, which is a community health advocate and someone who believes people have a right to live with dignity, I particularly appreciate. And finally, and one of the most important aspects of the revised plan, is the diverse expanded representation on the esd board of directors. I think many of us in this room have read the research about the harms that business improvement districts can inflict on marginalized groups in a community, but I feel confident that this proposal is far from business improvement district as usual. While things sometimes feel depressing on the political front at the national level, this is truly an opportunity for us to do something here today and become a model for other neighborhoods and jurisdictions across the state and the country. Thank you very much.

Wheeler: Thank you, commissioner. We appreciate you being here.

Bobby Lee: Good morning, bobby lee, director of economic development, prosper Portland. Everything was said, so I don't know how much more I can add. Prosper Portland did help convene a meeting with multiple stakeholders, and I think the feedback we got was very productive meeting, and as you can see from the presentation, it's been a great compromise has been made. One thing that brad mentioned was that central eastside, the constant is a constant change, but one thing about central eastside is that through many economies over time in Portland history central eastside has been the generator of middle class jobs. From the shipyards on forward so central eastside is just a very fascinating place that has been the constant around economic development, especially around middle class jobs, and especially as we try to move to creating more of an urban manufacturing, urban manufacturing and manufacturing in general, the industry tends to be diverse. From a social equity standpoint and inclusive economy standpoint manufacturing is a good way to go. With all the economies changing, we need to find new and better ways to nurture the central eastside so I see this as an attempt to do that. One thing that I really enjoy about this proposal is that I have worked on a lot of esd's in owe cities. This is probably the most progressive and multi-dimensional esd I have come across by far. So congratulations to all of you ask the stakeholders participating. It is a compromise and the word compromise means you cannot always get 100% of what you want but considering the esd in other communities, the concern has been that businesses are -- serving business needs through their investments, that's been often the criticism for esd's, but this one with a governance structure you have seen has been changed, it allows diversity on the board and accountability and transparency, and also the program design was in compromise with community stakeholders, so with all of that in mind and considering this is a three-year proposal with every year you have the opportunity to also provide input, I think that we have a really strong proposal, so congratulations to all of you and the stakeholders, and with that we are in full support of this proposal. Thank you for your time.

Juliana Lukasik: Hello. I am Juliana Lukasik, and I've been involved in implementing an esd for the central eastside for more than two years. I am also a small business owner, and my company is at large films which is operated in the central eastside since 2002. I

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also am a past president of the central eastside industrial council both as someone actively involved in shaping the central eastside, as well as someone who cares deeply about the plight of our most vulnerable operations, I wanted to be part of program that looked at the problems facing us with a different lens. We started this process by looking at esd's and bid's both in Portland and around the country. We looked at best practices in all of them and tailored our esd to fit a diverse district that is predominantly small businesses. The reason I have been so passionate and engaged along the way is that I truly believe that an esd can have positive outcomes for everyone. An esd is an opportunity for businesses to partner with the city and the county to establish programs that are effective, sustainable, and sustainable. In creating our services plan we wanted to explore ways to think differently and to innovate and to be innovative in how we approach these issues. From building relationships to vulnerable people to supporting peer-based programs like central city concern we aspire to do things differently. Being the first contact to convince small businesses and legacy property owners to support the implementation of an esd was my main role in this process. In nearly every case their first response was that the city should be doing this. I was able to convince them because of the promise of a partnership with the city, county, and service providers to provide, providers to work together to truly make a difference. Since this is a three-year investment, property owners and managers signed on to support an esd because they cared deeply about the central eastside and the city as a whole. These business owners are compassionate, and I have been deeply honored to have met with so many passionate advocates for our community. I would like to thank each one of you for your role in helping us to shape this program. I am extremely excited to come to you today with an esd services plan that is much closer to my original vision thanks to your input and guidance. With the input from all of you as well as from right to survive this esd will be a role model for other districts in Portland and other cities for how an esd can work for everyone in their community. I urge you to vote yes on implementing the central eastside esd and thank you all very much.

Wheeler: Thank you.

Nancy Stueber: Good morning mayor wheeler and commissioners I am Nancy Stueber, the president and ceo of the Oregon museum of science and industry, omsi, and omsi has been a proud part of the central eastside for the last 28 years since we moved into the neighborhood. We employ 250 people and what many people don't realize is that in addition to the museum operation, we operate an exhibit fabrication business that not only fills the museum with exhibits but they travel around north America. Even more we serve more than a million people a year, and of those we have 25,000 households of people in the city in neighborhoods across the city who come to the eastside who come to omsi and who are a part of our base. I strongly support the esd and I urge you to improve it. Omsi has been part of this esd discussion for the last several years, and I've been really impressed with what you have heard about today, the extensive research and the stakeholder involvement process that has led to this proposal. Like the central eastside, omsi is changing, as well. Omsi is investing in the development of a signature district for the city that's the hub for an emerging innovation quadrant. The esd is an important tool for managing that growth and change, making sure that the central eastside is safe, and that the diverse transportation needs that we're facing are addressed, among the other things that you have heard about. It's a demonstration of the commitment of property owners to contribute to the district. As a nonprofit with limited resources omsi must keep a focus on things that are mission driven, but we will invest in the esd because we care about the larger community, and we take responsibility for doing our part. Already we are seeing in the pilot that the transportation elements like the water avenue shuttle are helping with relieving congestion and parking conflicts not only at omsi but throughout the district. The transportation funds are bringing a very badly needed flashing crosswalk beacon to the

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crosswalk just outside of omsi that sees 50,000 children crossing it every summer. I urge you to support the esd and use it as a tool so that we can work together to create this ecosystem of support for the central eastside.

Wheeler: Thank you. Appreciate you being here.

Randy Lauer: Good morning, mayor, commissioners, my name is Randy Lauer. I'm the regional director for American medical response, amr, and I lead our operations, 911 operations in Multnomah, Clackamas and Josephine counties. I started as a paramedics in 1981 with buck ambulance which became part of amr93. Buck ambulance started in Portland 106 years ago, in 1913, but I wasn't here then. [laughter] their office is at 1 southeast 2nd avenue in the central east side and before that we were just outside of the district at southeast 12th and main. We have been in the district since '95. We have 300 employees working out of our main office on southeast 2nd, another 150 in Clackamas county and 170 in southwest Washington. Nationally amr has 28,000 employees. I served on the cic board for 15 years and chaired the former community policing committee for ten of those years. The cpc, community policing committee, was one of three Portland police demonstration projects started by tom potter when he was police chief. It was the last of the three to disband a few years ago after police priorities shifted. I currently co-chair the new safety for all pilot oversight committee which has a much broader and collaborative participation. One of my roles with amr is disaster response and I have responded to 13 hurricanes and the California wildfire beginning with hurricane Katrina in 2005. I had the privilege to lead what fema and dhs called the largest ems deployment in history in 2008 with over 700 ground and air resources and 1800 responders. So a natural disaster displaces thousands of people in a matter of hours. It strikes me that Portland has its own disaster. An insidious one developed over time, but the result is the same. We have thousands of displaced houseless people who we treat differently than we do victims of natural disasters. In a natural disaster all levels of government, first responders, businesses, relief organizations and others mobilize to solve the problem. Taking care of the basic human needs, food, water, shelter, happens the first day its followed shortly with rest rooms, showers, laundry, clothing, waste removal and sanitation. When large groups of people are brought together in us in a living conditions one thing that happens is it attracts the criminal elements that preys on the unsuspecting and vulnerable that dynamic exist in Portland also. The houseless are disproportionately high crime victims, which is why the safety for all aspect of this esd is very important. In order for the significant economic growth to the central east side has been experiencing to continue we must transform it into a safe and attractive place for all to live and work. The esd provides a pathway for businesses, neighbors, social service and mental health providers and government to work on solutions together. Amr strongly supports the proposed esd, and we urge you to approve it. Thank you.

Wheeler: Thank you. Appreciate it, randy.

Don Miller: Good morning, mayor Wheeler and council members. My name is don miller, I represent city team ministry international. We are located in the heart of the central east side industrial district. City team has been there roughly 61 years. We are a compassionate service provider in the district. City team yearly we average about 23,000 shelter beds per year, a little over 90,000 meals per year, in the winter months we average about 1500 sleeping bags distributed on top of another 1,000 blankets throughout the year. We have men's clothing room, we have women's services three days per week where we give the women a four-hour respite from the rigors of the street into our facility where they can unwind, use our shower facilities, our women's clothing room and things of that nature. When I was approached some five to six months ago about taking part, representing city team in this endeavor I was reluctant. It's usually organizations such as city team that the finger is being pointed at as the purpose and the reason for this houseless community. The

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central east side has done nothing short of come alongside of and assist us and help us. I have been communicating with a lot of the people in the community, the houseless community, and everybody is encouraged by this. I have a vision of seeing city team be a navigation point for certain elements of the esd where we could collaborate, come together, move forward and not moving the houseless out but coming alongside of them and helping in their situation. I'm highly encouraged by this whole endeavor. Northwest enforcement, I did a little data gathering of my own. Nothing short of professional. This organization I have communicated with no fewer than 100 of our houseless clients and not once have I heard a negative response. It's always been encouraging. They do a tremendous job. They go into the community. They go with blankets food, water, dog food, all these things to come alongside that community. So I'm highly encouraged by all this. So not only do I encourage you but urge you to support this esd. Thank you very much.

Fritz: Thank you for the work that you do.

Miller: You're quite welcome.

Angie Garcia: Good morning mayor wheeler, commissioners. My name is Angie Garcia and I'm the owner of Escuela Viva a bilingual early childhood program. I have been in operation for 15 years, the last nine in the central east side. We're the only preschool in the district. I serve over 70 children and families and I have 20 staff. All who rely on me to ensure their safety. We have considered ourselves good neighbors. Our school has a long, deep commitment to supporting our most vulnerable neighbors. Every year on their own accord the older children organize a food and clothing drive for them but we should remember our children the children I serve are also vulnerable. When we lost our community policing officer conditions declined from troubling to outright dangerous. I do something probably no other preschool in Portland has to do. Several time a day we scour our grounds looking for dangerous objects, drug paraphernalia, empty beer cans, broken glass and human waste. I have felt the danger level and the apparent lawlessness surrounding our school continue to rise. There have been several stabbings and recently one of my staff was threatened with a machete. I reached out to mayor hales office sending countless emails, leaving voice mail after voice mail with no response. In March 2016, a man was shot right in front of our building. It was a Monday morning 5:00 a.m. It was horrific and terrifying. Grateful only that the children had not arrived for the day. Then the mayor's office returned my calls. Nothing changed. I strongly support the creation of central east side enhanced service district. For the last six months I have served on the safety for all pilot oversight committee and spent time away from my business on creative strategies to create a safer environment for everyone on the central east side including the children in my care but I'm tired. I recently shortened the lease on my building in the event that you, city council, do not approve our esd and help us come with up with additional strategies to help keep my vulnerable students and the small little area around my small preschool safe. Thank you for your time.

Wheeler: Thanks for being here. Appreciate your perspective.

******:** Mayor wheeler, commissioners Eudaly, Fish, Fritz and Hardesty, on behalf of the central east side I urge you to approve the enhanced service district and thank you so much for your time.

Wheeler: Great presentation. We appreciate it. Thank you all. Thanks for coming in. Next up we have Thomas Lannom from the revenue bureau and Thomas, I understand you'll keep it under two minutes. Is that right?

Thomas Lannom, Director, Bureau of Revenue and Finance: No sir, I'll keep it under 30 seconds.

Wheeler: Perfect, even better.

Lannom: I'm Thomas Lannom with revenue division, also the rare bureaucrat who doesn't have a lot to say. I did have some prepared remarks, but I don't think I need to share them.

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I think they have been largely covered and I'm here to answer any questions if you have them.

Wheeler: Colleagues any questions? Commissioner Fritz.

Fritz: My understanding is the revenue bureau will be collecting only 2% and that is less than your cost of collection. Is that correct?

Lannom: That's correct. It's a little bit less than our cost of collection.

Fritz: So we have a little skin in the game as well.

Lannom: We do.

Fritz: Thank you.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you. So the last time we spoke, director, you said that you were in a rush because you had a short timeline in order to roll this program out. So, we're two weeks behind that timeline. Are you going to have any problems actually keeping the commitment that we're making today?

Lannom: Nope. We're pretty sure we can do it.

Hardesty: I want to say for the record I find it inappropriate when public employees say they just don't have time. I think it's our job to figure out how to make it happen. I just want to put that on the record.

Lannom: I thank you for that, commissioner. To be clear I wasn't saying I personally don't have time, I think the issue was we have less than one staff person to do all the work including verifying 1100 properties.

Hardesty: With all due respect director that's not the public's problem it's our job to fix those problems, it's not our job to put barriers in the way of the public getting their needs met.

Lannom: Yes, ma'am. I want to be clear I do have a responsibility as director to point out what limitations are and what consequences might follow if I can't follow through.

Hardesty: I would hope we would do that as an employee-employer as compared to putting the public in the middle of that.

Lannom: Yes, ma'am.

Wheeler: Thank you, Thomas. I appreciate it and I know you also will be forthright about what resources you will need given we have a budget of process coming up. I want to make sure you have the personnel and the tools that you need to be successful.

Lannom: Thank you.

Wheeler: I appreciate it. We have some invited testimony. I don't like to cut people short, but I just want to be mindful of the time because Karla, how many people have signed up for public testimony?

Moore-Love: 49.

Wheeler: 49. If people could keep that in mind if they are giving their prepared testimony. First up we have Greg fallen from auto desk. Come on up. Why don't we also invite Susan Lindsay Buckman neighborhood association and Debbie Kitchen from interworks up at the same time since we have three fabulous chairs. Good morning.

Greg Fallon: Good morning mayor Wheeler, commissioners. Thank you so much for having me and hearing me. I'm Greg Fallon, I'm the vice president of design and manufacturing at auto desk. We recently moved to the central east side we're located at the southeast bridge head Burnside bridgehead and the old town storage building. We make software for people that make things. Our software is used by artists, architects and engineers around the world who make everything from blockbuster movies to skyscrapers to medical devices that save lives. Auto desk is a relative newcomer to the central east side. We recently relocated our Oregon office from suburban Portland to the center east side so that we can be in the heart of the burgeoning tech scene in Portland. We saw an opportunity to be closer to customers that participate and use our software and participate

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in the renaissance of the city's industrial core. We were especially drawn to the industrial heritage of the central east side because it's so closely represents the heritage of our customers. Today we have over 200 employees in our Portland office. We're currently building out space to house more than double the number. In addition to provide space for employees we provide space to the Portland incubator experience pie shop, its a residency program for start-ups making everything from next generation space ships to medical devices supporting women's health products. In addition to the start-ups pie shop provides space to coaches and mentors for start-ups, examples include pdxwit group supports women in technology as well as organizers of design week in Portland. While we're excited about the move to the central eastside, our neighborhood faces challenges. Trash, property crimes and general security are concerns affecting all residents in the neighborhood. We support the esd because it will help address these problems in a manner that is inclusive of all our neighbors particularly the most vulnerable. Auto desk is committed to being a good steward to the city at large and a good neighbor in the central east side. We're happy to pay into the esd because it makes sense to the community and for our employees. It's a compassionate, conscientious and well thought out plan that can make lasting, positive change on the central east side and on the greater Portland community in general. I strongly urge you to vote in favor of the esd. Thank you.

Wheeler: Thank you.

Debbie Kitchen: Good morning, mayor wheeler and commissioners. My name is Debbie Kitchen, I own interworks general contractors with my husband. We're a small general contractor specializing in residential and commercial remodeling with a particular focus on sustainable building practices. We have been located on the central east side since 1998 when we bought and renovated a 7,200 square foot building for our office and two tenants, we currently have about 15 employees. I'm a huge fan and supporter of the central east side district. The district is an industrial area with an employment area with about 20,000 jobs and because it is an industrial sanctuary it provides a mix of high quality jobs including warehouse and distribution, manufacturing, industrial services such as construction and building supplies, metal working and apparel. We have a growing concentration of food and beverage manufacturing jobs and we also have the high-tech software, engineering, bio sciences, artists, makers, arts organizations and nonprofits. The rich and diverse mix of businesses and residents creates a dynamic district that is very distinct and unique compared to other parts of the city. Creativity comes from the edges, from the tension and from the dynamic mix. I think we have an opportunity with this esd to be creative, innovative and compassionate. We have sought to collaborate with many stakeholders and I believe the proposal reflects that. I want to thank you all for your engagement with us and with other community stakeholders to bring this today. It's a very important partnership and we want to continue to work closely with you and other stakeholders. I also want to thank the members of the compassionate change coalition who have been tireless advocates for our homeless neighbors. We have a better proposal as a result of everyone's efforts to work together. I strongly support the proposed central east side esd and urge you to approve it. Thank you.

Wheeler: Thank you. Appreciate you being here. Good morning.

Susan Lindsay: Good morning, mayor wheeler and commissioners. My name is Susan Lindsay and I'm the co-chair of the Buckman community association, which has sent in a letter and is in support of the esd, however I'm not representing the neighborhood association right now. I first moved into Buckman, the neighborhood, in I believe it was the spring of 1974. So I have been around the area for a little bit of time and I fell in love with the central east side right away. I just have always liked -- I was a construction worker for many years and have always liked industrial areas, so I would wander around there and walk downtown, back and forth lots of times to my house on southeast 15th. This proposal,

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I have looked at all sides of it and I have been involved in it in looking at it, the pros and cons and frankly I can't find very much to fault this proposal at all. It seems like something that we would most likely all want in our neighborhoods. Every month for many, many years I have been in a neighborhood association meeting where a Portland police officer has given a report, generally a safety report and the crime statistics report and safety and year after year we have seen increased crimes and many of them violent taking place in the central east side. The police have been very forthright about the fact that they do not have the staffing and manpower to be able to take care of the issues that are taking place there. There is increased crime, so there's a concern around safety. I have been particularly concerned about folks that have been living there on the streets, in the odot property, about them being victimized themselves by what's taking place there, there's more violent crime and I just really can't find any issues with this proposal. The biggest issue that I thought was it would be very hard to get all the small business owners together and be willing to tax themselves to support it but they are and I think that's remarkable and something that we should really embrace and especially with leadership that's taken place through all of these folks that have already testified and the county commissioner I really believe that this is something that I would ask you all to strongly support. Thank you.

Wheeler: Thank you both of you and the last three invited testimony are Adam Tyler from Killian Pacific, Dean Funk from PGE and Heather Hoell from Venture Portland, come on up. Good morning.

Adam Tyler: Good morning Mayor Wheeler, commissioners, my name is Adam Tyler I'm the president of Killian Pacific. Killian Pacific is a locally owned, community driven owner, developer and manager of real estate within the Portland-Vancouver metro area. Killian Pacific has been in business nearly 50 years and our company has been invested in the central east side community for nearly 20 years. We invest in the communities in which we live and we intend to hold our investments for multiple generations. We currently own and manage nine city blocks within the central east side district, thus we represent myriad stakeholders and businesses. This includes over 1500 employees and residents occupying a variety of affordable maker space, over 300,000 square feet of industrial office space, over 100,000 square feet of retail space, and over 300 residential units. The enhanced services district is important to us because we take a community driven approach to enhancing thoughtful, relevant and lasting communities. As developers and owners of real estate we have a unique responsibility to improve the health and well-being of our communities. This means providing essential services, self-betterment opportunities and most importantly listening to the diverse perspectives that will better connect people and place to enrich our lives. Esd is an essential tool to bring community together to create stronger local partnerships and invest responsibly in one of Portland's most diverse and rapidly changing employment districts. Killian Pacific strongly supports creation of the esd to ensure a safety community for all who work, live, visit and experience it, to ensure enhanced pedestrian experiences that provide clean public spaces filled with creative expression and unique identity and to ensure continued focus on innovation to fuel economic vitality and prosperity for all. Mayor Wheeler and commissioners Eudaly, Fritz, Hardesty and Fish, on behalf of the central east side and Killian Pacific I urge you to improve our enhanced services district.

Wheeler: Thank you. Appreciate it.

Dean Funk: Good morning, Mayor, commissioners, Dean Funk with Portland General Electric and also a board member of the central east side industrial council. About 30 years ago almost to the day that the executive that hired me at PGE a guy named Don Lingasher, walked me over to the east side of the World Trade Center building and pointed out to the central east side and he said if a company were to locate there and then Congressman Wyden was there, there would be a big celebration because he would be cutting the ribbon

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for a 500 employee operation but he said if each of those companies out there adds two or three jobs, you have all of that and nobody ever hears about it. That really stuck with me as my reverence for the central east side as has been mentioned as an important place for small business development. Our own legacy at pge of course is that about the same year the site upon which omsi is now was donated from pge to omsi and they moved over there. In the future of pge is very much embedded in that site as part of the innovation quadrant. We have plans to do new technology, greenhouse gas reduction strategies and the central east side is fundamental to where we want to start to do some of those test bids. What's changed I think to me is when don Lingasher pointed out the central east side he also pointed past 12th street to that neighborhood which was affordable and many of the workers essentially walked from there into those jobs. I think the new world is that's changed quite a bit, those areas are unaffordable, there's greater income polarity and opportunity disparity throughout the society. I think that's the new world that we live in. What I like about this esd is the realities that this is a holistic approach to addressing the needs of people and businesses where they are. For me honestly it's a personal journey. First I was a little wary about how this was evolving, but I have to say what's changed for me is being part of the central east side and the wisdom and compassion of my fellow board members of whom you've heard today. My message is different than maybe a little self-serving that I think we're very fortunate to have the agility and mental flexibility of the board that we have and the businesses in the central east side. I think they are really attuned to the needs in a holistic way and that's what's manifested in that esd. With that I would just say I urge your support for the esd, and I know pge is very happy to be a supporter of the esd.

Wheeler: Appreciate it. Good morning.

Heather Hoell: Good morning, mayor, commissioners. My name is Heather Hoell and I'm the executive director of venture Portland. As you know venture Portland is the support organization for the city's 50 unique neighborhood business districts including the central east side. At venture Portland we know the business of Portland is about more than just business. It's about people, neighborhoods and culture. It's about passion and dedication and implementing innovative ideas. It's about a vision for our city that business owners, residents and government officials share. Neighborhood businesses drive Portland's economy. They also support our community by providing half of Portland's jobs and contributing to local charities at more than twice the rate of national chains. In fact, in 2018, Portland's nonprofit neighborhood business associations donated more than \$100,000 to other local charities city-wide. Neighborhood businesses collectively contributed more than \$1 million to help keep Portland a safe and wonderful place to live, work and play for all. We're all here today because central east side businesses are offering to do even more. I expected nothing less from a district filled with creatives, makers and entrepreneurs. I'm excited about this innovative esd, and the precedent it sets for Portland's other all volunteer neighborhood business district. On behalf of venture Portland and neighborhood business districts city-wide I strongly urge you to approve central east side's proposed enhanced services district.

Wheeler: Thank you. All right. Commissioner Fritz wanted to make a comment.

Fritz: Before we start public testimony I want to make sure we all understand what the testimony is on today because what is on the table today is very different significantly improved in my opinion compared with a month ago and what you may have read about in the papers a month ago. As you will remember I have been very involved in helping people who live outside in the central east side and tried with right to dream too to establish a permanent rest area there several years ago. We have come a long way since those days, and I really appreciate the work the central east side industrial council to consider new approaches to addressing the challenges in their district. Some of the

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changes I want to make sure you know about, the safety ambassadors will be unarmed. They a crisis worker will be embedded with the safety ambassadors during a portion of their service hours. They will have uniforms that don't look like your regular security uniforms. There will be 12 hours of central east side safety certification training upon hire and every six months plus four hours of additional training every month co-facilitated by housed and houseless trainers. Training must be trauma informed provided by experts in the field and contain at a minimum first aid, conflict resolution, deescalation techniques, mental health crisis response, trauma informed interventions, social service safety net referrals and certification for the central east side cleaning protocols. The committee, safety for all committee, will have at least three houseless individuals on it and they will establish a central east side situational protocol that will be provided to all safety ambassadors instructing them when to call the police. Any police contacts will result in a quarterly report to the safety for all oversight committee. Oversight committee will be made up of a diverse set of stakeholders including social service providers, nonprofit leaders, houseless advocates and others. Finally there will be a public request for information for this ambassador services contract. So that those individuals will have the opportunity to weigh in on who should get this contract and there is commitment to look for a new site for a rest area similar to right 2 dream too to find a spot suitable for overnight and day services within the central east side and then there will be three representatives of houseless individuals on the board. Many of these changes were included in the compassionate change districts and the things that those folks were advocating for, so as I say I want to make sure everybody knows that I appreciate the work that was done by the compassionate change district in informing everybody and that this is a significantly different proposal.

Wheeler: Very good. We have how many signed up?

Moore-Love: 48 now.

Wheeler: We'll make it two minutes each. Name for the record, we don't need an address or anything like that. I want to be crystal clear, we need you to finish in two minutes. Don't make me the microphone cop. We need to keep moving because we have a long agenda for the rest of the day. So come on up and by the way if you know you're going to say exactly the same thing somebody else is going to say and you don't necessarily need to come up but you can give a thumbs up if you approve. Thumbs down if you don't approve. If you want to stand behind somebody that's fine as well. Whatever is your preference. Call the first three.

Moore-Love: Were we going to take people with disabilities first?

Wheeler: Yes thank you for reminding me Karla. People with small children or disabilities come up first or let Karla know and we will make sure you're accommodated.

Joe Walsh: My name is Joe Walsh, I represent individuals for justice. Lots of sugar words used today but this is a sweep. You're going to spend 48% of the budget sweeping the homeless. That's what you're going to do. You can say you're going to walk alongside them, you're going to sing kumbaya, you're gonna sing trump loves everybody. I don't believe it. This is a scam. We had anecdotal information that in montavilla they are raiding the camps. They are knocking them down. That's what they are doing. In St. John's, they are racist when they come in. They are screaming racist stuff to the homeless. You, mayor, have been asked for two years, hales was asked for four and Sam adams was asked for four years to put trash cans in those camps. You do what trump does. You create a situation of no trash so people have no place to put it so it goes on the ground and people get arrested and they lose all their stuff including their identifications and they die. That's what this says. You murdered them by taking their stuff. Now you did such a good job on the west side let's go to east side. You're going to spend a \$1.8 on this crap

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wiping out the sidewalks. How in god's name do you look in the mirror? Every year we tell you, 50, 60, 80, 100 people die and those are low figures.

Wheeler: Your time is up. Your time is up. You're out of order. Mr. Walsh, you're out of order. I'm warning you or you will be excused. You're running into other people's time.

Walsh: Go to hell. Don't even get close to me.

Courtney Shannon: I'm Courtney Shannon I'll continue where joe left off. You got a letter a couple of months back. Do you remember from the human rights commission? You were cited on international, local and state violations on human rights for the way you treat the rest of the houseless. Did you even read it, ted?

Wheeler: This is out of order, you're not speaking on the subject. I'm ruling you out of order. Next?

[shouting]

Wheeler: Next? Cut off her microphone. You're not speaking to the subject. Next individual. Next individual. [shouting] you are not speaking to the subject. You heard the rules up front as the presiding officer I'm ruling you out of order. Yes. Please go ahead. Go ahead.

Courtney Ranstrom: Okay. Good morning, mayor, council members. Bet you wish you were back on Everest. My name is Courtney Ranstrom. My daughters attend escuela viva. In July we got a call from escuela viva. While digging in the dirt at school our preschooler cut herself on a discarded gillette razor. I knew Communicable diseases were a risk, so I immediately called our pediatrician to find out the protocol for this situation. Her doctor asked us to bring her in where they did a blood draw, Eliza was three and essentially required what we adults would refer to as an std test. Thankfully she was fine but this never should have happened. The sheer amount of garbage, drug paraphernalia and human waste on our streets as well as in and around our schools is unacceptable. Escuela viva's amazing teachers sweep the yard every day before the kids go outside, but as we learned it's impossible to find everything. I don't want more parents receiving a call like we did. Children do not have agency. They are completely reliant on adults to provide a safe environment for this reason children's needs must come first. I'm not just saying this as a parent, I've longed believed that children are our most vulnerable members of society must come first. My family lives half a mile from the escuela viva. I also work in the neighborhood. We walk our one and four-year-old daughters to and from school every day. I have steered our stroller around needles, garbage and sometimes people who clearly need help although I'm in no position to provide it while I care for my young children. We talk about what it means to be houseless and that for some people difficult circumstances and lack of safety net can mean the difference between sleeping under a roof and sleeping on the street. I'm not angry with our houseless community members, I want to help, I recognize my life has been far more privileged than many but I am exhausted, I have compassion fatigue. I'm grateful to Angie, escuela viva and the central east side industrial council for its compassion for people who live and work on the central east side. I want our houseless community members to be treated with respect and compassion they deserve. I want them to be able to get the housing and services that they need which is a bigger issue than what I can begin to address today, but I need our children to be safe in our neighborhood. For that we need your help. I urge you to approve our enhanced services district.

Wheeler: Thank you. Next three, please. Good morning.

Owen Ronchelli: Good morning. My name is Owen Ronchelli and I serve as staff to the Lloyd esd, in the Lloyd neighborhood. The Lloyd esd was started in 2001, we have 125 affected properties there and we have a 99% compliance rate with the assessment and we're proud of that. Annually we generate \$475,000, which is a small in comparison to what the central east side is looking at, but we feel we're very efficient with those funds

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and we use those funds to support prioritized programs for our neighborhood and those include transportation, public safety, sustainability, community support and advocacy. We have reinvested \$5.5 million over the 18 years of our existence and we feel we have benefited from the public-private partnerships that we pride ourselves in. We work daily with the city, county, trimet, and prosper Portland to achieve our common goals together. We're very pleased with the success we have had over the years and want that same success for the central east side. That's why I'm here to support their application for an esd and we look forward to working with them in the future.

Wheeler: Thank you. Good morning.

Wade Lange: Good morning. I'm Wade Lange with American Assets Trust and treasurer of the Lloyd Enhanced Service District. Came in today to urge the support and approval of the central east side esd. Originally I was going to offer our experience and knowledge in esds in Lloyd and share our successes with central city, but watching their presentation and listening to them speak and reading the documentation I'm excited to learn from them. I'm really impressed at what they have put together. I urge your support in passing the esd. Thank you very much.

Wheeler: Thank you. Good morning.

Maggie: I just want to say that

Fish: Maggie could you put your name in the record?

Maggie: -- is that better?

Fish: Could you put your name in the record?

Maggie: Maggie. I just want to say that, you know, some of the religious and nonreligious shelters and homeless people are not anti-business. They are pro housing. There's this idea, I think, that homeless people don't want anyone to prosper and that's not true. They just need to have their basic human needs met. Bathrooms, laundry. None of these places have laundry. Salvation Army, their disabled bathroom was closed for years. All the merca, the bedbugs, the lice in there, everyone is crammed in. The religious organizations have discovered this funding stream. If we find a little piece of land and build a little shelter, which doesn't have to be regulated because federal policy says it doesn't and state policy say they don't have to be regulated so they don't have to meet any human rights criteria or civil rights criteria, then we get this big funding stream. We get \$3 million from Columbia. We get all sorts of corporate dollars to come into our church and we can write off these anti-transgender, anti-lgbtq, and anti-abortion misogynist tracks all around and treat people like -- caca. That's why they don't want to go into the shelters because there's nothing there to serve them.

Wheeler: Thank you.

Fish: Mayor, can I make a comment? We're all going to be together for a long time. Can I tell you from the perspective of people sitting up here there are two things we're interested in hearing. One is do you support the substitute ordinance or not. Whether you do or you don't, are there things you would like to see changed? That's what this hearing is about. We can go off and talk about things at a high level, we can talk about peripheral issues, but we're not really honoring this hearing unless we focus on the issue at hand. I think it's unfair to constantly put the mayor in the position of having to be the cop who monitors how people testify. We're all knowledgeable about the issues that brought people here today. We have been reading emails. We understand the issues. Do you support it or not, and do you have suggestions for improvements or not? That would be enormously helpful because we're actually having a mark-up today and it's not directed to you, Maggie, but to those who follow because you're finished, that would be enormously helpful as you testify.

Wheeler: Thank you all three of you, commissioner. Commissioner Hardesty then commissioner Eudaly.

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Hardesty: Thank you, mayor. I just want to say that, you know, when you have been an activist for as long as some people have been an activist people forget to see when they win. And so I want to acknowledge that we're actually at a space where we are so much better than what the first vision was that got us into this room. The fact that people were willing to take a few extra weeks to make sure that we had checks and balances built in makes me really, really proud of -- who would have thought I would be proud of an enhanced service district, right? But I am. I want to ask the activists in the audience to actually listen to where we are today as compared to where we started from. Because we are head and shoulders away from where we started. I am committed just like my colleagues are committed to following this process to make sure that this really does become a model, that we as a city can be proud of. So please keep that in mind while you're providing public testimony today. I think that might help you realize that you've actually won. Thank you.

Wheeler: Thank you, commissioner. Commissioner Eudaly.

Eudaly: Thank you, mayor, and commissioner Hardesty and commissioner Fish for those comments. I would just like to add that I know that this room is not the most welcoming or hospitable room. It is intimidating to be in here and to come forward and give testimony, and when you have waited this long to say your piece you don't want to give up on that, but I just want to reiterate what commissioner Hardesty said. Three of our offices have been very actively involved in helping facilitate the conversations between businesses and community advocates. I believe all of our offices -- I don't want to speak out of turn, but I believe this will pass. I believe the businesses, the advocates and the council are very supportive of this plan. As commissioner Fish said, what we need to hear today is do you support this plan or not, and either way, do you have anything to add. Either a criticism of something that's in it or something that's not in it. We have a packed agenda. This is -- we haven't -- I think we're three items in. We really need to get through this and get to the vote. Thank you.

Wheeler: Very good. Next three, please. Good morning.

Lightning Super Humanity: Good morning. My name is lightning, I represent lightning super humanity. Although I agree with the industrial east side that they have a lot of heart on this issue, here's my problem. I'm going to go against it. Somebody came up here and said I'm really impressed at the people of the industrial east side would actually tax themselves. Now, that's what my position is. This is a tax, I want a public vote. I want everyone to have a right to vote on this. This has been challenged since san diego as you know, and I'm going to challenge this. I'm the one that went against the Lloyd and said you can't be funding a d.a. out of this. It's a conflict of interest. I stood up against the d.a.s and I don't see that in this agreement here. I don't see any money going to a d.a. or their office and let me tell you if it is I'm going to stand right in frontal of the d.a.'s office and say, guess what, you show me that private agreement you have with the bid. You show me that agreement on the esd, show me the agreement. My point is on this is that this has been challenged in other states. You're going to lose. Who am I going to blame now if there's really problems in certain areas? I go to the city and I look at you elected officials, hold you accountable, say get out of your chairs you're not doing the job. What you're going to do is say you contact bid now. It's their problem. They will handle it. Too much power within the landlords. Too much power to the elites. Too much power to these people on the east side. Not going to happen. I'm going to challenge it. I will shut you down in court. This is a tax scheme. It will be proved as a tax scheme. So get ready. I'll shut you all down and that goes for you too, Lloyd. Remember my name, lightning cause the storm is on its way. Thank you for your time.

Wheeler: Good morning.

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Sandra Amolo: Good morning, commissioners, mayor, my name is Sandra Amolo and I represent voz workers rights education project. Our organization has been a neighbor on the central east side for 20 years. As you had seen in the presentation from the cic, the champion the fact that they helped create voz as an organization. I want to highlight that process was much like this one where the community had to pressure businesses and the organizations to not view our constituents as nuisances but as people who contributed to the vitality of the central east side. So we are proud of the work that the commissioner, the mayor, the city council has put forth in order to put our voices up front but we're still concerned by some elements of the proposal that has been put forth primarily the fact that majority of the funds in the esd are geared toward private security. The cic touting their work with northwest enforcement and as an organization working with st Francis church who recommended us to collaborate with northwest enforcement we have not seen the trauma informed response that they continue to discuss. We see folks who are not prepared to engage with houseless folks who are not bilingual, who don't have a culturally based response. That's a huge concern for us. The people that we serve require people who understand where they are coming from who are willing to provide services that are peer based or peer run and are willing to work with them to get them to those services, not to connect them to the police. The history in Portland is clear that we need to focus on and support people who are dealing with these issues and we cannot support a proposal that is focusing on security and policing our communities. That does not make us feel safe, that does not make us feel included and until those terms are changed we cannot support the esd as proposed.

Wheeler: Thank you. Good morning.

Ibrahim Mubarak: Good morning, mayor, commissioners. My name is Ibrahim Mubarak. I have been a houseless advocate for over 21 years. If you pardon me a moment while I get off my tuffet.

Fish: We can't hear you. Which means we can't --

Mubarak: I just wished her a happy birthday.

Wheeler: That was pretty good. Pretty good. [laughter]

Mubarak: I am neither for or against until I see more improvement. My concern is lapse of time that the city will help find a safe camp spot for the houseless community and we have been waiting for about four years since Brent Mawson and his crew were supposed to find us one and that's people are dying now. My concerns is that the grass roots organizations like right to survive won't get into this bid to pick people in the houseless community it will go to the academic organizations who don't have really the contact with houseless people, where right 2 dream too I was there two years ago when 400 people got housed, 450 people found work, 88 people went back to school, 33 people stopped using drugs, some got hired at central city concern for trash pickup, 18 women kept their babies and we had that success all by people, peer ran not peer based operation. Also the crime went down in old town Chinatown and when we left crime went up. I'm concerned who will get those grants to have that. I'm also concerned do we get the pick the houseless community instead of the academic picking the people that live in the streets, not going to these services. I'm concerned about policing that how would they get the sensitivity training. Would they get training from grass roots organizations or training from the police themselves. I have more and I know I have to go. I'm sorry.

Wheeler: Thank you, Mr. Mubarak.

Hardesty: Ibrahim, I know because we have been in conversations with central east side industrial council, that they have a strong desire to hire houseless people as part of their security team, as part of the community cleanup team, as trainers to make sure that people are using trauma informed practices in their interaction with the community. I know that you can't put all those words into a contract, but I'm watching the central east side

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industrial council members who are in the audience nodding their heads up and down because they remember the same conversations. I believe them. I believe that they want to do the right thing. Having three to four houseless people on the board actually gives you a good group of people to actually push to make sure that these commitments are kept. So you're not for or against so I want to say based on what I have just reminded you of, do you believe that this could be a model that we would want to actually implement not just in the central east side but in other locations?

Mubarak: Of course. This is setting precedent whether when they do it good or bad. We want to make sure they are doing a good thing including the grass roots organization such as right to survive.

Hardesty: So you do know that is the desire.

Mubarak: That's the desire. I have desires.

Hardesty: Would you feel more comfortable if we invited you and right to survive and central east side industrial council to come back in November and give us a report back on how well you're working?

Mubarak: Yes.

Hardesty: That was just a question.

Mubarak: We can meet. Thank you. I love you, man. Yes.

Hardesty: I think that's what it's going to take. We're not going to fix the nitty-gritty at this meeting today but if we'll with good hearts and good will are willing to do the hard work to put it together, we have got your back.

Mubarak: Good. Good. Yes.

Wheeler: Thank you, appreciate it. Next three, please.

Wheeler: Good morning.

Dan Trifone: Hi, my name is Dan Trifone, I run the clark center, the largest shelter in the central east side, its 91 bed men's shelter. I'm a active member of the compassionate change district. I had written a long letter here in dissent of this and I was thinking about what commissioner Hardesty said about the win. So I'll just say my two main concerns. One is this still is shuffling people around. As it stands. Without a hard commitment to a place for folks to go that is going to be safe besides my shelter and city team and gene's place, which are completely overburdened. Without that hard commitment to a safe place, this still is just going to be that continued shuffling around. So that is what this needs to me to be to be realistic or it's going to be the status quo and a great presentation. It's a win. I am in support of that win.

Wheeler: Thank you. Commissioner Eudaly.

Eudaly: I would like to address your concern. I'm the commissioner charge of the bureau of transportation. We are taking another look at the list of right of way properties across the city and specifically in the central east side and we're in conversation with ceic and right to survive if we do identify a property that would be appropriate for an alternative shelter site, deciding on the best spot and the best approach to setting that up. So I agree with you. We can't keep sweeping and displacing people who have nowhere to go. We're working on it.

Wheeler: Thank you.

Sandra Comstock: Good morning. I'm Sandra Comstock and I have been very involved in the compassionate change district proposal. First I would like to thank commissioners Hardesty, Eudaly and Fritz for investing precious time in beginning an important conversation that recognizes the legitimacy of our concerns regarding the historical harm business improvement districts have inflicted with private policing and cleaning programs that unfairly target those living on the streets. I'm pleased that finally we have a commitment from the city and the central east side industrial council that we should establish a safe, legal place where people can sleep without being disturbed. I'd like to add as an addendum to the daycare woman's comments that you're never going to get rid of all

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the needles and sharp things if you don't give people places to be. Cleaning, we can clean and clean until cows come home but we needed places where people can be, we need places where people can legally dispose of trash and places where people can legally go to the bathroom. So I'm also -- I forgot. After I said the thing about being pleased about you guys agreeing to safe sleep, I wanted to say we're counting on city commissioners to ensure this may truly come to pass. We really, really want this to happen. I'm also encouraged that the central east side industrial council has agreed to include three people with lived experiences of houselessness on the board, overseeing allocation use of esd funds. We would like to see greater guaranteed representation of non property owners to ensure decisions made represent the majority of people who live and work in the central east side. This is a small beginning for ensuring democratic input and oversight of partially publicly funded services that substantially shape all residents' experiences of public space. In addition I'm glad that the central east side has taken up commissioner eudaly's suggestion of a policing protocol that the northwest enforcement people will be receiving four hours of trauma informed training from unhoused and housed training teams monthly. However we remain disappointed that the esd has not changed its commitment to spend the largest portion of funds.

Wheeler: Just finish the sentence then we have to move on. Sorry. Two minutes. Thank you. Next.

Danielle Klock: My name is Danielle Klock and I'm executive director of sisters of the road. This year marks 40 years that we have been actually working and organizing beside our unhoused neighbors. Every day that sisters is opened we welcome ten new first time visitors to eat and contribute to the care of our space and community. Meanwhile outside arrests of people experiencing houselessness have reached more than half of all arrests in the city in 2017. Old town has not received relief from the existing esd there. When reviewing the claimed value of enhanced service district the words used mean different things to different communities. For many unhoused folks clean means sweeps and loss of belongings. Safe means prioritizing the comfort of housed residents while unhoused people are oppressed and driven out. Clean and safe, well, that means harassment and compounded trauma. Private security in the central east side industrial district will recreate the problematic dynamic that clean and safe perpetuates in existing esds. The ceic says they want a truly innovative kind of esd, but even with the negotiations that have moved forward with the compassionate change district coalition it will not adequately address the issues that lead to citations and arrests and compounded trauma of our unhoused neighbors. Specifically safe sanctioned camping, garbage removal, access to port-a-potties. Portland loos are not adequate. Without taking the time to address these core needs before approval of this esd criminalization of poverty will continue. This is not compassionate. A sense of urgency and rushing is a characteristic of oppressive patriarchal culture. Sisters of the road actively works to dismantle these oppressive structures, the rushed and pressured nature of these negotiations with the ceic cannot have an outcome that truly takes into consideration all of the necessary factors that contribute to an equitable outcome. We oppose the formation of the esd, and we ask the council to do so as well.

Wheeler: Thank you. I appreciate it. Good morning, now well good afternoon, you're the first up this afternoon.

Taylor Cass Talbet, read by Olivia Louise: My name is Olivia Louise, but I'm reading a statement prepared by Taylor Talbet, with trash for peace. She says that many cities around the world provide subsidized regular waste collection services to the communities that cannot afford it. They do this by providing contracts to the organizations of waste workers who come from these communities. Any city such services are not considered innovative but rather a matter of basic sanitation and human dignity. There is a lot of

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energy in Portland around developing decentralized waste collection pilots that serve the houseless communities. She says the ceic is an area that would be a ideal place to begin such a pilot and hopes it will attract ongoing financial support but she asks for an extension so we can continue collaborative talks and workshops on these proposals in the name of harm reduction.

Wheeler: I'm very interested in these kinds of models. If Taylor could reach out to me, maybe have some correspondence with me and send me some of the ideas being used elsewhere I would be very interested in seeing that. Appreciate it.

Hyung Nam: My name is Hyung Nam speaking as a representative for the Portland metro people's coalition which represents a growing coalition of about 20 community organizations including the Portland association of teachers of which I'm a member. In a subcommittee of the pat, we gave unanimous support for concepts within the compassionate change district and the executive board is deciding on that this afternoon, but we expect that they will support our concepts. I also personally live within six blocks of the central east side and go to the central east side all the time. We have serious concerns about esds and bids in general. As you may have seen in the western regional advocacy projects report, with the Berkeley law center in California, they really have been about privatized and public policing criminalizing homeless people and excluding people from cities. These districts gentrify areas. When we hear these concepts, words about livability, security or cleanup we have to ask for whom? Right? When we talk about cleaning up trash or property, whose trash, whose property? We're concerned that all must have a right to the city and we have some serious reservations about these kind of public-private districts. With that said, one other thing, major concerns and fears about the new opportunity zone and expected gentrification with billions of dollars pouring into Portland, with that said I want to thank commissioners Hardesty, Eudaly and Fritz for really working with the community on making some significant amendments here. One of the ones that I want to really highlight is we really need a firm, safe sleep camp tied to sanitation and lockers and services because at the heart of this if that falls through the cracks like with right 2 dream too none of this means anything.

Wheeler: Thank you. Good afternoon.

Diana Rempe: Hi, my name is Diana Rempe, I'm a staff member and street librarian at street books. I want to thank the commissioners Eudaly, Fritz and Hardesty for all your hard work on this process. Right now I would like to speak briefly to process around the whole esd creation. Street books is a bicycle powered mobile library serving people who have lived outside for the past nine years we have been on the streets of Portland bringing books, classes and good conversations to folks forced to the margins of our city. For eight of those years we have run two regular shifts in the central east side for eight years on the sidewalk in front of st. Francis dining hall and at the martin luther king, jr., workers center. For the past year our headquarters has been on southeast stark in the st francis park apartments so we are part of the central east side community. The consistent time on the streets of Portland has offered us a unique view into the lives of people who are unhoused in this city. Over the years we have had thousands of conversations with our library patrons many of whom we have known for many years and while we're not always talking about the material circumstances of their lives, we spend much of our time talking about literature and ideas. It's clear that finding a safe place to sleep, means for regular hygiene is an enormous challenge for people living outside and of course the big need for people living outside is stable, affordable housing. Our library patrons are part of the houseless community and to be clear the houseless community is a true community. Many of our library patrons have lived here for decades, some their entire lives and they are one of the primary stakeholders in this conversation about the ceic proposal. They are residents of southeast Portland regardless of the structure or lack of it over their heads and yet they

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have been entirely excluded in the process of making a plan that will affect them more than anyone else in the city. We appreciate the stated goal of having representation on the board and safety committee but given the process leading up to the proposal of the esd we question both the viability of this actually happening as well as what the experience should look like if houseless are brought on to the board. It feels like tokenism. We worry that the board proposal doesn't shift the balance of power on the board in any meaningful way. If you look at a glance of the makeup of the board it shows that houseless folks will remain a small minority who will likely occupy a position they are very familiar with that of having no power and being ignored.

Wheeler: Thank you. Appreciate it, commissioner Fritz.

Fritz: Thank you for what street books does and if anybody is not familiar with street books go google it and give them donations of books and money. It's helpful. I appreciate your concerns about the composition of the board. I note that the houseless individuals who would serve would be nominated by businesses and nonprofits so I want to go on the record saying I hope street books gets to nominate and also you're right with any new board it's really important to have a good on-boarding process to make sure that particularly marginalized individuals feel comfortable being there. I remember a process we had at st. Phillip a year ago which was not so welcoming for people who live outside. I hope there's been some growth since then and I'm hoping that street books will continue to be a partner for those individuals to make sure that they succeed on the board.

Rempe: Thank you. I hope there will be a stated spelled out process for how this will take place both nomination but also the support of people once on the board. It's really asks a lot of someone to come, bring all their stuff and sit in a meeting regularly and feel alone and unheard. I really -- we can't support this until we understand how this is going to play out.

Fritz: I appreciate you raising that concern.

Wheeler: Next three, please.

Frann Michel: My name is Frann Michel I'm a neighbor in a duplex that I own and rent, it's just a couple blocks outside of the boundary of the proposed enhanced services district. I'm opposed to the privatizing of public services particularly the idea of private security forces and to the lack of democratic and open process involved in the central east side industrial council's proposal. I have written something short and concise but you throw this new stuff and part of my -- I may not -- I'm less organized than I thought I would be. Part of my concern is this feels very rushed all thought ceic has been working on it for two years the compassionate change district coalition has been working on it for months and came up with a great proposal I thought. I appreciate that commissioners Hardesty and Fritz and Eudaly and your staffs have been working on this very hard for a few weeks, but this still feels rushed. We have not -- the public comment period is undermined by not having actually had access to the document on which you're voting. We're making guesses. I think that one of my suggestions although I oppose the idea of turning over public money, which is essentially taxation, to a private group that the esd as ceic stressing created, funded and controlled by distric businesses and property owners and I don't think the truly democratic city's have a qualification for genuine engagement. That concerns me, given that.

Wheeler: You have 30 seconds.

Michel: More money should be going to providing toilets, safe sleep spaces, 24 hour storage and less money should be going to so-called security forces, ambassadors, safety whatever it's called, the rent-a-cops. There should be crisis intervention experts with every one of the team not just a portion of the time. Thank you.

Wheeler: Thank you. Folks -- I apologize that we're on a two-minute time frame. We had over 50 people sign up and council has a long agenda. I know it's hard to get it in two

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minutes. I appreciate people being diligent about the time frame. Thank you. Good afternoon.

Randy Miller: Randy miller, property owner central east side. About 35 years ago the city asked me to partner with it on publicly owned land to develop the area.

Moore-Love: Sorry you turned your mic off you need to hit that button.

Fish: Just push the button in front of you.

Miller: Randy miller central eastside property owner, about 35 years ago the city asked me to partner with it on publicly owned land to develop the are, so I've been there as a city bus driver since. The only thing I have to add is the emphasis that this is a living document and I think it's already been proven based upon what you have indicated here today. That's what we intend to do and continue, but I think that the real emphasis I would like to provide is the fact that all of you and some of you have attended and all of you know about the best practice trips I have led over 32 years to take a look at public policy in other cities and what we can learn from them either to support what we're trying to do or avoid it. Our next trip is to the bay area. A year ago there was two polls that showed the three biggest concerns of Portland area citizens, houselessness, cost of housing, transportation, you all know that, there's been no area of the country that has been challenged more than the bay area in these three issues. They have been failing at a lot of them, but they are the hot bed of innovation on the planet. Some new ideas are being initiated and generated down there. So we and other city leaders, which are all invited to attend, are going down there to take a look at what we can learn and because this is a living document when we get back we'll continue to explore ideas like this to see what we can add to this to add to the dynamics that have already been discussed as you've heard in the testimony today. I really hope that you believe in us and can support us for this esd initiative.

Wheeler: Thank you. We appreciate it.

Miller: I did it in less that two minutes.

Wheeler: You did.

Brooke Cabatic: Hello mayor Wheeler and commissioners thank you for having me. My name is Brooke Cabatic I am with sdp properties. We manage the locust building on the central east side. I was here a year ago and testified for the safety of the central eastside, expressed urgent concern for users of the district. Since that time I have been assaulted, a man was stabbed across the street from the building. Another occurrence one tenant who was attending to outside tables we have restaurants on the bottom floor across the street during the dinner hour saw a street brawl with six people. He's a big guy he went to break it up and as he's doing that he finds a man is wielding a seven inch hunters knife. Where he thinks he's doing something really great helping people and just eliminate the danger he leaves that day just shaking in fear that one wrong move he could have been stabbed and seriously injured or killed. This esd to us this expresses significant impact in the safety of users of our building, the patrons, the unhoused, we're across the street from city team ministries. Everyone needs this to maintain and feel safe in the neighborhood. We're definitely for the esd and we urge you to be for the esd also.

Wheeler: Thank you. Appreciate it. Next three. Good afternoon, mr. Yates why don't you go ahead and start.

Dan Yates: Good morning, mayor. Commissioners. As a man of few words I just want to say I support the esd. I worked on it for two years. I'm a board member of the central east side. I hope you all support it. I have nothing to add to the great arguments already made. So thank you.

Wheeler: Thank you. Good afternoon.

Andy Monson: Good morning mayor and commissioners. Hello, my name is Andy Monson and I manage my family building in the central east side. My great great aunts, the Shogren sisters, were well known dress makers in the Portland area and the building I

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manage has been in our family since 1925. May and Ann Shogren are now buried at the Riverview Cemetery at the end of the Selwood bridge where I visit from time to time to take in Portland's history. My experience in the central east side started in 2003 when for a summer job my dad hired me to demo the building. It was a gritty area at the time and gritty job but soon it was transformed and three retail shops popped up on Grand Avenue giving life to the area and sparking some big change. Tillicum Crossing now connects pedestrians to the east side and many of the rougher buildings are being renovated. Over the years we have seen businesses successfully grow out of our space and the neighborhood transformed block by block. Recently there's been a shift. I have been harassed while cleaning up graffiti. We've had people defecate by our doors and there have been three attempted break ins. Conversations with the overworked police don't yield any change. We desperately need help. It's not too late to reverse this shift. With the enhanced services district we can make the area safer, align those in need with assistance and reduce criminal element that has no place in this city. My dad, the man who introduced me to the area, passed away in August. I took his warm coats to the city team shelter on Grand Avenue to help give back to the community. It's time the central east side gets help to preserve my dad's legacy and those that came before him. Thank you.

Wheeler: Thank you. Good afternoon.

Tim Merrill: Good afternoon. I'm Tim Merrill, an architect and I volunteered years ago to work on Dignity Village and as a result of that positive experience I came back and worked a couple of years ago on the R2D2 site on the central east side. I have spent years working on that, and as a result, it failed, and I have been kind of in a funk since then because I really thought the amenities being offered was what we really needed. So I took a tour of the R2D2 site at the new location and along with a bunch of members of the board of central east side, and I found it really encouraging that they are enthused to do something over there that actually is successful. So I would like to offer my plea that you take a look at this seriously and pass it. I think this is a great opportunity to make a statement on the east that would be beneficial to the community. Thank you very much.

Wheeler: Thank you for being here all three of you.

Fritz: Mr. Merrill thank you so much for all you did to try to get the 3rd and Harrison site to work. I appreciate your ongoing engagement, I'm glad you got to see the new site.

Wheeler: Next three, please.

Wheeler: Good afternoon.

Mark Nerys: Good afternoon. My name is Mark Nerys, I'm a precinct committee person with the Democratic Party lead the basic human needs of human rights study groups and sit on the platform committee with the Multnomah County Democrats. We recommend that the city council strengthen its resolve for a compassionate change district and resist any effort by the CEIC to direct public funds outside of the enhanced service district control board appointments or restrict vital basic needs to our houseless community members. The central committee of the Multnomah County Democrats met on January 10th, 2019, and after hearing presentations from both CEIC and CCD members voted unanimously to support the CCD's plan. We recommend all parts of the CCD be written into the ESD, and we call for inclusion of CCD members as stakeholders to ensure equitable, transparent and accountable process for program implementation. Additionally we call on the city to ensure that through the ESD's implementation it takes measures to avoid harm to our most vulnerable residents and safeguard the well being of unhoused and housed residents, workers and businesses in the district alike. We thank Commissioner Hardesty for her willingness to mediate a deal on the ESD and Commissioner Eudaly and Fritz for your time on this issue as well. Our city is experiencing a housing emergency and it's imperative that we act with urgency, compassion and justice. It is our hope that you will all continue to draw on the experiences of Right to Survive Sisters of the Road along with other advocacy

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groups and the ccd coalition to help write and direct policy. The ccd is only a modest stopgap toward a vision of Portland that respects housing as a human right. We agree with the ccd's proposals assessments that access to waste management, toilets, showers, laundry, peer run trauma and formed community spaces, stable sleep areas, car camping programs along with access to green spaces will lead to better outcomes for not just our houseless community members but all stakeholders in the proposed esd in our city.

Eudaly: I want to ask what you meant by directing public funds outside of the --

Nerys: As I understood and read the proposal the ceic was asking the city to match funds to parts of the esd. Is that correct? Is that still part of the proposal?

Eudaly: I don't think so.

Wheeler: Commissioner Hardey.

Hardesty: Thank you. There is a request that the city work with the ceic to help identify laundry service, mobile laundry and mobile rest rooms, but that is not what's being voted on today. That's going to be work that has to take place outside of this body.

Nerys: I just saw it in the proposal so thought I would address it.

Wheeler: Thank you. Good afternoon.

Kathryn Lattimer: Hello. My name is Kathryn Lattimer, I work as a registered nurse in a local e.r. that receives patients from the central east side. I support the compassionate change district plan. I'm unintentionally becoming an expert in the human emergency service cost of houseless camps sweeps by police currently taking place otherwise known as cleaning. Every time there's a sweep in our er quickly fills up, people swallow lethal amounts of drugs, they sometimes jump off high walls and even bridges to get away and end up coming to us as a trauma patient. Many try to find another space to exist or camp again and end up run into other people competing for the same space which can have violent outcomes and create more patients. They will again come to us. Many lose everything they own to keep themselves warm and cannot find or will not find space in a shelter. My patients tell me shelters are dangerous physically mostly to women and they often get their much needed medications stolen. When our e.r. beds are fully occupied some patients having a heart attack or stroke end up getting medical workups in the lobby. This ends up placing us on ambulance divert which can also be dangerous for everyone. As we are one of the only level 2 hospitals in the city. Last week one young officer left a patient that had a serious threat of possible intubation handcuffed to a bed for 15 minutes without a key to unlock the cuffs as they went outside the department to see if this warrant was really worth it. The houseless have good reason not to trust police, security or anyone in uniform. We all know trust has to be earned and even the most seasoned social workers can work extremely hard for a very long time to earn trust and connect people to services then if people are connected to services they are most often full and unavailable. When people can't meet basic needs how do we expect them to pay fines or thousands of dollars for an e.r. bill? These medical costs along with hours spent in police salary will get passed on to the taxpayer in one form or another. It will show up in higher hospital bills for everyone or more police hours to address the aftermath. The trauma that it causes the houseless community --

Wheeler: You're done. Thank you.

Lattimer: I just want to -- [audio not understandable]

Fritz: The safety ambassadors will have no authority to move people along.

Wheeler: Next three, please. [audio not understandable] thank you for your testimony. Next three, please.

Wheeler: Good afternoon.

Emily Gilbert: Good afternoon. My name is Emily Gilbert, I'm a resident of the central east side. I'm heartened to see the cic recognizing right to survive involves work in providing material support within our district that changes and saves lives. I support the cic's

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decision to open up the governing board and oversight committee to include them in decision making and I'm especially thankful to commissioner Hardesty for emphasizing the necessity of meaningful representation. I appreciate the cic's commitments to collaborate on rather than obstruct the founding of a safe sleep area in the district. Thanks to commissioner Fritz for her long standing work on this issue and commissioner Eudaly for continuing commitments to help find a location. I hope one day in the near future the central east side will include a space where our neighbors who have been displaced by the housing crisis can sleep undisturbed without fear. Where our visions still diverge is on the issue of private security even if trauma informed. The cic wants to spend a large part of the budget fighting crime and grime. I have seen no increase in crime statistics that would warrant this targeted funding in the district where I have lived for 12 years. I have attended every public cic committee hearing. What is evident through the original cic rfp issued for hiring private security is a crime is never mentioned. The rfp said "the number of camps, campers and at times people with disruptive behavior are creating a growing sense of insecurity to businesses, employees, residents and users of the district in general is the problem to be addressed". This harmfully conflates crime with houselessness which is not a criminal activity, but an economic circumstance. I appreciate commissioner Eudaly's addition of a situational protocol and reporting requirements so we can better track the impacts of the private security on the houseless, I have to wonder what could hundreds of thousands of dollars do to help if the cic viewed the issue through the equity lens instead. I sincerely hope the voices of voz and right to survive on the ci board will enable the cic to do that.

Wheeler: Thank you. Good afternoon.

Claud Gilbert: Good afternoon. Mr. Mayor, commissioners, I'm Claud Gilbert, I'm a board member of the hosford-abernathy neighborhood associate which builds a large part of the central eastside industrial district. While hand board has not taken position in favor nor opposition to the proposed esd, we have voted to support the following components from the compassionate change district proposal. One, a cleanup initiative that includes programs such as bathroom and hygiene training, care attended port-a-potties at strategic spots, a community center with bathroom, laundry, shower and locker storage space. Two, a jobs development program that includes a peer run waste collection program which operates without causing one point of contact complaints, a peer run attendant training program for peer run bathroom and encampment aids and attendance. Three, a security program that includes a peer run stable sleep area, a peer run safe car camping program, a modified security contract focus on trauma informed community health aid and reflect resolution. While aware of the reality that motivates the implementation of the ceic proposed esd, we would like to see the issues of safety and trash accumulation addressed in a humane manner and feel that the ccd hopes they meet the needs of all parties. In addition I serve as the hand liaison to the ceic security committee. I would strongly support a service such as cahoots to replace the current private security. I grew up in Eugene and have long experience with the cahoots model and believe it would be a much better fit, much better fit for the needs of the central east side district than the downtown clean and safe model. Thank you.

Wheeler: Thank you. I want you to be aware there are many people at the city taking a hard look at the cahoots model. I went down there with my team, the police chief has been there, commissioner Hardesty has been there, the fire chief has been there. I'm very interested in bringing together the service environment in the same way that they brought it under one roof down in Eugene. It's not an easy process because we have many pieces of the cahoots model here, but it's fragmented, its not all under one system. Our challenge in the next several months and I know we're going to have many conversations here that my team would like to lead about how we consolidate these services in a manner similar to

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what's going on in Eugene. From my perspective my narrow perspective on this is I have said many times over the last couple of years we need to reduce interactions between people in crisis and the police and increase interactions with people in crisis with mental health professionals, emts and others who can support them and work with them. That would in turn free up the public safety system to be addressing other issues as opposed to trying to provide services that are mental health based or addiction based or other trauma types of issues that we're seeing on our streets.

Gilbert: I agree wholeheartedly.

Wheeler: I'm glad you support that model I was very impressed with it and I think there's a lot we can do with that here.

Gilbert: Thank you for your attention to that.

Wheeler: Thank you, good afternoon.

Michael Mahoney: Good afternoon, mayor, commissioners. My name is Michael Mahoney, I'm a deacon at St. Mary Magdalene church. I have been working on the street about two years. We provide food and other services to people living outside. Mayor, what you just mentioned that model is I very much support that model. The problem with what we're doing right now is we're spending a lot of money on security in the current plan and then hoping we get back to that or something more like that. If the esd was more along those lines, that that's what we are going to create, I would very much support that. That's what the compassionate change district is lobbying for in a sense. Very clear what they are asking and we have taken a half step or maybe a quarter step in the right direction but for some reason we feel rushed to move forward with something that spending most of the funds on security which is as you said it doesn't work. That's not sending security teams out is not what addresses the problems. The challenges that we're facing. My recommendation would be to slow down, to work with the group that is part of the east side council and develop a model further along closer to the compassionate change model that takes into account the things you just mentioned, mayor wheeler, and bring that forward. Instead of spending money on security which will cause the problems that the mayor mentioned, causes the problems of heightened tensions, heightened violence, heightened instability instead of spending money on that let's put the resources into a new model which is going to take a little bit longer but it's just months longer of talking and designing and going forward with that. I can't support the proposal as it stands right now and I ask you to give it more time as we keep working together.

Wheeler: Fair enough. I want to be clear about my position is cause I think you may have slightly missed it --

Mahoney: I don't favor the esd.

Wheler: I don't think it's an either-or. I think it's a both and.

Mahoney: I'm afraid we're going to get the security going which is not the right answer and that's where all the money is going to be spent.

Wheler: It's certainly not the whole answer. We're in agreement, sir. Next three, please. How many more people do we have Karla?

Moore-Love: There's 12 after the next group.

Wheeler: Okay we'll do our best, Edith why don't you start us off please.

Edith Gillis: Thank you for the improvement of this and please continue improving it as follows so that it may become acceptable. One, change the governing board from up to three that have experience houselessness to instead a minimum of four with lived experiences of houselessness, plus different minimum of one with physical disabilities plus different minimum of two with lower income housing and security plus minimum of different one with trauma from police brutality plus minimum of three indigenous cop and a minimum of one from the compassionate change district group. That would be 12 out of 15 to 20 on the governing board. Two, change the percentages of the budget to prioritize

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compassion and addressing the causes of the issues that police often cause, litter and debris. More free toilets, showers, laundry and lockers with bike and trailer and tent repair, gardens for food. Have tiny self-governed eco-villages for the otherwise houseless and community gardens for those people with zero to \$10,000 a year income. Provided by the high rent properties. Have mandatory on the high rent properties or the high mortgage properties. Roof, wall and/or ground space gardens for growing food, energy and water resolution. Pay houseless neighbors who are willing and able to provide training and skills and wisdom in preparing us for when the majority of Portlanders will be houseless between earthquakes and fires.

Wheeler: Thank you, good afternoon.

Patricia Kullberg: Good afternoon, my name is Patricia Kullberg. Thank you for letting me speak today. I'm a physician and the former medical director for Multnomah county health department and over two decades of medical practice I came into contact with probably two, three, 4,000 homeless persons and a lot of those people were my patients over a period of years. My problem with this esd is the way the problem is framed, which is that the houseless are a problem because they are unsightly, they create waste, they make the rest of us feel unsafe. I think as long as we frame the problem this way we are not going to address the underlying problems of the houseless. The esd is a step in the right direction. I don't think it goes far enough and it needs some more improvements. I also agree with the previous speaker who pointed out that the esd is one more example of a cash strapped public agency having to rely on private entities to solve social problems which are not theirs to solve, that is our community's problem to solve. Two things I want to point to specifically, the ccc offered up evidence based peer run hygiene and security solutions which would have cost annually about \$500,000. Somehow the entity esd, which is going to spend \$800,000 on parking found that to be too expensive and out of their scope so I didn't understand that. The second is the problem with the board composition and I just want to point out that the ceic was unable to recruit a single houseless person to serve on their advisory committee, so I don't have a lot of confidence that they will be able to recruit and retain three houseless persons. So those are my concerns. I think we can do better. Thank you for listening.

Wheeler: Thank you. Good afternoon.

Elizabeth kinman reading for Sarah Rudolph: My name is Elizabeth kinman here because Sarah Rudolph, working people have to work. We both organized with Portland assembly, the east central neck and we're here to make our statement that we will not endorse the formation of a business improvement district or enhanced services district in the central east side until carceral concepts included in the contract are removed and not just rebranded. We recognize this proposal for what it is, an attempt to capitalize on opportunity zones and prepare the central east side for the next boom-bust land grab. We will not endorse the contracting of northwest enforcement with public money as a way to police the poor and unhoused even under the guise of a low barrier uniform whatever that is. We believe that the city knows statistically that sweeps do not work and are a destabilizing and pernicious policy that you yourself said you want to remove and yet you don't. So how can we assume that you are not just appropriating language from the eminently preferable counterproposal by the compassionate change district in order to make this ceic proposal more palatable to people who want to pretend like they care? We instead endorse the ccd proposal as it is eminently more ethical, it is providing more agency and support to the communities who are the most vulnerable who you want to help, or so you say. Your development is trash if it's built on the bodies of your most vulnerable neighbors.

Wheeler: Next three, please. Good afternoon.

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Jenka Soderberg: Hi, my name is Jenka Soderberg, I'm an employee of kbu community radio and I come presenting a statement on behalf of kbu that was unanimously approved by the board of directors at kbu. Kbu community radio supports the compassionate change district proposal and opposes the amended central east side industrial council's proposed enhanced services district. Kbu radio has owned its headquarters at 20 southeast 8th avenue since 1983 that's within the district. We have been a mainstay in the neighborhood and community as the nation's oldest fully independent community radio station founded in 1968. For 50 years kbu community radio has embraced values of peace, justice, sustainability and democracy in pursuit of mission dedicated to equitable social change. We also have right to survive radio, the only radio program by and about houseless people. We support a vision of the city that expands the commons and reduces the use of punitive policies and measures. Any program that uses public funds which affects the lives and well-being of Portland residents must be democratically governed and designed foremost to address the needs of the community particularly the most vulnerable. We support the ccd coalition members including right to survive, voz, sisters of the road, the western regional advocacy project, Portland metro people's coalition, the aclu. These are organizations that should be leading, defining, implementing and overseeing the program. Portland has been experiencing a structural housing crisis that is expected to get even worse. Real estate developers have identified the central east side as the next hot site for gentrification and branding it as for creatives that could outdo the pearl district. We're grateful for commissioners Hardesty, Eudaly and Fritz for their support of the ccd proposal and for their leadership in facilitating the negotiation process with the ceic despite recent changes to the proposal, however, the plan remains fundamentally at odds with the core values, mission and the vision of kbu. We do not want to repeat the failed practices of other enhanced service districts which rely on private security and policing for gentrification and profiting from resulting rising property values. We oppose the use of private security patrols to target unhoused neighbors, exclude them from public space and push them from one block to the next. We urge city council to fully adopt the counterproposal for compassionate change district.

Wheeler: Thank you. Good afternoon.

Eric Myers: Good morning, mayor and commissioners, my name is Eric Myers of summit development group, we are a development company and property owner in the central east side with a long-term commitment to being there. Our properties are located at 8th and alder and at 9th and stark. I myself have kept an office on the central east side since 2012 and I have seen rapid change and deterioration of the streetscape in the central eastside in that time. In the redevelopment of these two sites which will be redeveloped into research laboratories in doing so we're bringing more than \$120 million of investment to the ceic that intended to come there far before the opportunity zone was enacted. These buildings when complete will house as many as 1200 researchers working over 390 square feet of life science laboratory, offices and retail space. We know that working with our tenants that better than half of these professionals will either bike or walk or ride mass transit and all will become active participants of the streetscape in the central east side. As such the owners of the local businesses looking to relocate to the central eastside and grow in the central east side need to know their employees will be safe as they come and go from our properties. The current state of the central eastsides rescape is both unclean and unsafe for all participants. The problem has grown larger than individual property owners can handle on their own. I know this first hand as I have spent countless hours trying to help our site keep our sites clean and our workers safe. We are in support of acting quickly on this and moving forward with the esd, as the esd will allow the district the ability to employ proactive resources to keep our district clean, provide inclusive, safe, professional streetscape, the esd will encourage property owners and tenants to work

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together as a district towards meaningful improvement to the ceic street scape rather than continue to take matters into their own hands without results and with rapidly growing frustration. In closing thank you.

Wheeler: Perfect time. Thank you.

Robert West: Yes, my name is robert west and I wanted to bring up the homeless aren't just drug addicts and people making messes. They are -- you also got people that through economic reasons and stuff like that wind up being homeless. Not all the homeless make big messes. Though the city and city council likes to bring that up about the big messes and stuff like that. There's a few homeless camps that I've actually went through and actually made sure they kept themselves clean. Then shortly afford they got swept. I'm totally against this east side proposal because it just doesn't make any sense to me why you're going to hire more goons to walk the streets and chase homeless people around, put homeless people at risk of injury and death. They are not going to see these ambassadors as ambassadors. They are going to see these people like safe and clean and like the police and like the nurse testified to. They are going to swallow their drugs, they are going to swallow their drug -- stuff and they are going to wind up in the emergency rooms. They are going to be jumping off bridges to try to get away just like they do with safe and clean and the police. I have seen it, other people have seen it. It's ridiculous that you guys did the same thing with the Lloyd district. It's like you're trying to break the city up into these districts and stuff like that so you can get more money. What we need to do is to concentrate on parking, and concentrate on the services for people, and stuff like that.

Wheeler: Thank you. Good afternoon.

Eric Cress: Thank you, good morning, mayor wheeler and commissioners. My name is Eric Cress, I'm a principal with urban development partners. Our office is located at northeast 6th and couch in the central east side, and we own property in the central eastside industrial district. I also serve on the board of the central eastside industrial council. We started our company out of a garage just over ten years ago in southeast Portland, and eventually, outgrew it and moved our office of 22 employees to northeast 6th and couch that was in 2012. We have approximately 500,000 square feet of adaptive reuse and office and new construction projects in the districts, so we are a property owner. Within our buildings, we house a number of businesses in multiple industries, including technology, healthcare, retail, design, and manufacturing, so we represent a number of interests. During our time in the district our employees and me have donated winter shelter space, prepared and delivered hundreds of meals for the houseless, participated in numerous, numerous district cleanups, and donated tens of thousands of dollars to nonprofits for housing and for education. I can say that other business owners in the district have done all of this, as well, and much more. I think it's unfortunate that some of the moneys that are dedicated to peer based programs are being mischaracterized to security, maybe that's a communications problem, but you guys have a copy of the proposal, and I hope understand that. Also say the same love, caring, and intention that has driven so many of us to participate and give through our time and money has inspired the esd proposal in the current form today. This new model will be an inspiration for other esd's because it is a new model and different from what has come before us. After several years of grassroots work, among a very diverse group of participants I think that we have resolved on a unique opportunity of \$4 million over three years, put towards transformative change that will benefit all of our occupants is a unique opportunity that we don't wat to slip through our finger tips. I urge you to approve the esd. Martin luther king said we all came in different ships, but we are in the same boat now, let's take this opportunity to row together for a better future for cid and a better Portland.

Wheeler: Thank you, next three. Good afternoon.

Julie Bennett: My name is Julie Bennett, I'm a property owner in the district. For the last

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ten years. I am unprepared today, my partner was supposed to come and speak, but we have experienced increased incidents of violence within our building and towards building and towards our tenant. Without going into detail, the last one involved a blowtorch in one of our restrooms. We are -- we have four tenants in our building. They are small businesses. These people, these employees are not equipped for these face-to-face confrontations. They don't -- they are compassionate people. They don't want to resort to having to call the police when these things happen. So we view the esd as a way to more compassionately handle interactions with whomever these people are, not necessarily houseless people, so we're supportive.

Wheeler: Thank you. Good afternoon.

Charles BridgecrAne Johnson: Buenos tardes, commissioners even though we have not had lunch yet. Sometimes in this situation where we we're doing this esd we do need and use a microscope, but do not lose sight of the fact that we also need a telescope or binoculars, and those are currently not being used or provided by the city. We are having to rely on great women journalists. Since June when Rebecca wellington and Melissa Lewis did what the city is supposed to do and told us that houselessness account for over half of the people booked into the jail we have not formulated a comprehensive response to that problem, and this may or may not be a small piece of such a puzzle. To make things worse as far as the city using data properly and getting it into the minds and hands of the voters and the decision-makers, now Katie shepherd and the Willamette week have analyzed for us the boec calls.

Fritz: That's not relevant.

Johnson: It is relevant because there is tons of these calls coming out of esd, people saying I see a person that makes me feel uncomfortable. Those calls have surged all over the city and inside the esd. It's questionable whether any of this action is going to result in a single solution. So I hope that when you were listening to commissioner Hardesty and Ibrahim talk, you will realize we need to have better, more active, periodic review on this process so that even if the number of service request calls in the esd go down, but they just moved back across the river to this side or farther into the Buckman neighborhood or further into the Lloyd, we have completely accomplished zero except throwing money around. So please think about oversight and metrics. Thank you.

Wheeler: Thank you. Last but not least. Good afternoon.

Patrick O'Herron: Good afternoon. Hi, my name is Patrick O'Herron, m.d., I'm a general surgeon and I'm the board president of Oregon physicians for social responsibility. Oregon psr has endorsed the compassionate change district proposal but just to be clear we have not taken a position specifically on the proposed esd. So these are my personal comments. I think the economic boom of the eastside is a coin of two sides. On one side is thriving businesses and lots of money being made on development, and on the other side of the same coin is the displacement gentrification and houselessness, and these two phenomenon are related. I personally oppose the esd. I think that the over-arching philosophy of an enhanced service district, this approach is too misguided to salvage with well-meaning tweaks. This is an approach that foremost enhances enforcement not services. It fails to address the route cause of people being on the sidewalk. They are not housed. I support the capacity and the care proposal, not an esd. If we are going to raise and spend millions of dollars, let's use it to get to the core of the problem. Let's fund mental health services, addiction services, affordable housing, and getting as many people housed as possible. I can only see supporting an esd as a small portion of a much larger effort that allocates the needed resources to deal with houselessness and the housing affordability crisis that we face. Thank you.

Wheeler: Thank you. Thank you, everybody, for your testimony, and I appreciate everybody's diligent efforts to keep the testimony in the two-minute time frame. I know that's difficult and I really appreciate that people worked hard to make that the case. So

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colleagues we have before us two separate ordinances. At this point we could ask questions of staff or this is an opportunity for discussion or we can call the roll. Does anyone have any questions or comments? Very good. With regard to item 98 the substitute ordinance, please call the roll.

Fritz: This is obviously a very important moment for our city, for the central eastside and for people who live outside and this is a new kind of proposal which I hear is not as far as many of the advocates would like to go. It's a lot further than we've been for quite some time. I vividly remember meeting with the eastside, the central eastside industrial council and their property owners with right to dream too with mayor haes when we were trying to put right to dream too at third and Harrison. And -- hostile might be a -- I felt at least with, whether it was meant, but part of the conversation was mayor haes said, there was concerns about, we already have a lot of people living outside. We have a lot of problems in the district. If you put right to dream too there, there will be more problems and parts of mayor haes's response was, well, then, you should form a enhanced service district and do what the west side has done in terms of providing the services. The answer at that time was, no, that's your your job. Now the property owners are voting to tax themselves and the tenants are also presumably going to be providing some of that funding and they have come up with a proposal which attempts to look at everyone's interests around safety and stability. There's still a lot of work to do and I greatly appreciate the compassionate care coalition for your steadfast advocacy for houseless Portlanders and this proposal is much stronger and more inclusive than it was a month ago. In particular, thank you to Ibrahim Mubarak, Lisa Faye, Sandra Constalk and many others in that coalition, the voz workers rights, workers center has also been extremely helpful. I to thank you Barry Sutton who is a frequent visitor to each of our offices advocating for more services for people on the central eastside. I think he had to leave but I do want to thank Barry for continuing to bring this to our attention on a weekly basis. So if you don't think we don't hear about this, know about this, of course, many of us are in the central eastside a lot, so we see it with our own eyes and if we didn't, we would certainly have Barry reminding us and I appreciate his advocacy. Thank you the eastside industrial council, especially Kate Merrill, Juliana lukasik, and Brad Malsin for your responsiveness to the compassionate change proposal and the resulting revisions which should give houseless individuals and advocates a real and more equitable position at the time. As was pointed out that is easier said than done and in particular when it was only one representative at the houseless community on the committee, well, of course, nobody wants to show up and be the only one. I was the only woman on the council for eight years. I know that. [laughter] and so the support, the proof will be in, can you make this work? And I do appreciate that there is now much more acknowledgment of the need to be welcoming and inclusive and I truly mean that and so I support commissioner Hardesty in asking for a report before the end of the year. One of the things I am looking for in that report is, are the people who started serving on that committee still serving on that committee? Have they felt like they have been included? I would like to ask to include all of our offices in, as you prepare for that report, to make sure we are going to get the information that we need. Thanks, commissioner Hardesty, for your leadership on this and Derek Bradley on your staff, Jamey Duhamel on commissioner eudaly's staff. Thank you, commissioner, for your suggestion of requiring the report on police contacts. That's very important because the safety ambassadors are ambassadors who are going to be helping with trash cleanup and providing connections to community services. They are not empowered to move people along and I think that's really important to emphasize that. Thank you to Seraphie Allen in the mayor's office and Asena Lawrence in commissioner Fish's office. Every member of the council had staff who were very diligently engaged in this on a daily basis for the last month. Special thanks to Claire Adamsick on my staff. I will be watching this as you know I have been concerned, ever

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since I started helping right to dream too to find a new spot and I am happy they're there, but that's a temporary spot, too and we need 20 right to dream toos all over the city or 40 or 50 so people can have safe space that they organize themselves and they take responsibility for that. I was very encouraged to hear the Lloyd enhanced service district representatives coming and saying they looked at yours and they are going to learn from you and hopefully we can all learn from you that this is a better way to do things in a way that doesn't put other taxpayers at risk and provides services that are so desperately needed. Thank you all. Aye.

Fish: First of all, I want to apologize to some of my colleagues and some of the people that testified. I have been in the office watching the testimony, but there was a fire in my son's high school this morning and in order for him to be released, I had to do a little two-step, and had to get actually on the phone with someone to authorize him to go home. He's assured me he is going to go home and do his homework. Yeah. I was watching the testimony while navigating a family issue. So I hope people understand it was not intended to disrespect. I want to thank Juliana lukasik and I have been mispronouncing her name for names for years so I'm glad she keeps reminding us Lucasic.

Lukasik: Lukasik.

Fish: Well I've continued a well established mispronouncing your name think in a prior life it was lucasic, that's just how it read phonetically Lukasik. Kate merrill and brad Malsin for their genuinely collaborative leadership in developing this esd for the central eastside. You started this journey years ago working with local business owners to build a plan for extra services in the central eastside, services the city doesn't have the capacity to provide. And you have been responsive to concerns raised by the community and by council about how to improve this plan, which is, I think, going to provide a model for how we engage other parts of our city that may want to have an esd and I think my guess is that we are going to have more of these conversations in the future. I am particularly pleased with the number of the innovative services that you have landed with. Unarmed safety ambassadors who will help connect people in need with social services. Ensuring that security personnel have annual trauma informed training that is co-facilitated by people experiencing homelessness. Providing work force development that consists of internships and jobs for people experiencing homelessness, a crucial piece of this approach. Having an oversight committee specifically for your safety program to make sure that it is working effectively and I appreciate the ceic and the esd's leaderships willingness to acknowledge this is a start and there will be changes in the future. Adapting to what we learn and the goal of making this working for everybody. You are clearly focused on sensitive and thoughtful services for people in need while maintaining a safe environment for everybody that works in the district. Now, I think sometimes in these conversations, we forget that the ceic didn't actually have to do this. Didn't have to organize, didn't have to plan, didn't have to come to council because businesses in the central eastside are not required to pay extra fees to get these additional services and this is a big lift. And as you alluded to diplomatically there was some resistance when you first raised this where people saying "well, why isn't the city providing these services? And the truth is there are limits to what the city can do. This was a choice and I think you have made a choice that will hopefully better our entire community, including the ceic. I have a few people I want to thank. Commissioner Fritz really got the laundry list out and I don't want to just, I want to remember the mayor's admonishment that we don't want repetitive testimony so I'm not going to repeat. All the people she thanked I will associate myself with what she said. I want to thank my chief of staff, Sonia Schmanski and Asena Lawrence. We have met with all of the players in this. They have taken the bulk of the meetings, advocacy groups, community members, people who have a stake in this one way or another. They have attended meetings with the mayor and with my colleagues and with staff of the council and the truth is, this is has been a very

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collaborative process. It is one in which a lot of people have been involved in kibitzing and in engaging and in advocating, but at the end of the day a collaborative process that the ceic had to embrace. We would not be poised to give you a 5-0 vote of support if you had not embraced the suggestions and the concerns raised by the community and taken what I thought was a model esd and I have been around long enough to know how we run other esds. You started with a model esd and I think it's fair to say you made it even stronger. Thank you for that leadership and to me that's the best indicator, that's the best insurance policy I have about the future is in predicting your future behavior, is how you have engaged this process to get to this point. I am proud to support this esd. I thank you for your hard work. I thank all my colleagues for their contributions to this and to the work that has led up to this moment and I'm pleased to vote aye.

Hardesty: This has been a long process. I want to greatly appreciate the work of the ceic leadership, Kate, Brad and Juliana. You didn't have to come to all of us. All you had to do was come to three. You were already ready to go, you knew you had at least three votes. You did not have to take the time that you took to really listen carefully to the compassionate care proposal and to do your best to try to weave what is a business interest with a community interest. I want to applaud the fact that -- I think that most people don't understand that you are taxing yourself to provide a service in a community that is lacking these resources and in addition to that, you are creating an opportunity to work with the houseless community as real partners and making sure that this will be a real model. Before I participated in this process, I had never ever supported an esd because all the ones prior to this were really about removing people that people were uncomfortable with, with enhanced security. I believe the ceic absolutely is committed to the hard work, but I know it won't get easier from this point. There are a lot of needs in our community that, as my colleague Nick Fish said, that the city just cannot fully fund at this time and so you are taking on some of our responsibility, but I want to put on the record that I am also, and my colleagues are responsible for doing our fair share. We have to work with you to find a safe rest area within the ceic boundaries. We have to work with you to make sure that there is mobile laundry and there's access to toilets so that people can have humanity where they are at the moment and so we are not just going to dump this in your lap, ceic. We will continue to be partners to make sure that we are actually getting the best results that we can get and I want you to know my office is ready to work with you in any way we can and that is also true for right to survive, Ibrahim and Lisa and the coalition that came about, but I want the coalition to understand the compassionate care coalition to understand, that the proposal that you gave to ceic is actually a proposal that should have gone to the city. It is a city responsibility to provide all the needs that are associated with the compassionate care proposal. It is not the responsibility of private businesses to do that. The fact that we have private businesses willing to do is a very positive thing and so I am very happy to add my aye vote and to say that I continue to be here in and my office is here to help you make sure that we implement this as a vision. Thank you.

Eudaly: Before I begin my closing remarks, I just want to expand on something commissioner Hardesty just said because it seems there's a misunderstanding in the room about what an esd is and how it's funded and I don't blame anyone in the room for having that misunderstanding because the city doesn't always, and I -- maybe rarely does do a good job explaining these things to the public. An esd, enhanced service district, is an entity that the city allows business districts to set up if they so desire. It is funded through property management license fees, which are assessed on properties within that district and ceic also has a parking permit surcharges since they have a parking permit program in their neighborhood which not all neighborhoods do. The city is not putting money into this esd. We may have a small cost in collecting those fees, but it is not a significant amount of money. So this is an enterprise taken on by the business and property owners and funded

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by them as well. I want to thank everyone who came, first and foremost, to testify today. This is a long day. And by in large, everyone was very respectful. It's not over yet, friends. Respectful -- whether you are for or against the existing plan and you gave us a lot of food for thought. I am also a fan of the ccd and agree with many of the concerns that were raised today, but i, like commissioner Hardesty believe there's a limit to what we can ask private businesses and citizens to do. I am hopeful moving forward we can all work together on many of the suggestions made today and the city and the county will bring resources to the table. When the ceic first expressed an interest in creating an esd -- I hate all these acronyms. I apologize. For their district two years ago, I was largely supportive as a former small business owner and a long time patron of many businesses in the district. I was certainly sympathetic to the challenges they are facing, but my priority always has to be with the most vulnerable and underserved members of our community and on the central eastside and across our city few are more vulnerable than those who are houseless and unsheltered. Property owners have a right to organize and serve their interests but there's a growing awareness that we all have a shared responsibility to serve the needs of all our community members. To be honest, I had more concerns than constructive suggestions in the beginning. I didn't know what we could expect or demand from the ceic in this conversation and as every district has unique needs and challenges, I didn't necessarily know what the top priorities for the ceic and the rest of the community would be. Now I'm not only supportive, but I am very enthusiastic about this plan. I want to thank the comprehensive change district coalition and right to survive for bringing forward an alternative vision. I want to commend ceic for their willingness to engage and I want to congratulate everyone involved for their successful process that is delivered in innovative esd model based on research and heart. While I am proud of this plan, I must acknowledge that the real work is yet to begin. My office looks forward to continuing to work with and support the ceic and compassionate change to ensure that the outcomes meet the aspirations shared here today and hopefully exceed. Let's show Portland how much better we can make our communities when we work together and let this plan set a standard and serve as a model for other districts as well as cities across the country. A little side note. I mentioned earlier but I want to say it again. As a commissioner in charge of transportation, my bureau owns properties across or has right of way to properties across the city and we are taking another look at all of those properties to determine which of them would be suitable for alternative shelter sites and we very much hope to identify one within the ceic, and they and right to survive has agreed to collaborate with us on identifying the best location and setting that up. So thank yous, ceic, compassionate change district coalition, right to survive. This truly was a team effort. So I want to thank all of my colleagues and their staff for their hard work on this. I especially want to thank my director of policy Jamey Duhamel who helped initiate and facilitate the early conversations between the businesses and advocates. I am especially proud of Jayme for the introduction of the safety ambassador incident protocol, very fancy name. Which is a clear cut way to minimize police contacts with the houseless, which while I am on the topic, I have to implore Portlanders to stop calling 911 for non emergency situation involving houseless individuals and others experiencing crisis on the streets. While we are in the midst of a housing emergency and being houseless is a crisis situation for the individual, unless there's a threat of imminent danger it is not an emergency for you. It is not an emergency for the housed. Our emergency call center and police are having overwhelmed by these calls. We need to do a better job -- we, the city, need to do a better job directing the public to the appropriate channels and helping the public to feel more prepared and informed in order to assist others. Please call 2-1-1, or if someone is experiencing mental health crisis, call the mental health crisis intervention line at 503-988-4888. 911 should be your last resort for actual emergencies. Finally, I want to thank director Lannom and the

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revenue bureau for their hard work and accelerated time line. We appreciate you. Good work, everyone. I vote aye.

Wheeler: I want to thank everybody for being here today. I want to thank my colleagues. I want to thank the ceic folks. Well done. I want to have a larger thought here, too. The testimony came in two flavors, which did not surprise me. I heard some people talking about safety and livability and then I heard some people talking about dignity, compassion, respect, and rights. And if I do anything as mayor of this city, I hope I can bring these pieces together. It is not either/or. People have a right to safety. They have a right to feel safe in their own neighborhood and in their own community and people have a right to live in a community that has quality livability. We also need, as so many people said today, to be respectful and understanding of and compassionate towards those who are the most vulnerable amongst us and it is surprisingly challenging to bring those pieces together and that's been the work that I have been engaged in for the last two years. When you call a police officer, as commissioner Eudaly just mentioned, you are going to get a cop with a gun who is going to show up on the scene and as I think all of us in this room acknowledge, that is not necessarily the best intervention for somebody who is in the midst of a crisis. Whether it's drug-related, whether it is mental health issue, whether it is somebody who newly finds themselves on the street, escaping a domestic violence situation, whether it's a young person escaping a neglectful and abusive background, these all require broad thinking and broad interventions. I agree with those. I particularly appreciated the nurse from Multnomah county, my old haunt, coming forward to say we need to acknowledge there's a public health crisis unfolding on our streets. We cannot deny that there is a dysfunctionality to the mental health system in this state and I would go broader and say in this nation and there is a growing addiction crisis all throughout the west. We are doing our level best as a council, we are doing our level best as a local government to address those public health imperatives, but the reality is we're not set up to deal with public health at all. That's a combination of the state, the health organizations, the county government, but we now find ourselves on the pointy edge of that leadership spear, getting into the business of public health. And this council dipped their toes into this during the last budget process when we expanded funding for the behavioral health unit, the service coordination time, we put the liaison in the police bureau who is focused on advocating for the homeless and shaping directives that are focused towards the homeless. Chief outlaw has been very diligent in terms of increasing the training for our police officers and this specifics of homelessness. We worked with the private sector, we worked with the philanthropic and nonprofit sectors around new and higher quality shelter strategies. Just yesterday morning a group of business leaders and I had the opportunity to stand out in the snow and kick off what we hope will be Portland's navigation center. Where we pair temporary housing with intensive case management services. So people come in, but they will be also evaluated, they will have an opportunity to engage in a treatment regimen, they will have the opportunity to be connected with mental health services, they will have the opportunity to be connected with job placement. If that's what they need and of course, through our housing bureau and all of these commissioners, all of us up here, we are working diligently to find new and innovative and diverse ways to house people in our community. We committed to a stretch goal around permanent supportive housing. Again, not just to create the housing but to make sure all people are successful in that housing including the most chronically homeless people on our streets. My view is let's bring these pieces together. Let's continue to think big. I think the ceic folks have given us a fantastic vision. Yes, I'm glad the community has helped and shape and sharpen that vision. It's a good one. I think it now sets a very high bar, a high standard for all future enhanced service districts here and frankly elsewhere around the united states. I am proud to support this. I really thank everybody who helped shape it because it really

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was a community effort. Seraphie, wherever you are from my office, thanks for the countless hours you put into this. I vote aye. The ordinance is adopted. Now to the second ordinance, ordinance 99. Call the roll.

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

Wheeler: Aye, the ordinance is adopted. Thank you everyone we two quick items. Item 107, please.

Item 107.

Wheeler: Colleagues, this is a second reading of a non emergency ordinance. We previously heard presentations and took extensive testimony on this item. Is there any further business? Please call the roll.

Fritz: So what we just had was a wonderful hearing with lots of people coming together to try to make something better that started off well and is now even better. This item is not that. In my opinion, there is no good solution in this case. Just to refresh everybody's memory, this is a sergeant who made appalling statements at roll call, was turned in by his fellow officers and was fired and we are now looking at making him no longer ever serve, on the police force. We had a similar case, well, not even a similar case. We had a case in my first term where an officer who had killed somebody was fired and the arbitration said that he had to be reinstated and we appealed that and we lost and so that officer is now on the force wearing a Portland police bureau uniform, and on the streets at times and I cannot in good conscience let that happen again. I firmly believe we did the right thing when we sent that to arbitration and appealed it. We lost. And we cannot keep doing something that is not working in particular, as I said, in that case he had killed somebody. In this case, it's deemed a racist statement and the discipline guide says that the maximum penalty for a racist statement is 120 hours without pay. This settlement includes 120 hours without pay. And as was mentioned last week we need to revise the discipline guide. We need to continue advocating at the state that when an arbitrator finds that indeed there was just cause for discipline, that the arbitrator cannot just change the discipline against the will of the police commissioner and the police chief. So I am voting to give good taxpayers money to this person to go away and stay away. Because otherwise he will be on our police force continuing to acquire more pension funds, continuing maybe to do things which we find reprehensible. Aye.

Fish: Mayor and colleagues, I didn't say much last week. I did a lot of listening and frankly, I was deeply concerned about a number of things that I heard last week and I have to get something off my chest to begin with. I thought the presentation to council last week was confusing and disjointed and fell below a standard that we expect on an issue like this particularly where there's community interest and I am going to do my level best through my office to make sure we don't repeat that mistake. It is no wonder the press conference of this has been all over the place. It's no wonder we get all kinds of inquiries from people that are confused. The hearing we had did not cast more light on this subject. It muddied the waters. So I listened and I listened carefully to my colleagues. And I listened to the presentation. And I went back and I reframed some questions that I wanted answered by the attorneys. The easiest vote that I will ever cast on council would be to come in and vote no on this settlement. The easiest vote I ever cast. It would appear on first blush to repudiate the ugly and racist comments of a police officer who does not belong on our force. And in the very likely case that we are overturned in arbitration, I can join the chorus of people who historically in this chambers blame the arbitrator. And it was after all dan handelman who reminded us that the discipline guide was something we negotiated and that the punishment that this officer is going to receive is something that we agreed to. So it's a little disingenuous to keep pointing the finger at the arbitrator. In fact, I have heard some people go so far to question the whole collective bargaining process. I think we have gone too far afield on this. Here's how I come down. I think there are two issues. I see this

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very similar to commissioner Fritz because we have been through this together, this is not first time we have been through this. Number one, what's in the best interest of taxpayers? And, two, how do we ensure that sergeant Lewis never darkens the city's employment? Those are my two concerns. Number one, after looking at all the materials including getting a break down from the attorney's office, it is now beyond dispute, in my mind, that this settlement saves taxpayer money. Now, that is based on a careful reading of the discipline guide. I just want to say when commissioner Fritz referred to category e, of the discipline guide, an act that can result in an adverse impact on the professionalism of the ppb and we fold into that category c, which has to do with offensive and discriminatory language, the suspension that is called for in our own discipline is two weeks. You have to find an aggravating factor to eke out a third week and frankly, someone popping off and saying something stupid may or may not be an aggravating factor. That's for an arbitrator to decide, but the absolute outside of what is acceptable discipline under our discipline guide is three weeks. Number one, I am going to support this proposal because it saves taxpayer money and I am not prepared to shift the blame to an arbitrator when the blame lies with our discipline guide. Number two, excuse me. I actually just conflated both. Number one, we save money. Number two, I want to be very clear. Dan handelman is right and I don't always agree with dan, but if we want to have better outcomes, and I think there's a lot of things we have to do through arbitration to get better outcomes. And, mayor, I hope you think boldly about this because I think we have went frankly outmatched for a long time. I think they are much more strategic on the other side. They have every right to be. I am a life lifelong trade unionist. I believe in the process, but I also believe in a fair fight. I often feel we are sort of outgunned in these processes. Bottom line is until we change the discipline guide the outcome in a case like this is almost foreordained. We can start blaming the world. Politicians are good at blaming other people, but this is not an arbitrator's problems. This is a discipline guide problem. Until that discipline guide gives more latitude and more significant discipline for conduct which we believe is well over the line, then we are going to keep repeating this and it will be another version of groundhog day. My two criteria, taxpayers, do we save money? Answer: Yes. Number two, can we change the outcome that has been predicted I believe under the discipline guide, we are locked in, even a third week seems to me based on an assumption we can show aggravating circumstances. The final question then for me becomes for me, how do we make sure sergeant Lewis doesn't work for the city again? Now, I don't think there's any risk of sergeant Lewis in any outcome being put back in the police bureau. Because if he is successful in getting all of his back pay and all that he is seeking, he will still exceed the two-year term for this rehire program. And I think it would be an enormous stretch for the arbitrator to give the pay which is essentially pay for time that could have been worked. And then to extend the clock on the two-year period. So I think we are safely outside the two-year period. I don't think under any scenario it is likely that sergeant Lewis would be return ready to the police bureau. But that doesn't prevent sergeant Lewis for applying for any other job with the city. And if the only blemish on a 27-year record is a two or three-week suspension, the city has an awfully difficult time saying that that person is not eligible for other employment with the city. I don't want to take that chance. The settlement allows us to close the door to ensure that he cannot seek employment in the future. So because it saves taxpayer money and because it ensures that sergeant Lewis will have no further employment history with the city, I am going to support this agreement, but my patience with the way this was presented is running out and it is not the first time we have gotten what I consider to be an inadequate presentation. And we often treat these things like, sort of the stepchild and we always, sort of want to put it aside. And I understand the difficulty in a case like this. The language is offensive. Even reconstructing what he said is difficult. In the report I have, we have 11 different versions that are all distinctly different from

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different people in the room about what he said. 11 different versions. So I understand the challenge of reconstructing what was said. And then going further and trying to assess what is an appropriate discipline, but we owe the public more. And last week's hearing was enormously frustrating for me. I listened, I absorbed it, I did my homework, I am now confident that the position I'm taking is the right one, even though it offends me to the core to give money to this person, but this person is going to receive money under either scenario. Less money under this scenario with the door closed to future employment. I think that's in the public interest and therefore I vote aye.

Hardesty: My comments last week had absolutely nothing to do with my colleagues' support or nonsupport of this measure. I have been working on police reform in this community for well over 20 years. I have watched this city council negotiate police contracts that were woefully inadequate to protect the public. Over and over and over again. I have watched the city council authorize a discipline guide that is woefully inadequate to address severe issues within the police bureau. I think you are absolutely right, commissioner Fish, when you say we get outmaneuvered over and over and over again. I have sat in some of those contract talks and watched the police negotiators run circles around the ones that are supposed to represent the public. There is no good outcome with this particular proposal. As I said last week, I would much prefer arbitration. We cannot continue to give pay days to police officers who aren't worthy to wear a uniform representing the city of Portland. Yet we do it over and over and over again. If we don't start drawing a line in the sand, we might as well just, just keep writing checks to police officers who should not ever be on the Portland police force. This afternoon we will hear from oir, who investigates death in custodies again. And again as part of that same cycle of a lack of accountability by people who are sworn to protect and serve. I will not supporting this proposal because I am absolutely believe that we have a responsibility as a representative government to fight for the people and not to do what's the most convenient, less horrible thing to do. In my mind, police know that they can -- they can negotiate over and over and over again and get these huge pay days. For sitting on their butt at home. I have to remember that when mayor Sam Adams was here, with Freshaur, he fought as he possibly could and the public knew that.

Fish: We fought.

Hardesty: Ok, we fought.

Fish: We fought. There are three of us.

Hardesty: The point was that the police commissioner made a commitment that he was going to fight it as far as we could take it. We ultimately ended up with another police commissioner that just gave up. I'm not willing to give up. It is absolutely not right that this man gets one penny additional from the city of Portland and I maintain my no vote.

Eudaly: There's no question in my mind that Greg Lewis should have been fired for, immediately, for his racist and irresponsible remarks. Given the racial disparities in the use of lethal force against african-americans in Portland and across the country, it's especially unforgivable. This is why I was prepared initially to reject the settlement proposal, just on principle. However, as we know when it comes to disciplining officers, the city almost never prevails in arbitration despite how egregious the behavior was. This is wrong. It undermines council's ability to hold officers accountable and erodes the community's trust and it is just an embarrassment to the city. There's no good fight to fight when the game is rigged. In light of this broken structure I'm supporting the settlement for the reasons articulated by commissioners Fritz and Fish, although I do agree philosophically with commissioner Hardesty. I don't want Greg Lewis to get more money through the arbitration process, which is likely and I especially do not want him to work for the city ever again. There's only one way we can ensure that. There was no good choice to make here today and the community has every right to be angry about that. I know I am angry about it, but

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soon we will have the opportunity to correct this ridiculous problem and not being able to fire bad actors from our police bureau. I was frustrated to read so much misinformation in the press so I want to take a moment to correct some of it. This settlement was not the result of some kind of secret collusion between the majority of council. That is simply false. The truth is we frequently do not see items that come out of bureaus which are outside of our portfolios until the same time as the public. Which is Fridays before council. When we look at facts and use our best judgment there's been no attempt to sneak this through or bypass the public process. As far as I know it was always coming to council for a vote. I know my colleagues and I are united in our desire to have better choices in front of us in the future. Finally I want to again thank the officers who broke rank and reported Greg Lewis. Your actions help to restore some of the trust that was broken by his words and I appreciate your leadership and I hope that others follow suit so we can root out individuals who have no business serving in our bureau or policing our streets. I vote aye.

Wheeler: So I gave a long speech last time and I am going to let that stand, but suffice it to say I support the settlement. I will vote aye. The ordinance is adopted. Colleagues, I am sorry. I have to go as you are aware and I will be back at 2:30 so I am going to pass the gavel to the council president, commissioner Eudaly. Thank you.

Fish: Chloe, this is a first reading we're going to do today?

Eudaly: Ok Karla please call the first item.

Item 108.

Eudaly: That is my item. Please bear with me for a moment. Usually thank the mayor, but I guess I'll thank myself today. It's a pleasure to bring this grant acceptance before the council this morning as this project is a great opportunity for us to provide basic transportation infrastructure to a community that has long been underserved. This grant will add to the \$4 million in local system development fees pbot is providing to bring sidewalks and safe street crossings to this underserved neighborhood. Five schools located in the Brentwood Darlington neighborhood are directly benefiting from elements of these projects. Lane elementary, Whitman elementary, Kelly elementary, Woodmere elementary and access academy middle school. Additionally, there is a transition program located next to Brentwood park for students receiving special education services and coming out of our high schools. There are only three of these programs in the city and this one is the only one that's wheelchair accessible and it's currently sited on a street with no sidewalks. So I am particularly gratified to see that we will be providing sidewalks to the green thumb transition program. One the biggest concerns we hear from families across Portland is that they don't have sidewalks or safe crossings. It's extremely exciting to provide both for many families accessing schools and parks in the Brentwood Darlington neighborhood. This past October our safe routes to school program partnered with Whitman elementary school to celebrate international walk and roll to school days. Good luck rolling to school in this neighborhood currently unless you are on a bike. Talk about wheelchairs. Their incredible staff organized a special event promoting healthy kids and strong community. I believe mayor wheeler joined them as students and families formed a walking school bus and bike trains to parade to school. It's exciting to think of what's possible for these students with new infrastructure in such a supportive community behind them. Project manager rich newlands and Janice Donald are here to provide a bit more information on this exciting project and then the item will move to second reading. Welcome. Thank you. And please state your name for the record and I am sorry if I just read all your talking points. You can speed through this if you would like to.

Rich Newlands, Portland Bureau of Transportation: I'm Rich Newlands with the bureau of transportation. If there is one graphic that best sums up the need in importance of this project, it's probably this one. It shows how underserved the Brentwood Darlington community is when it comes to one of the most fundamental element of our transportation

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system, sidewalks. Not only does the neighborhood rank among the highest in the city when it comes to lane miles of unimproved streets, but is among the lowest when it comes to the percentage of streets without sidewalks. This council item takes a major step forward toward addressing this deficiency. The intergovernmental agreement with the Oregon department of transportation allows pbob to receive \$2.2 million grant funds for design and construction of the Brentwood Darlington safe routes to school project. The federal funding will be matched with \$4 million of transportation system development charge funds to create three new east west active transportation linkages within the heart of the community. Southeast Duke and Flavell are only two of five east west streets within the neighborhood that provide direct connectivity between southeast 52nd and southeast 82nd avenue, but neither has continuous sidewalks. This project will provide the funding sufficient to infill the sidewalk gaps and create continuous pedestrian facilities along both sides of each street. In total, the project will construct over a mile of new sidewalks, in filling 31% of the total distance along southeast Flavell and 11% of the total distance on southeast ogden. The grant will provide funding for a new neighborhood greenway along southeast knapp and Ogden streets creating a new connection within surrounding neighborhoods bicycle network and a safer street for all users. As a package, these street improvements will provide critical connectivity to Brentwood Darlington for pedestrian, bicyclist and transit users. Perhaps most importantly improvements that will serve five schools and over 1500 students and eight parks. The knapp, ogden greenway improvements will help create a more integrative bicycle network within the neighborhood and direct connections to five existing funded bikeways and all three streets will help improve access to the area's transit system for a community with above average reliance on transit. For a neighborhood long underserved by investment, the importance of this grant is not just limited to physical infrastructure for a community that ranks above average in terms of low-income housing and is growing in terms of racial diversity, it's not just limited to equity either. Pbob is simply not used to the level of the grassroots community supports that went into making this grant happen. So to conclude there's probably no better demonstration of that effort that went into building the support than this graphic. One-page of a 49 page petition with over a thousand signatures in support of the grant that was presented to metro council in 2016. Pbob is pleased today to be able to offer city council the opportunity to add their signatures of support as well. Thank you.

Eudaly: Thank you. Colleagues, any questions? Discussion? All right.

Fritz: Who organized that petition?

Newlands: I think you are going to hear from them later.

Eudaly: Okay. Karla, do we have any testimony?

Moore-Love: Yes, we have two people.

Janis McDonald, Portland Bureau of Transportation: I do.

Moore-Love: Oh, sorry.

McDonald: Hi. Thank you for having us here. My name is Janis McDonald with pbob, in the active transportation safety division, and I work as a safe routes to school coordinator. A few years ago, the Brentwood Darlington residents developed a plan to make it safer for their families to travel to and from school and around the neighborhood. Today we are here to celebrate their safe routes work and move forward from plan to implementation. The Portland safe routes to school program works with five school districts in over 100 schools, we work with communities through education, encouragement, evaluation, enforcement and engineering all with the focus on equity. We have a great team at the city, but we don't do safe routes to school work by ourselves. We work with families, school staff, students, neighborhoods, nonprofits and other agencies to make it possible for families to get to school and around their neighborhood safely. Community partnership is the foundation of safe routes to school work. Recently safe routes staff presented to

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council the result of our public engagement around fixing our streets. A detailed infrastructure project list for each of the public k-8 schools in Portland. The tireless work that representatives from Brentwood Darlington did in previous years helped to inform our projects' list for the neighborhood schools. As commissioner Eudaly mentioned, last October we celebrate the international walk and roll to school day by supporting the school community at Whitman elementary. Families and school staff organized fun activities and led walking school buses using new sidewalks along southeast flavel. We will continue to foster partnerships with Whitman and the other Brentwood Darlington schools to activate these exciting infrastructure investments. Again, we would like to thank Brentwood Darlington neighborhood for their efforts, their advocacy for these projects will create safer routes for students in their neighborhood for years to come.

Eudaly: Karla, testimony?

Moore-Love: We have two people.

Eudaly: Welcome, please state your name for the record.

Chelsea Powers: I am Chelsea Powers, I am the chair of the Brentwood Darlington neighborhood association. Commissioners and, well, mayor, when he was here, thank you for providing us the time to speak today. I moved to Brentwood Darlington neighborhood with my husband and three-year-old son in 2015, and finally I thought I live in that area with walkable parks and easy access to transit and then I tried to walk the ten blocks to Brentwood park with my son and this is what greeted me in an umbrella stroller.

Fritz: Hold it the other way around.

Powers: Okay. So potholes, mud, inaccessible curves, utility poles directly in the path. It was a nightmare. I was so exhausted from the journey there that I called my husband to pick the two of us up by car because I couldn't face the walk home. One of the first big projects that I worked on after joining the neighborhood association was advocating for these regional flexible funds grant to provide safe routes to our neighborhood schools. It was championed by two women who couldn't be here today, Anissa long and Leslie McKinley, I want to make sure their names are up there, and without whom none of this would have happened. Brentwood Darlington amazed everyone by generating our thousand signature petition as well as over 300 postcards from school children. We went door-to-door, wrote letters, made phone calls and testified before metro with small children in tow. The intergovernmental agreement you are voting on today is the culmination of years of work by several dedicated volunteers. The Brentwood Darlington neighborhood association is actively tracking and supporting this project. We ask you vote to accept these funds today so that we can move to the next phase and bring much needed infrastructure to our historically underserved portion of southeast Portland. Thank you.

Eudaly: Thank you.

Fritz: Chelsea, thank you for your leadership of the neighborhood association. It's amazing.

Powers: Thank you.

Stephenie Frederick: Good afternoon city council members. My name is Stephenie Frederick and I live on amalden street in Brentwood Darlington, its a street parallel to flavel which will receive sidewalk infill if you accept the odot grant today. I am chair of the land use and transportation committee of the neighborhood association, and I want to say that Chelsea powers here also put in many hundreds of hours of work of advocacy for these projects. She did not mention that, but I mentioned that. So I moved here from fresno, california, 18 months ago, because I wanted to live in a livable city, and Portland is that city with its neighborhood centers, its walkability, its bikability, it's food, its art, its great public transit, but I was disconcerted to find that Brentwood Darlington was not as livable as most other parts of Portland because of missing sidewalks, narrow bike lanes, unpainted intersections, and a lot of unpaved roads, although recently graded and graveled, thank

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you, my neighbors are so excited about that. It was wonderful to learn that metro and the city of Portland had responded positively to the hundreds of residents who had appealed for sidewalk infill along two of our major east-west streets and for a walkable, bikeable greenway to the center of Brentwood Darlington. These projects will be an important advance formability in our neighborhood, and they will support the city's efforts in its ped pdx vision zero programs. What I very much like is that they will also provide helpful connectivity for residents in the neighboring lents and mount scott Arletta and that includes a lot of kids that come to school in Brentwood Darlington. So the benefits are not confined only to Brentwood Darlington. I hope that you will accept is the grant from odot together with city funds. The grant will create a greenway and a critical sidewalk infill that will be a great start on making Brentwood Darlington an adjacent neighborhood part of livable Portland. Thank you very much.

Eudaly: Thank you for being here and thank you for bearing with us. I know you've been here a little longer than usual.

Fish: Commissioner?

Eudaly: Yes?

Fish: Would you accept an amendment?

Eudaly: Perhaps.

Fish: Well, given that we are now -- we are being asked to accept a grant. We have two members of the public testifying in support of accepting the grant, and it's our last action of the morning. I would move that we put an emergency clause on.

Eudaly: Well, thank you. I was thinking about that myself.

Fritz: Because it is in the public interest to get the money as quickly as possible.

Fish: That's exactly the reason.

Eudaly: I will second your motion.

Fish: Karla, can we call the roll?

Fritz: Thank you to the Brentwood Darlington neighborhood association. I've been to your meetings multiple times, and you are vibrant and inclusive community doing great things in a neighborhood that deserves great things. Aye.

Fish: Congratulations, aye.

Hardesty: Ditto, aye.

Eudaly: Well, thank you Chelsea and stephenie and also thanks to Lisa and Leslie for all their hard work on this. As a long-time disability advocate, a housing advocate, and now the commissioner in charge of transportation, I sympathize with you for how many years, decades, perhaps centuries it feels like these things take. I worry sometimes about the message that we are sending to the community members when there is so much support and advocacy, and it still takes so long to make any progress. If it makes you feel better, any better, some of the things I am working on are unlikely I am to live to see in pbot so I vote aye.

Fish: Now we go to the motion?

Eudaly: Now to the motion, please.

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

Eudaly: Aye. The ordinance is adopted. And quick announcement. We will be reconvening at 2:30 today, not at the usual 2:00 p.m. We are adjourned.

At 1:51 p.m., Council recessed

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

FEBRUARY 6, 2019 2:00 PM

Wheeler: Good afternoon everyone welcome to the Portland city hall. This is the Portland city council afternoon session of February 6, 2019. Karla, I feel like we were just here. [laughter] could you call the roll and see if we have changed? [laughter]

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

Wheeler: Here, first -- nick Fish is present. Nick Fish is in the house. Good afternoon, legal counsel.

Lory Kraut, Senior Deputy City Attorney: Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and 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 about any subject. You may also sign up for public testimony on resolutions or first readings of ordinances. Your testimony should address the matter being considered at the time. If it 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 the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left a yellow light goes on. When your time is done a red light goes on. If you are in the audience and would like to show support for something that is said feel free to do thumbs up. If you want to express that you do not support something, please feel free to do 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: Thank you very much. Karla, first up items 109 and 110. Please read together.

Item 109.

Item 110.

Wheeler: Very good. We'll start with director Constantine severe. Welcome.

Constantin Severe, Director, Independent Police Review: Good afternoon, Mr. Mayor.

Wheeler: Good afternoon.

Severe: Good afternoon, Mr. Mayor, members of the city council. My name is Constantine severe, director of the independent police review, division of the city auditor's office and I am here to introduce members of the oir group prior to their presentation to you on their latest report. The oir group members are Michael gennaco, Julie ruhlin and Robert miller I won't belabor the introductions since they are not strangers to our city and they have worked on police accountability issues in Portland since 2010. This report is their sixth report. There was also a stand-alone report on the death of James chasse that the oir group completed in 2010. Portland city code requires that ipr hire outside experts to conduct reviews of officer-involved shootings and in custody deaths that are closed, the

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reports are required to be released on an annual bases. Over the course of their time at the city oir has eliminated backlog of closed investigations that at one point stood at 20 cases, which interfered with the timeliness of the recommendations provided by these experts. Under their current contract which only requires them to review 11 cases oir has reviewed 15. Fundamentally these cases, reports that oir has put out represent the city's values of that all life is cherished and that all officer-involved shootings, in-custody deaths represent a great tragedy that we as a government can learn from. In keeping with these values, the city has entrusted ipr with hiring national level experts such as oir to conduct their closed investigation reviews and their reports that are submitted to city council and to the public. Since the first outside reports were hired by the city that were conducted by the police assessment resource center park, there have been 11 outside reports. Seven done by oir, four by park. Also there have been roughly around 300 recommendations. The early park reports focused on providing the nuts and bolts of the current accountability system, first that all officers involved shooting and in-custody deaths should be subject to not only criminal investigations but administrative investigations back at the beginning of these reports roughly a third of officer-involved shootings and in-custody deaths were not subject to administrative investigation, which is the internal review that looks at whether the members' conduct was within the Portland police bureau's policies. Also there was a need at the time back in 2003 that all involved officers and relevant witness officers were interviewed and that there needed to be better record keeping as to the course of the investigation and appropriate documentation as to what the Portland police bureau had done during these investigations. The recommendations by park and oir have led to significant amount of changes at the Portland police bureau. They have also led to more timely administrative investigations. The creation of a police review board, they have also led to ipr serving as a monitor in officer-involved shooting cases and in-custody deaths. The ability for ipr to review all officer-involved shootings and in-custody deaths and our ability to prove the findings. These reports do not operate in a vacuum, they create opportunities for members of the public to leverage the facts gathered during these reviews and to also advocate for themselves like several family members I believe will do later on today. One of the issues with the outside reviews has been that historically there was focus on making sure the police bureau was able to conduct adequate investigations of these officer-involved shootings and in-custody deaths. That's not an issue any more, the issue I think with the most recent officer-involved shooting and in-custody deaths were when we have learned lessons as a city have we retained these hard-earned lessons. Is there a way for us as an organization, as a city to learn from these incidents and if we do make critical lessons learned from these, is there a way for us to retain those lessons. Oir has made a number of recommendations that the city has taken up and the police bureau has taken up. Another lesson we have learned is that it's not solely the police bureau's job to follow up on the recommendations. There have been recommendations to ipr, there have been recommendations to the bureau of emergency communications and there have been actions that even if it is to a particular bureau whether it's ipr or the police bureau it also would require council action. There's been a number of times over the course where council has stepped up such as removing the 48-hour rule, such as the change in the Portland police bureau's deadly force investigations directive. Ultimately, when we look at these reviews and these outside reports, they represent a call to action for us as a government to live up to the best values of our community, and that is only our job. Oir's job is to provide us with the recommendation and it is up to us to ultimately live up to our own expectations. Thank you.

Wheeler: Are you going to introduce oir?

Severe: Yes. Julie Ruhlin and Michael Gennaco and Mr. Miller are -- you guys can come up.

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Wheeler: Colleagues it's my understanding that oir, they will introduce themselves, of course they'll lay out the report, but it's my understanding you're encouraging questions as you go. Is that correct?

Michael Gennaco: That's correct, mayor.

Wheeler: Very good.

Gennaco: Mr. Mayor, council, Portland public and other city family members that are in attendance today, we appreciate the opportunity to be with you this afternoon. My name is Michael Gennaco and I'm the principal with oir group. Seated to me right is Julie ruhlin who is also a member of oir group and my y colleague to my left is Robert miller. I'm going to be asking Julie and rob to participate in the discussion and as the mayor indicated, we have some remarks that we would like to make, but if those remarks are at any point if any council has a question we would appreciate that dialogue and encourage it. We have, as Mr. Severe has indicated, we have been involved in reviewing critical incidents for the city of Portland involving its police bureau for the past eight years and our most recent report covers shootings that have occurred more recently and the findings in that report are what I would like to address. I'm not going to go over all 40 recommendations but am prepared to answer any questions council might have about any of them. I'm going to be talking a little bit about some of what we find the key recommendations and the common themes that exist in this report and may have been preceded by other observations from earlier reports as well. One of the things that, as Mr. Severe indicated, I think one of the advantages of having a report like this is to in fact develop recommendations that the bureau can and council and the city can look at, review and to the degree they agree with the recommendations endorse and implement them. Another part of our report that we think has important value to the community is the transparency that the report itself offers to that community. This report talks about very critical and tragic incidents and there's no other document in my understanding in the city that sort of tells the story about each of these incidents in an unvarnished way. Talks about decision making of officers prior to the incident, evaluates the strength of the investigation that is then conducted, looks at the review of the investigation to see whether or not that was sufficiently robust, and then evaluates any after-action coming out of the police bureau to see whether or not that after-action addresses the issue in terms of accountability, supervision, equipment, remediation, training, and over all with the idea of better preparing police officers that work for the Portland police bureau for the future situation with the idea that with all of these mechanisms and looking at the incidents through these prisms that the bureau will be better prepared and less likely to get involved in a deadly force incident on a forward-going basis. So with that, as I indicated, we intend to highlight three or four of our recommendations that appear in this report, but not get into all of them. I'm going to turn it over at this point the discussion to Mr. Miller.

Robert Miller: Thank you very much. We have chosen to highlight aspects of our analysis that are not only significant to specific cases that we review in this report but also reach backwards, sometimes over several years and come up frequently either because they are tactically foreseeable issues that are major challenges to any police agency or because they are issues that we have been talking about but remain unresolved. First one we call sergeants going tactical. Simply put, that means a field supervisor usually a sergeant becoming personally and often physically involved in the incident rather than maintaining her or his status as a supervisor and perspective of the entire incident and ability to exercise his or her responsibilities as a supervisor as the incident unfolds. It does come up often. We see it at least once or twice in virtually every report we wrote starting with report number 1 back in 2012. It sounds sometimes like an abstract issue of the way the internal management of field tactics and it can be a bit of a sleeper because it sounds abstract. It's often not and the case that most fully illustrates that is in this report the boucher case.

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Timothy boucher was holed up in his residence shooting off a high powered rifle many times and eventually that incident, quite remarkably, was resolved without any serious injury to anyone, but in the meantime, a great deal happened including calling in of sert, your special tactics team. Ppb, special tactics, and a sergeant was leading the group of sert officers using an armored vehicle as it moved along as a moving shield. At a certain point, that sergeant decided that he had to rectify something that he kind of on the spot perceived as a vulnerability in their cover and he did so by exposing himself and made himself to be the first one to shoot directly at the suspect. He was partly overcome by gas because this prevented him from putting his gas mask on when the order to shoot gas canisters into the residence was given, and because he was overcome he lost the ability to perform his supervisor duties such as checking on his team and making sure they were in the proper situation, and he had to delegate that to the officer that happened to be standing closest to him. I think this shows that these kinds of guidelines have real impact. We recommended that the fact that sergeants should unless they absolutely have to and there's no available officers to perform the duties, they should not go tactical and remain in their supervisory capacity, that this should be emphasized and turned into policy. The second thing we recommended was that internal analysis by the bureau review this issue every time it comes up and follow through on accountability when it's appropriate. So the good news is that the bureau has considered for a while since sometime after our initial and fairly elaborate recommendation about the topic in 2013, it has considered field supervision in its internal analyses and we see that coming up often. The bad news, however, is that the bureau did not recognize that as an issue in this case despite what we view as a pretty dramatic example of the problem and a potentially very dangerous one. The better news, however, is that the bureau is currently drafting a new policy directive to consider supervision and go steps beyond it to lay a foundation that could serve as a basis for making decisions about the adequacy of the supervision and possibly an accountability piece if that's appropriate. We will, of course, keep our antenna up and report to you, this council, and to the bureau if follow-through does not appear to be happening as the bureau has committed.

Gennaco: Thank you, rob. Julie, would you like to comment on a couple of our recommendations as well?

Julie Ruhlin: Yes.

Hardesty: Excuse me if you don't mind.

Wheeler: Commissioner Hardesty.

Hardesty: Before you move out of this particular case, one of the things that you mentioned in the report was that before all the officers had been interviewed at the next day's roll call there was a video that was shown of the incident, and so I would like you to talk a bit about why that's inappropriate the next day to be showing that video and then what are you recommending about that.

Miller: Sure. The video that had been taken by air support of the incident was shown by way of a training experience at roll call. Removed from the circumstances, we think that's an excellent way to use real life videos and other ways of expressing events that have happened that everyone can relate to that take place in territory that the bureau members are familiar with. It can be a very powerful way of training. However, in this context, the bureau has policies and procedures in place whereby the involved officers are not supposed to discuss the matter with one another until they are interviewed or see videos until they are interviewed. Inadvertently, we're informed, this violation of that, certainly the spirit of that policy, occurred and it really messed up the normal protocol, which is a good one. Our recommendation is don't do that and that's what we put in the report. Just make sure that everybody understands that even an air surveillance video -- it should be seen eventually if useful for training purposes but not the next morning.

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Hardesty: I just want to be clear that the public understands. There were officers who had not been interviewed prior to them seeing it at roll call, right? And you're recommending if a video is going to be used for a training purpose, it will not be shown to officers who have not been interviewed who have either been a witness or involved in the shooting itself.

Miller: That's exactly it, commissioner Hardesty.

Julie Ruhlin: Moving on to another -- couple of recommendations that we make in this report. In four of the nine shootings that we evaluate here, the subjects demonstrated an intent to engage with police officers with the apparent goal of causing the end of their own lives. Our 2016 report, seven of the 11 cases we reported on there showed a similar sort of pattern and in those cases, back in the 2016 report, we saw the frequent use of a term that's popular in general lexicon. We saw it used by the police bureau and that is suicide by cop. It's not a phrase that we like because it tends to suggest that the outcome was inevitable. That the police bureau had no way of avoiding that outcome, and we recommended in 2016 that the bureau eliminate the use of that term and eliminate that sort of language. So we were pleased to see and grateful that that bureau was attentive to that because in the four cases that we evaluated for this report, we did not see that phrase used by the bureau in any of its analyses of those incidents. Nonetheless, in one case, we did see in the training analysis, that was the case involving Mr. Perkins, in the training review said that Mr. Perkins' suicidal mindset left the officers with no other options but to fire. Again, here we have expanded the recommendation that we made in 2016 to say, to include that sort of fatalistic language and that we suggest the bureau abandon that kind of fatalistic language because it does suggest that the officers had no other alternatives. In other cases we have seen similar kind of language that the outcome was driven by the subject's actions, and it's our belief that skillfully trained and well equipped officers have the ability to influence, often have the ability to influence the outcomes of these cases and have some role in not just responding to the subject's actions, not just because somebody desires the police to shoot them doesn't mean that the police have to oblige. We have found that the bureau --

Hardesty: Excuse me the framing that you're making on this is an assumption that you're buying into the police assumption that somehow this person wants police to shoot them. Just the way you're presenting it makes it sound like, you know, the person was expecting that they were going to get shot by the police. I think unless we know what the person's mental health state was, if we know all the factors that were involved, we cannot assume that the person woke up that morning and decided I think I'll get shot by a cop.

Ruhlin: You're right, commissioner. I think that there's no way to know exactly what was going on inside a person's mind. What I'm talking about is sort of the objective facts that the officers see when they arrive on the scene. Some of these cases, we have seen subjects who are saying things like come and get me. Just shoot me. So there is some objective evidence that the people are expressing --

Hardesty: But we don't know whether they are expressing that because of a mental health crisis that we're in -- again, I think you're making an assumption about the person's motive as compared to just giving the facts. This is what was said. This is what they did. I'm not picking on you but I feel for the public record it's really important we're not buying into anyone's narrative of what happened or didn't happen. I'm just interested in what the facts were.

Ruhlin: Right. I'm talking a little bit with some generalization so we're not talking about specific facts of all 11 cases, so we're not -- in the effort to group them together and talk about the theme and the theme is really to your point and that is the danger in using that sort of language that suggests there was no alternative, the danger of that is that we see a less rigorous analysis. It let's officers off the hook if you will. It let's the bureau off the hook. In terms of having to really take a look at what could we have done differently, what were

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the alternative courses of action that might have led to a different outcome. On this point, in one of the cases we reviewed here, that was the case involving Michael Johnson, the bureau did a rigorous analysis of different tactical alternatives. We generally were complimentary in our report of the analysis that the bureau did. Unfortunately, the medical examiner in this case testified -- found in his report and testified before the grand jury that the manner of death in that case was suicide. He did so based on the evidence he saw. There were suicide notes in Mr. Johnson's pockets at the time of the shooting. He had written actual some notes on his arms, on his body indicating an intent to end his life. He had some hesitation marks on his arms. The coroner, the medical examiner in this case, used that evidence to find that the manner of death was suicide. We were troubled by that for a couple of reasons. First, as we have said about the rigor of the analysis and what that could lead to, but beyond that there's some very real grand jury implications. The district attorney in that case still took the matter to the grand jury. It's questionable whether with that finding from the medical examiner if a grand jury had decided to find an officer criminally -- potentially criminally liable, whether that could have held. In other jurisdictions, throughout the country, we have seen where a coroner rules an officer-involved shooting to be a suicide we have seen district attorneys say, great, we don't have to do anything further with this case because it wasn't -- there could be no criminal liability for the officers. So we actually had a conversation with the medical examiner in this case. He seemed open to having a dialogue about this practice. He seemed to understand the point to be made about implications of such a finding. We encourage the bureau to engage in that dialogue with the m.e.'s office and see if we can get to some understanding that would eliminate those findings in the future. The bureau again in our conversations with the bureau seems to get this issue, but there's a concern about the district attorney's involvement and the fact that the district attorney is running the criminal investigation and is the entity to interface with the m.e.s office on this issue.

Hardesty: If I may interrupt you for a second, we had this conversation in my office yesterday, and I really appreciate the details that you provided. I just want to make sure we get those on the record here. The last time I heard of the m.e. putting suicide when clearly there are bullet holes in someone who is deceased was in the case of Chris Colanji. Explain how the d.a. gets involved in the medical examiner's determination. How does that happen when I thought that they were separate entities and actually should not be communicating at all.

Ruhlin: I think the bureau's point when we discussed this issue was that the district attorney is as the person who is ultimately in charge of the criminal investigation of the shooting is the person to be interfacing with the medical examiner's office, the m.e. is the d.a.'s witness at the grand jury. So the bureau's point was they would like to involve the district attorney in any of those discussions.

Hardesty: I'm troubled that the d.a. is trying to influence the medical examiner before a true bill has been issued or before any additional public information is known. So I'm not quite sure what we do as a city council. Do you have any recommendations on how we should respond to that?

Gennaco: I do think as city leadership that that council could either back or support or be involved in a discussion with all of the criminal justice partners that this impacts, right? The bureau is the investigative agency. The medical examiner has a role and responsibility about cause and manner of death. The d.a. is supposed present this case and does present this case to citizens and the grand jury. Our point is that we don't think it's right and we don't even think it's factually based for the medical examiner to make this decision. I think if the family the criminal justice family got together and hashed this out and explained to the medical examiner the implications of this finding and how it could undo or upset the natural flow of investigative and prosecutive information that that would be

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helpful. We think that you all as city leadership should maybe ask for a report back at some point to see how that discussion went. That would be my suggestion. I wanted to end our part of the presentation by just talking about two concepts in one that emanate from our discussion, from our report. That has to do with the concept of action/reaction. As it applies to in particular the killing of Quance Hayes as well as how the bureau analyzed that concept. Action reaction is essentially a principle of physics that the bureau regularly trains on, what it really does it instructs its officers that you're not going to outdraw an individual you're confronted who may be armed. So since you can't pull out your weapon or train your weapon or shoot your weapon after the shots are coming your way, you're going to need to anticipate that and perhaps even take action when you see a threat begin to come, hand into the pocket, a reach-out from the pocket, potentially producing a weapon, and if you wait for that gun to be fired that's going to be too late for your safety. The bureau also trains that the implications of that principle are that you have to, to the degree you can, when you can, respond in a way where you remain in a safe position so that if in fact you make that observation or the individual you are encountering conducts themselves in that way, you will find yourself behind cover in a safe place some distance away, distance always provides more safety for the officer. And therefore, that action will be seen by you objectively as less of a risk to you and you can maybe allow that action to go forward a little more before you feel the need to take action meaning the use of deadly force, instead of putting yourself in the open, putting yourself too close, putting yourself in a position where because you are exposed you feel the need to take action when any kind of suggestive movement is made by the individual you are trying to detain.

Wheeler: I found this part of the report and we had a chance to discuss this. I found this to be the meat of the report. I found this the most important part of this personally because the anecdote if you will for action/reaction in your time was time and space. Could you talk a little bit more about that and what your findings are and what your recommendations?

Gennaco: Yes, mayor and time and space is exactly it. In addressing a situation provided you have both the ability to have the time and you have space or can create space, and I would add cover to that as well and the ability to get behind an object so the bullets will not hurt you if they come your way, all three of those aspects, if you have that, and in Hayes they had that, then you should take advantage of that, of those abilities and positioning in a way where you're in a safer place. The other thing that's important, mayor, is if there's a supervisor on scene and in this case there was a supervisor on scene, that supervisor should ensure that the other officers are responding to the incident, take advantage of time and space. In this case, while they train that way, we are not convinced because the bureau didn't go through these mental gymnastics that I'm suggesting they ought to have, we're not convinced that the analysis sufficiently explored those other options. There are other issues as well coming out of that case arguably conflicting instructions. That's another thing a supervisor ought to be doing is to -- you are the one, not the supervisor, but this officer is the one that's going to be instructing the individual as to what we want the individual to do. In this case the individual was in an alcove. He wasn't going anywhere. Right? Obviously the next thing for the bureau to do is to bring him out from that hidden place and then safely bring him into custody. That mission failed. That's not what happened. By using these other techniques and recognizing the principle, it could have happened. So that's the kind of analysis that we would have liked to have seen. We didn't see. The review board, there's no documentation in the review board which is a board consisting of police bureau leadership as well as community members, there's no documentation that the principles that the mayor and I were talking about were also discussed or analyzed or documented or reviewed and there was no action plan coming out of any of that analysis if in fact it did happen.

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Wheeler: Let me give you a very imprecise and maybe completely inappropriate analogy. Air traffic control. An air traffic controller sits on the ground in a room with a screen and they might be watching any number of aircraft. They are not in the aircraft flying an aircraft while trying to manage the space between the other, right? They are on the ground and have the holistic, the big picture approach. Given sort of my meager knowledge of air traffic control principles, they have protocols for all of the operations of those aircraft. They have a checklist, if you will, that has everything to do with keeping separation of those aircraft. Getting back to the police in question, is it your contention, then, that the supervisor on the scene basically plays that role of air traffic controller if you will? That they are looking top down at the whole scenario and they have some checklist? Do you have time? Do you have space? Do you have cover? And that that should be a constant set of considerations that's being reviewed proactively? Is that your -- what you're contending or are you contending something different about training? Give me a role of what you think that supervisor should be doing on scene. Obviously you think they should not be actively participating in the tactical operation. That's seems self-evidence.

Gennaco: Correct and your analogy holds to some degree. They are not going to have time to get a clipboard and do a checklist and get a sign-off by a supervisor that's not going to happen.

Wheeler: The communication right.

Gennaco: But the idea, the mental check, going through do we have -- sergeant gets on scene. Are the other officers positioned appropriately considering the situation? What's the dynamic here? Who am I going to get to give instructions to the individual as to what we want them to do and how are we going to do it and to the degree that it's possible, in this case it looked possible, are there other things we need to do? Do we need to get a car here so that we have more cover? Because it was an open area where the officers responded to. Then, how -- can we wait? Can we even bring a crisis negotiator? There are a lot of things that that supervisor ought to be thinking about as they go through. It's kind of like, another analogy we talked about this morning, its kind of like calling a time out so we can come up with a better plan.

Wheeler: We also looked at the flip side of it this morning and I think I said -- I didn't mean it in a disparaging way, I was just calling it the way I saw it, we're Monday morning quarterbacking. We have the benefit of time, we have the benefit of the reports, we have the benefit of reviewing and looking at best practices. We weren't there at that particular moment. But the way you are describing this makes a lot of sense to me. I guess my next question is on the flip side of this, are we putting too much expectation on that supervisor or do we believe that is a realistic scenario where the supervisor comes in and maybe doesn't have a 10-point checklist but maybe a 3-point checklist, cover, safety, distance. Whatever it is. Whatever it turns out to be.

Gennaco: Every case turns on its facts and a lot of it will depend on whether there is time. What the configuration is. Every case will be different, but the point really is from the advantage of hindsight and I embrace the concept of Monday morning quarterbacking. I think that's what every good organization, entity, team, does is Monday morning quarterback through the prisms of accountability, getting better, remediation, instruction, debriefing, supervision training so that the next time the bureau is better prepared to address similar challenges. That's the only way that the bureau can improve. To learn from these tragedies instead of just let them move on. Police culture being what it is, tends to be a move-on culture because they have a challenge tomorrow and the next day and the next day, but the idea of taking the time to review with consequences sometimes, when Monday morning quarterbacking there are consequences sometimes. Some people get cut from the team. Right? So all of those remedial options should be available to the bureau as they go through these cases.

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Wheeler: Commissioner Hardesty.

Hardesty: I have a few more questions. When we spoke, you talked about some of the challenges with the police review board. Would you be kind enough to share what we talked about yesterday as regards to the police review board?

Gennaco: Yes. The review board, when it was constituted, was cutting edge. It's a rare and it still is rare where most police agencies when they have a shooting it's paper review. A report is prepared by the investigative agency, it goes to the d.a. if the d.a. says it's fine, it's fine. That is standard. Unfortunately in many police agencies that's still the case. In the bureau, and for some years now, they have had a system where at least the bureau command staff, training, i.e., the investigators, and, remarkable and unique to Portland, two community members are part of this discussion, right? So on principle, that sounds great. The issue that we have been having as a result of this is that we think that the Portland community needs to move to grad school. By that I mean we think that that configuration can and should produce a wider array of results. Right now the kind of drilling down is primarily to the trigger pull. The decision to use deadly force. There is some findings about whether or not emergency medical aid was provided in a sufficient and timely way, but that's kind of it. So much more could come out of that exhaust pipe of that review process and in our view and in our recommendation should, commissioner.

Hardesty: Thank you. We talked about when witnesses are interviewed normally they are videotaped yet when we interview police officers to get their story on the record we only do a verbal recording rather than the videotape recording, which makes it a little challenging to actually be able to see the gestures and movements that they are making. Would you like to comment on that?

Gennaco: Yes. I'm surprised we haven't gotten to where we have in police science and police interviewing techniques. Particularly because what an officer is often describing are dynamic movements, observations of individuals, and he's asked or she's asked to describe positioning that occurred at the time and as you can see what I'm doing many times in response an officer will be gesturing, will be demonstrating, will show how she or he was holding the firearm or drawing the firearm, all those things, if they fell, if they had a hand to hand issue involving the individual there trying to detain, all of that is described and oftentimes they will say it was like this and then we're reviewing the audio tape. What is this? We don't have a video or depiction of what's going on. Our recommendation is let's move away from that. I think that the bureau has the capacity to do this because they do videotape many witnesses, defendants and other instances. So we recommended that same approach be employed for officers involved in shootings.

Hardesty: Excellent. One last question. Having to do with your recommendation at the bureau of emergency communication be involved with the debriefing. Could you talk a bit about that?

Ruhlin: We have over the course of our time reviewing these cases sometimes come upon issues with the dispatch and by issues I just mean there are questions that come up in the investigation about whether or not things were effectively communicated to the officers. Was the right information passed on? A whole host of issues. The bureau of emergency communications has come up in a few of our recommendations over the years. One consistent thing we have said, two, really, consistent things has been when those issues arise, we think it would be a good thing to invite bureau of emergency communications personnel to come to the police review board so the questions and answered in that forum in the spirit of kind of getting to the bottom of the issue. The other thing that comes up is the question about frequency and availability of cross training experiences. The police officers and dispatchers are communicating with each other all the time, and for critical incidents and responding to people in crisis, there's great value in

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hashing some issues out in the training environment and letting bureau trainers and boec trainers and personnel come together in that kind of environment.

Hardesty: Mayor I look forward with you to figure out how we make that happen?

Wheeler: I would be open to that conversation. We had a conversation with the chief this morning. It's not a simple thing to do but certainly doable. It would be at the will of this council, and it may involve some bargaining issues and it may involve some aspects of the doj settlement agreement, but this is one of those issues where the ball is in our court.

Gennaco: That is what we had proposed as far as initial discussion and dialogue. We're obviously here to answer any other questions.

Wheeler: I have a couple more questions then commissioner Fritz has at least one question. You're in sort of a unique situation here in that you are providing reports to a relatively new mayor and a police chief who is not present for really any of the issues that you are reporting on. Nonetheless, as the police commissioner, it's very important to me and I'm sure equally important to my colleagues that the work proscribed in this report be respected. I'm curious to know what the reaction of the Portland police bureau was to your findings and we'll have the opportunity to ask the chief as well.

Gennaco: Yes. Per our protocols, when we prepare our report in draft form we send it to ipr, we send it to the bureau. Not with the idea of changing any of our findings or recommendations. It's for two purposes. One to fact check. Make sure we have the facts right. Sometimes there are documents that we don't have that do alter things, not usually, but also to get the sense for will this work, what do you think? To get a preliminary read on how doable the recommendations that we made are. And we have been through a few leaders of your bureau because we have been around a bit, and I can say that particularly this last discussion, what we were impressed with was the -- it was clear to us that every one of the participants on that phone conversation had engaged and read and thought about how do we develop an action plan and response to this report. That I think was different than other discussions in the past. The second thing that, maybe the more important thing, is that by the time we had the discussion protocols were already being written. There had already been a commitment in their in-service which is coming up next month to do a lot of the training and they found a way to insert it into the training. I think most of the in-service training in March will be oir derived, which is fine with us, because we think it's important to do it. That would be proof is in the pudding, it's not there yet, mayor, but I think those are very optimistic signs that the chief listens and gets it and to the degree that she has authority and she has a lot of authority to move this organization intends to.

Wheeler: Thank you. Commissioner Fritz and then commissioner Hardesty.

Fritz: I notice the chief is here listening intently. Thank you. You mentioned that your recommendations go to the independent police review, they go to bureau of communications as well as to the police bureau. Commissioner Hardesty asked last week how many of your recommendations have been done. Do you have a tally of how many have been done?

Gennaco: You know, my understanding is that commissioner Eudaly -- I know how to say it, just didn't say it. Commissioner Eudaly asked as a homework assignment of ipr to do that, and we did look briefly this morning through the compilation, the table that was prepared. It appears that the acceptance range is in the 90 percent range. To the degree there's true implementation that remains to be seen.

Fritz: Well that's it cause its accept, accept, accept. Does that mean done, done, done? I hope that next time we'll get a list of what actually has been done. I was struck that this report over and over again remarks on the 48-hour rule going away and how that needs to be implemented consistently.

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Gennaco: You're right. Sometimes it's impossible to know whether or not the recommendation is going to be implemented because the situation has not presented itself yet. For example we made some recommendations on the pit maneuver that stops high speed chases. As far as we know there's not been a shooting connected to a pit maneuver since, so sometimes we're not able to give a definitive answer until the incident happens.

Fritz: And that might be a good thing.

Gennaco: I think it is a good thing.

Eudaly: Commissioner I would be happy to share this with you, I want to thank director severe for putting this together for me. Now I know what the expression on his face was at the meeting last week. There are 191 recommendations since 2010. There are only three items that the bureau was in disagreement on. There are many that are in practice or being attempted, but I have to say that the significant majority simply have been agreed upon but perhaps not implemented.

Fritz: I think that's what I would like to know.

Wheeler: There's one other column I would like to add to that. That is whose responsibility is it to implement the finding. We had a little bit of a conversation on a separate, well no it was related to this, actually, the first reading of the ordinance last week. We have a responsibility as well. We have a role, and some of this can be changed by administrative fiat by the chief, some of it we have to chime in and we have to provide the support. Other pieces still have to be bargained collectively. It's also more complex than just saying the bureau did or the bureau did not. I think it would be helpful for us as a council to have that checklist, and as our, or any successor organizations, come forward, we have the ability to say, what was the response and what was actually done and who is to be held accountable for that action.

Fritz: If I may amend that just slightly.

Fritz: The six elected.

Wheeler: The auditor, six. Director severe, of course, works for the auditor.

Hardesty: I would say the other challenge is we have had four police chiefs in the nine years that we have been working with our and just because something was implemented doesn't mean it stays implemented. There are several recommendations that you're making now that you have made over and over and over again and every police chief has accepted it and implemented it, however, the outcomes have not stayed. Right? So I would love to have recommendations from Michael and the team about how do we make sure that the reforms that we are paying to achieve, we actually are able to maintain? And I'll give an example just for folks who weren't in our room when we were having this conversation yesterday. We talked about the 21 foot rule, where that used to be a common practice of Portland police officers to say, they had to shoot because somebody can within 21 feet stab you before you can pull your gun, point it and actually shoot it. We've dispelled that myth to most Portland police officers, however, there was an officer interviewed as part of this report who actually eluded to the 21-foot rule. And so I'm curious as to how do we ensure as the people who the buck stops with that once a police chief has accepted those recommendations, that they stay accepted.

Gennaco: Well --

Hardesty: Easy questions.

Gennaco: Not really, but let me take a stab at it. I really do think that, one, there's this principle and I used to work for the federal government so I can say this, but there's this principle with us DOJ that departments or bureaus, agencies, policing can be fixed. Like you can come in, do your work, monitor it for a few years and then go away and that to me just doesn't work. The police agency, police bureau is a living, breathing agency. Today's challenges will not be tomorrow's challenges. Leadership changes, policies remain on the books, but then they're not enforced. So I do think that one way to do it is to, because you

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all don't have the access to the information to know what's going in the way that we would as auditors or anyone else would with this assignment, you need to -- I think you need to continue that work in some regards so you have somebody looking at the raw information. But then to be engaged and either -- if things go off the rails and somebody isn't interviewed, there's a substandard investigation, there's something going on where the 21-foot rule continues to be a vestige within the bureau, somehow that needs to be addressed, either individually or systemically and somebody needs to continue to engage leadership of the bureau to make sure that happens.

Hardesty: I'm sorry mayor I had one more question.

Wheeler: Yes, go ahead.

Hardesty: The report -- your latest report shows that a couple of people were shot and killed as an officer was falling and so it begs to question at least in my mind as a non-weapons individual, that if the officer had not been falling, would that loss of life have -- had happened? And so one, is whether -- can you tell from your investigation whether or not we are training Portland police officers in hand-to-hand combat how to fall without actually shooting your weapon? I mean, what do we do other than the -- I know the taser, the dogs, and the real weapon with bullets in it.

Gennaco: I think that overall, and this is a generalization, that the training is better than most agencies, most police agencies. That doesn't mean --

Hardesty: I was going to say that's not giving me confidence.

Gennaco: Okay. But the thing about the dynamic of what happened in three of the cases is remarkable. That in this brief period of time, three cases occurred in which officers fell and when an officer falls, that officer is going to feel greater threat and have less options available, right? They can no longer create distance if they're on the ground. They no longer have time, and they no longer have a position of superiority, right? So it was remarkable to us, and I think eventually the bureau indicated in our discussion that they had finally started to recognize that this was an issue. But I think by us highlighting it in-service they're going to focus on this in march. It's high time.

Hardesty: So did this come out of the Portland -- the police review board?

Gennaco: No.

Hardesty: No, and so when things come out of the police review board, what happens to those?

Gennaco: Not enough. Well, not enough comes out of the review board. And that's our point. More needs to come out, and then it needs to go to the chief for review, and assuming she agrees with the recommendation, somebody in her office needs to ensure that there's implementation. That's really not happening.

Hardesty: Thank you.

Wheeler: Very good. Thank you. Our group will be invited back up later for questions subsequent. So colleagues, you know I have a long-standing policy of not taking public testimony for reports. And the reason I do that is that there is a legislative mandate to a group of people who are supposed to go out and evaluate very specific items on behalf of this council, and then return to the council with their findings. And therefore in my view, it is not the same thing as a public forum. Unless it's like the conversation and the testimony we took last week on the ordinance associated with this report that was a question as to whether our had actually done their work and whether that contract should be extended for the remainder of the term. Now, that being said, today I have been asked to make a very narrow exception to that standard and I have chosen to make the exception to the standard. I have asked Donna Hayes, who is Qaunice Hayes grandmother, and Alisha Johnson who is the mother of Terrell Johnson they had approached me through Dan Handelman and asked if they could have three minutes each to testify. I felt given these reports are not only a matter of life and death, but that they specifically referenced family

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members, they provide narratives on their family members, that that would be appropriate. I'd like to ask Donna Hayes and Alisha Johnson if they would like to come forward we would certainly welcome your testimony at this point. Thank you for being here.

Donna Hayes: Good afternoon Alisha couldn't make it. My name is Donna Hayes, and at present I'm representing the pacific northwest family circle. My thought is on the contract. It's not so much what they said, it's their contract. Please think wisely regarding our contract. Unless you have a better outside expert. I have discussed with our representatives and my first question was, how many recommendations did Portland police have done since the first report? They represented their employer well, but I wasn't satisfied. I am satisfied with their report. Their report answered a lot of questions that I was unable to get from the city and its employees. I have started reading the previous report, and the very first one I'm on and the increasing compensation is well rewarded because the present report is written better. All I can think of is only going to get better written. My worry doesn't come from having them on the taxpayer, my worry is having cops with no form of accountability. I believe the city is not really following through on our recommendations or the ipr, for that matter. You may not want to pay the amount, pay it anyway and ask for something in return, like a more timely report unless this last report was your fault. The people of this city needs these reports because our lives depend on the law enforcement paying attention to these reports. These reports, without this paper, the report I got, my grandson actually gave me a whole lot of information that I didn't know, that no one took the time out to give me. I mean, things I just truly didn't understand and this report made -- gave me some understanding. I think they're a value to the city and I think it's necessary to keep them. I'm finding that a whole lot of people have read these reports, and we can talk about it and we can look for certain changes, and I think like they were saying, you were saying, that you all need to get together with the police chief and everybody, get together, stand by these recommendations. Our lives depend on these recommendations.

Wheeler: Thank you. Appreciate your being here. Commissioner Fritz.

Fritz: We have three members of the Albina ministerial alliance here today, and I would very much like to hear from Dr. Bethel, Dr. Hayes and Dan Handelman if they are interested in giving testimony as an exception.

Hardesty: And I second that.

Wheeler: I made this narrow exception for today, and I will accept that, but I want to be very clear, I am not setting a precedent for the future. The pastors are partners in our settlement agreement, their voices matter, they've made the effort to be here today, and I would certainly welcome their testimony. If they so choose I'm not going to make them testify.

Fritz: I realize you weren't prepared. Mr. Handelman, if you'd like to testify you're welcome to come forward.

Rev. Dr. LeRoy Haynes Jr: To our distinguished mayor and to this outstanding city council and to my former activist colleague who is now on the council, I thank you for this opportunity, I did not come with prepared remarks because I wasn't expecting to speak, but over the last 12 years from a park report to the our reports, we have seen that process, and I think your questions today are questions that are critically important of not just receiving the report, but moving the report from paper to policy and practice, and then moving it into actually action and maintaining that in policy and practice and in 2006 with the Kendra James case, many of these recommendations that our -- the Albina alliance recommended in its investigation, like the officer put himself in front of the car, which they had no ability for him to in space and time to move, and shooting through the window to kill Kendra James, or actually going into the car and pulling -- trying to pull Kendra James out of the car. What we've seen over the years, mayor and council, commissioners, is that we

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go through this process and when there's changes of chief of police, we end up back at first base again and there's no follow through and implementation, no accountability. And so that -- it's good to see that we take a strategy and the implementation of those recommendations that you confirm and agree with. Secondly, I want to say if you cannot control the sergeant level in the Portland police bureau, we just rushed it through our hands so we can forget everything because those are the major supervising decision making people, and I do agree that once they participate in the tactics and they lose our objectivity in the process, that there's no accountability, no supervision that takes place, and we've seen this over and over in many cases, but I affirm the recommendations that have come from oir and I thank them for doing that outstanding job.

Wheeler: Thank you.

Fritz: Thank you for being here.

Wheeler: Dan?

Dan Handelman: Hi, I'm dan Handelman I'm with Portland cop watch and I am on the steering commission of the ama coalition, but my comments are coming from Portland cop watch. You have the written comments in front of you, I'm going to try this in three minutes. The first thing about involving the community in these decisions and while it is true mayor wheeler you've paid consultants to come up with these recommendations, it's very important that the community have a chance to look at the recommendations and say whether or not they fit what we would like to see happen. And by cutting us out of the conversation, both through the process of releasing the report when it's already done, and having the police bureau already start implementing them, and by cutting us out of the conversation at council level, we don't have that community voice that's so important. So I want to make that point really clearly. The police review board recommendation particularly that commissioner Hardesty talks about doing more training for the prb members, but the citizen review members, they're not allowed to talk about what happens in the cases, but they say they are treated like they don't know anything because they're civilians and not officers. So that attitude adjustment isn't necessarily going to get fixed through training, so that's something where we should have more conversations about how to fix the prb. There was a mention about the information about Qaunice Hayes unfortunate tragic death and Terrell Johnson's death, I wish his mother had come today, she spoke well yesterday at the smaller meeting that ipr hosted. Qaunice Hayes was told to crawl out on his hands and knees and to have his hands in the air and one of the officers reported how am I supposed to do that, Qaunice Hayes said that, and in my opinion those conflicting orders is what led to his death and with Terrell Johnson's case, the officer geer engaged in a foot pursuit, which hasn't come up yet today, that is essentially against bureau policy and failed to follow several aspects of the foot pursuit policy which led to Terrell Johnson's death and there was no accountability for that. There's a lot of information in the report about words, they talked about the officer has no other option, suicide by cop, we're glad they're addressing those issues. We've also raised issues about the use of the word "deescalation," in the case with Mr. Buchse they said that he was, an officer went to get a less lethal weapon, they described that as deescalation but I would say any time you bring a weapon, that's not deescalation. It can be mitigation of force from a live weapon, but it's not deescalation. There's multiple common sense violations that happen that weren't discussed either by the police review board or by commanders and ultimately people weren't held accountable for them. As dr. Haynes said, many of these recommendations are things the community has been saying for years. We do support just about everything that oir recommended to you. We appreciate their bringing up the history of Portland's racism in their opening of their report this time, but we're in the context of multiple shootings of african-americans in the city since Donald trump was elected, and we need to be talking more about that issue as well.

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Wheeler: Very good. Thank you and thank you for preparing written testimony as well. I appreciate that. Very good. Next up, chief outlaw. I believe captain jeff bell from ppb internal affairs are going to give the Portland police bureau response to the report. Thank you for being here. Chief in particular I know you are probably going on close to 24 plus hours without sleep. So I particularly appreciate your being here.

Danielle Outlaw, Chief, Portland Police Bureau: Good afternoon council, commissioners. I think my response to the report was pretty self-explanatory in the sense that, yes, we do agree, I don't want to sound cliché or like a broken record, but I want to use this time to reinforce how serious we take not only the analyses provided by oir, but just the nature and the content of the report. I also recognize that a lot of the cases investigated happened a long time before my arrival, but I want to publicly acknowledge that we've also had a recent spade of officer-involved shootings in a very short period of time recently, and I want to again reaffirm to the public that we will do everything that we can to make sure that the investigations are not only thorough, but complete and timely and as transparent as possible. I know you might have some follow-up questions for us as far as what has been implemented thus far. What we plan to do for the future, but I would like to say, 2019 is about solutions, I think is about action plans, and it's about follow-through and I think it's very important as was mentioned that there are some things we're not going to be able to see, hopefully it shows a positive by us not seeing it, by through omission. But I think it's very important to have action plans, to have very clear tasks and responsibilities, to ensure that there's systems in place so we can go back and report out on these tasks very completely and thoroughly. A couple things I want to talk about. One of the constant themes I saw when I first got here, it's been about 15 months since I've been here, and one of the constant themes in the first report that I had a chance to review from oir and this report as well was the theme of sergeants jumping in to tactical positions. And I identified very early on along with staff that we do ourselves a disservice not just with training, but it's a cultural thing in how we train and mind-set. And because of that in 2019, what you're seeing upcoming in the fall with our in-service training is very specific training for our sergeants and our supervisors so they know what is expected of them and what their roles are, and they're not only learning what's expected of them as a sergeant or supervisor, but they're also learning what their people beneath them are learning. What their officers are. So as former robust types of training that we'll be receiving. Prior to me arriving, all in-service training, everyone attended together from the chief, all the way down to the line level officers. So everybody's learning the same thing at the same time and so the difference, what I hope to see moving forward is when we break out these trainings, when the sergeants train with each other and the lieutenants and the captains and commanders train with each other, everybody is learning their roles and what their roles and responsibilities are. So that's going to be a huge culture change, but I'm excited about it and I expect to see changes from that. Acting commander bell is here with me and can also answer any questions. He's been working very closely with implementing the recommendations over the years, and we're again appreciative for the opportunity to be able to speak before you publicly, but we really would like to be able to answer questions you might have.

Wheeler: Commissioner Hardesty.

Hardesty: Good afternoon chief and commander bell. Acting commander bell. My question has to do with chief it says that you said that we could not videotape officers and it was a collective bargaining agreement? Why would that be a collective bargaining agreement?

Outlaw: It's my belief, I'll let you chime in, with the advice from the city attorney's office, anything that could lead to discipline of an officer is subject to negotiation or sitting across the table from the union.

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Hardesty: That's just advice. That doesn't mean what they're saying makes sense or it's true. It's just their advice.

Outlaw: I think -- there's nothing to stop us from doing that.

Hardesty: Right. That's my question.

Outlaw: And I obviously think that it suits us better for anything that we implement to sit down at the table with them, so no one is blindsided, so we're all on the same page and we're all invested in what we're trying to do.

Hardesty: I appreciate that, chief because I do think we have this mind-set that we can't do anything with policing unless we're talking about the bargaining agreement, and there's just so many things that are outside of the bargaining agreement, that we refuse to address and that's been a big problem over the years. So I appreciate that. Assistant -- commander bell, do you have a response to this particular question?

Jeff Bell, Portland Police Bureau: No. Same as what the chief basically said. That's been the advice we've been given. Like she said, it's because it's part of the discipline process. So that's where we're at.

Hardesty: I don't understand if it's discipline when you're interviewing them about an incident they've been involved in. I mean, we haven't even gotten to, what if they did something wrong, because as a community we'd never get there. This is like what happened? So why do you see that as a disciplinary thing? I'm just not understanding that.

Outlaw: I think what we're saying, anything that can lead to discipline, but I also don't see it as a bad thing. I think we're making the assumption that the union would be against it. A lot of what we're doing is, you know, just making sure that we're working in alignment with contemporary best practices, and I think we would be surprised if they were here at the table whether or not they would be supportive of that. I don't want to speculate and speak for them.

Hardesty: Thank you. I appreciate that. My other question has to do with are we still acting like we have a 48-hour rule?

Bell: What we are doing is we are going by what the city council enacted as part of our policy that we interview officers within 48 hours of the incident.

Hardesty: The oir report appears to say that we go up to 47 hours in most cases and sometimes it's actually longer than 48 hours. I'm concerned, because I don't think that was the intent of the city council, I think the terminology was that we would interview officers as quickly as possible after an incident happened, but I think the practice that we have found ourselves in is waiting until the 47th¹/₂ hour before we do the interview. Is there an opportunity to change that so that we're actually interviewing as quickly as we possibly can, like we do with other witnesses to an event that would take place?

Bell: So we certainly do have the opportunity to do that. Part of the reason why we do wait is because for our investigators it's better for them to gather information before they ask those questions and that's why we're doing it the way we're doing it now. Typically those interviews are coming in, I would say closer to 36 hours after the incident, but I'm not sure, I'd have to look back at the list. I'm not sure that any of the incidents that they reviewed, I think just two of the incidents they reviewed were immediately after the change in the policy.

Hardesty: Yes, they did allude to over and over again hoping that we will get more to them as soon as possible rather than sticking to the as late as we possibly can. Thank you for that.

Wheeler: Could I jump in on that? Could we get data on that? Because I'm not sure I agree we've been in violation of the 48-hour rule. Rather than speculate could we get the data back?

Bell: Yeah.

Wheeler: Thank you, commissioner Fritz.

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Fritz: On that note, there's nothing to say we can't interview them again, right? Why would we not interview the person most involved, interview them right away and after they've had that time to settle down, have you thought of anything else you would like to tell us about what happened? Or we heard this, I would absolutely, we paid a boat load of money to get rid of the 48-hour rule and I expected it to be almost immediately that you would be doing those interviews. So I encourage you to think about doing that.

Wheeler: Commissioner Eudaly?

Eudaly: I agree with commissioner Hardesty and commissioner Fritz on that item on that item it was a confusing one for me, because it didn't seem to really achieve our goal, but I believe in the report it does suggest that we should be conducting those interviews before the shift ends, ideally. I have two questions. I came up last week, it's come up again this week, we're required to have this outside audit of officer-involved shootings, but city code is not clear about who is responsible for ensuring that these recommendations are followed through on whether that ultimately leads to the being adopt or not. And so I'm interested in how we can work together to ensure that more of these 191 recommendations are -- the bureau is largely in agreement with become part of our policy. Is it internal? Is it the council? Is it expanding the scope of work with the entity that we use to do the audits? This is not a particular criticism of the bureau, I think this is a citywide issue. We see so many items every year, we deal with so many different issues, we make great decisions every week, but without anyone holding us accountable, it's easy for things to slip through the cracks.

Outlaw: I think we would be great at taking the lead on that. Obviously we could track, we can go through, we've already done that, acting commander bell was very instrumental in putting together the spreadsheet that you have.

Eudaly: Thank you, commander bell.

Outlaw: I think given that we've already taken the lead on that, we can turn that into an action plan, and then share that, and we can all come together and see if what we come up with is the best plan or if there's tweaks that need to be made.

Eudaly: That sounds great. Bearing in mind that some of these recommendations are not concrete steps so much as culture changes in the bureau and also as was highlighted, some of them pertain to very rare instances, so we have -- we don't have opportunities to test them out.

Outlaw: I think there's also ways though that we can show that we have proper systems in place.

Eudaly: Yeah.

Outlaw: And whether it's the system, and then also as what was alluded to, consequences or accountability, if someone steps outside, either at the individual level or if there's a systemic issue, we need to make sure there's something in place to ensure that we catch it and do something about it.

Eudaly: I had one more question, mayor did you want to weigh in?

Wheeler: Go ahead, please.

Eudaly: My other question is, I've got Daryl turner's rather incendiary response to this report and in closing he suggests that because you have approved all the recommendations, some of which may be subject to collective bargaining, that this represents a per se unfair labor practice under Oregon law. My understanding is when we accept a report, we're accepting a report. We are not -- it doesn't constitute approval or adoption of the recommendations. So two parts, I guess. What is your response to that accusation, and two, I could really use clarity on what pieces of police policy fall under collective bargaining and what we actually have the ability to change without -- outside of the bargaining process, because that has been a real obstacle for me and my office.

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Outlaw: So, again, I will restate that I believe it's important for all of us to work together. This is a city issue and when I say that, that means having the union at the table when we do that and I'll leave that at that. With that said, labor rights versus management rights obviously the city attorney can provide a little bit more on that, but anything that impacts working conditions and changes to that, or anything that could impact pay, or again, when we talk about disciplinary matters, anything that could lead to discipline, we need to make sure that the union is involved or at the table and I would like to also make sure that we establish lines of communication with both unions, all unions that we have, when before we implement anything that is going to have a huge change on the work that's going to be done. So I think collaboration is important on the front end, some things we need to sit down and talk about, and actually agree upon and there are other things that don't.

Eudaly: Thank you.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you. One more question. The police review board was discussed by the oir group, what are you going to do with their recommendations as far as how do we make that more usable so that it's actually providing a service that the public can have some confidence in?

Outlaw: I have actually in the last two recommendations that have come to me I've for lack of a better term, sent back the report asking for more work, or more analyses in certain areas. The police review board I do believe was created when it was in good faith then, and it was cutting edge at the time, but the content and what police review boards do today currently has since evolved. And given that it's an advisory board to the chief of police and the police commissioner, the outcome or anything that comes out of those boards should be helpful. And I'm finding that I'm reinvestigating these cases on my own, I'm combing through everything myself. Just because of -- just the nature of the recommendations that come, they're at a pretty high level, and there's no -- there's ways in which it can be tweaked. I have a lot of suggestions, I've already given direction and some guidance as to what I expect to come out of those. I also want to ensure that at least once a year there's annual training brought in to the police review boards, and we're looking at some folks that can do that to come to us as opposed to sending them to several trainings, because we realize we have a lot of people we need to get through, but we want to make sure that they're given the tools that they're needed in order to do the job so that the work they're doing is actually effective. So there's a lot of that can be done in a short term, but there might be code changes that have to be made as well to make sure that anything that's done is not only valuable, but impactful. And we make sure that we have a feedback loop for what comes out of those and we implement that moving forward.

Wheeler: Thank you both. Appreciate your being here. Thanks a lot, chief. So I don't know, do people have follow-up questions for oir? Before I make them get out of their comfortable hard wooden chairs? Very good. Karla, could you please call the roll on item number 101? That is the -- sorry, I'm going to accept a motion. That is the report.

Hardesty: So moved.

Fritz: Second.

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

Fritz: Thank you, oir, for the thorough reports you've done over many years and I think having the consistency of those reports has been very helpful to me as a council member. I do believe the recommendations can help prevent future use of deadly force if they're implemented. I do share the concerns that have been expressed by the league of women voters of Portland and others including cop watch. While this report cited a few instance where the police bureau made changes in training or policy that contributed to improved outcomes, oir repeatedly restated recommendations they had made previously because of

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similar problems they found in their latest review. I would like to see a progress report next year on responses to recommendations made over the past five years. What's been implemented, not just accepted and has that made any difference. As was just discussed I share the concerns that the police review board does not seem to be functioning as effectively as it could be, I'm glad to hear the chief has a plan for that. I admit I was absolutely shocked and horrified hearing about the video being shown as training so quickly, that it was before some of the involved officers had been investigated, not only does that potentially interfere with the investigation, but that be -- to have an example of something to be used as training so quickly when people are still investigating what went wrong, I'm just horrified when we had incidents that Oregon state hospital -- Oregon health and science university, we had it within a reasonable frame of time that the discussion of what went wrong, what could have gone better, but not in the immediate trauma of something really awful just happened, and that's all -- let's all learn from it right now. So I do think in addition to not having the officers see it, there needs to be a more thoughtful process for deciding what is used as video for training. Though I do agree with you having actual real life instances is very helpful. This 120-page report was posted last week, it has very little time for the community to digest it, and as Mr. Handelman pointed out it was finished a month ago. So next year I hope there will be several weeks for the community to review it and comment, especially if community members are going to be limited to written comments. Frankly I find written comments equally as helpful if not more so to be able to read them through and ask questions and discuss things. So I hope we'll have more time. I was very troubled by some of the investigations being ended before the witnesses were interviewed. It's certainly -- the timeline is important, but accuracy, accountability are absolutely crucial and so I hope particularly in the instance where it was a firefighter who had not been interviewed because the person wasn't back on shift for a while, that's somebody that we are pretty sure is coming back and will eventually testify, so why the investigation was closed at that point is beyond troubling. So this obviously is some areas for each of us that we can work on to help reduce incidents. I do thank donna Hayes and Qaunice Hayes family for their ongoing participation in trying to fix the system and working to fix the system, and I was very touched to hear that your report was helpful to Mrs. Hayes and to her family, and I hope you will also appreciate of that. Thank you to the Albina ministerial alliance, the Portland cop watch and the league of women voters for your ongoing diligence on these crucial issues and thanks to Cynthia Castro on my staff for her work on that. Finally, mayor wheeler thank you for your commitment to making these changes, you get blamed for everything and so it's --

Wheeler: It's my job.

Fritz: Partly. And I have to say that being joined by commissioner Eudaly previously and now commissioner Hardesty, there's a lot of eyes on these reports now, and there's a lot of people willing to take on the tough challenges that have plagued us in the past, including the -- what is subject to bargaining and what could we perhaps push the envelope a little bit more if not outright get some right sizing of what we as the elected officials responsible for public safety are allowed to do in relation to the people who carry guns in our names. With that I vote aye.

Hardesty: I always appreciate the thoroughness of our reports and I'm very grateful that we have built a relationship over the last nine years that I can be brutally honest with you and I don't have to sugar coat what I say and vice versa. I value the input that you've given and what I noticed over the years is that we make changes and then we slip back and we make changes, and then we make changes and then we slip back into some automatic response. I want to make sure I put on the record that legal advice is just that, it's legal advice, just because the attorney recommends something doesn't mean we're all obligated to do what that city attorney says and I think it is inexcusable that people lose their lives

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because somebody falls and they get scared when they fall and then that appears to be within policy. And so I think that we have made some improvements over the years, but I can see areas that we've slipped back and I'm very concerned that it just gets rubber stamped. I'm happy to hear that chief outlaw is working on revising the police review board, but I also would encourage her to look at all the advisory committees that the police has because many of them were put in place under previous administrations that may or may not have reform in their mind. I also want to say I'm very concerned that we have a practice that appears to emulate the 48-hour rule, even though we pretend the rule doesn't exist anymore, so I'm hopeful to get more clarity to make sure that police have no more rights than a regular member of the public when it comes to being interviewed after an incident and so I look forward to working with the chief and the mayor to make those changes happen. I also want to just give my heartfelt thanks to Mrs. Hayes for being here today and it just broke my heart to realize the best information she got about what happened to her grandson was because of the oir group's report. We must do better, and actually trying to assist community members in understanding what happens when their loved ones die at the hands of our police. I also want to thank my esteemed colleagues, reverend Haynes and dr. Reverend bethel, and reverend Haynes, I want you to know I'm still an activist, I just happen to be on the city council. I don't want that to change your mind and thank you so much dan, and mayor, I really appreciate you extending the courtesy today to others to be able to participate in this, and know that my voice is one of one in a police department that works for everyone in the city of Portland, and not at all critical of any individuals, but of our system is broken, it is our responsibility to fix it. I vote aye.

Eudaly: Although she's gone and she's been thanked twice before, I have to begin by acknowledging and thanking donna Hayes Qaunice Hayes grandmother for being here today and for continuing to demand that we do better. I took no comfort personally in reading about the death of Qaunice Hayes the most difficult part of this report for me to digest, but I take some comfort in knowing that it has helped the family in their process of grieving his loss. As we talk about these reports, it's important that we remember that we're talking about real people and not abstract policies, and so having family members here I think is a real service to us as a council and to the community, despite how difficult it is for them. I appreciate the oir's thoughtful approach to writing these reports, even as members of the council we often don't know about the specifics of what happened in officer-involved shootings, and there's often a lot of speculation and misinformation flying around in the public, and it's hard to combat that if we don't have the information. There's great value to the transparency of having facts laid out in one place in this manner, I'm also going to be going back and reading previous reports. The questions I had last week continue to be at the forefront of my mind today. What is the value of these reports, if we don't have clear mechanisms for tracking the implementation of the recommendations. City code is unclear, it states that the ipr director and the citizen review committee shall address any policy related or quality of investigation issues that would warrant further review. What does that mean? Obviously it doesn't mean we will implement all these recommendations. So while we have adopted a few, and I appreciate the chief's comments, I'm still -- I still think we need to explore all the options we have in creating a more systematic approach to tracking progress on the recommendations that may be internal, it may be external. I want to appreciate the Portland police bureau, they don't get a lot of praise, but oir, despite some of the content of this report, had a lot of positive things to say about them. I think most importantly how cooperative they were in this process. I want to commend the chief for her openness to oir recommendations and for her responses to their most current recommendations, which was almost 100% agreement, I believe. I do have to take issue with the defensive posturing of the Portland police association's president Daryl turner. I didn't find his letter helpful message to send as we

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are striving to improve our police bureau, reduce deadly force events, increase the safety of all parties, and mend the relationship between the police and the community. None of us are beyond reproach, including everyone sitting at this dais, including the police bureau and all of us have room for improvement until our very last day on this earth, I believe. And we're happens beyond, who knows? I want to highlight a few of the issues that Mr. Turner raised and my impression of the report. One, I think he felt oir was judging and criticizing his officers when I read this report as being really helpful constructive criticism, we have to apply 20/20 vision in hindsight in order to reach our goal of reducing the use of lethal force and fatalities. Two, the report does not criticize officers for stumbling or falling, but simply asks the question if there were other tactical decisions that could have been made to keep them in a stronger position to begin with and indicates the need for improved ground fighting training in the event they do find themselves in a compromised position. Three, suggesting that there may have been alternatives to using lethal force, even in instances where officers are being shot at also doesn't constitute a criticism in my mind. We know our officers face extraordinary challenges and must make split-second decisions, they certainly have a right to protect and defend their own lives, but lethal force may not always be necessary or the best or safest tactic given the circumstances, and that is simply what is detailed in this report. Finally I want to echo a recommendation by the league of women voters and dan handelmann, it's difficult to expect the public to digest and meaningfully engage with a 100-plus page report five days over a weekend, so next time I would like to see the report made publicly available well in advance of the item coming to council. I want to thank Julie and her team at the oir group, it was really a pleasure to meet with you yesterday. If we've met before I apologize. I think it was the first. I want to thank everyone who came here today, everyone who testified and just say the fact the bureau finds so little disagreement with your recommendations is a testament to the vital work you're doing for our city. So thank you, and with that I vote aye.

Wheeler: Well, since the year began we've seen two officer involved shootings. One of which was a fatality and since the beginning of my term which was just over two years ago, there have been 18. The use of deadly force is without question the most critical decision a police officer can make. When it results in the loss of the life, it is certainly devastating for all. Officers are entrusted to make decisions under often challenging and complex circumstances. Every day we ask them to take years of training and knowledge of ppb policies and thoughtfully apply them in their interactions with the public. Officers enter those interactions with training, with expertise, and a firearm. Our expectations as a community around officer conduct of course should absolutely be high because there's too much at stake. That's why the reviews like the one presented today are so important. I want to be very clear, this is Monday morning quarterbacking and Michael and I and the other members of oir were discussing that this morning and I liked Michael's comment that he said he was a fan of Monday morning quarterbacking. So am I and by the way, if you want to use a sports analogy, so are all winning teams. In fact, after a game, win, lose, or draw, what do they do for most of the next week? They review the tape. They go back and they look at what they did right, what worked well, what excelled, and they look at what didn't work and what needs to be improved upon. While I sometimes get criticized for holding the police bureau of which I am the commissioner in charge, to a very high standard, I want to be crystal clear I do hold them to a very high standard, because I want the Portland police bureau to live up to that high standard, and I know that by and large they want to live up to that standard too. Officers enter into interactions with the public with high expectations. Oir has served a very valuable function in my opinion for the city as a third-party reviewer of officer-involved shootings in Portland for the last several years. The reviews have enabled us to assess whether ppb's current policies and training are in fact reflected in practice. As leaders, I think it's incumbent upon all of us to ensure that the

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correct policies and training are in place so that if an officer makes the decision to use deadly force, he or she does so with the proper foundation in place. Though there definitely continue to be areas for improvement within the ppb, it's also important to emphasize as the oir group does, the good work the bureau has done over time to improve its training, systems, and processes. It is not an easy job to be part of the Portland police bureau and it is my hope that while we hold the Portland police bureau and the men and women in that bureau to a high standard and we hold them accountable, I hope we will also support them in their efforts as public employees in this city, the same way we support public employees in all of our bureaus, and I hope that we heed the chief's advice that we give them the tools, the resources, and the access to training that we give to other bureaus when they seek to improve their selves. Since joining the city of Portland, chief outlaw has been a force for change. She's made clear efforts to connect with Portland residents, and push the Portland police bureau to the next level of policing. She gets very high marks from people in the community. I also have a recommendation, call it a directive, call it an expectation, call it a new partnership, to chief outlaw, in looking forward to the next report, I expect to be provided with periodic updates from the bureau on the implementation status of each of the recommendations, not currently or fully in practice. I would then like the full update presented to council at the time of the seventh report's release next year, I would like this to become institutionalized as part of the presentation of this report and I heard a strong consensus from my colleagues on that point. I want to thank the chief, and I want to thank acting commander bell for representing the bureau today and for their persistent efforts to make ppb better for the residents of Portland. Last but not least, there is a role for the city council here and I think it's important for us to understand that sitting on this side of the dais, the call to improve and the challenge to be better rests with us as much as it does with the police bureau and again, this gets back to the question of which contracts we decide to sign, because the contracts we decide to sign often lay down impediments to the leadership in the police bureau to be able to do the kinds of things that oir recommends in their report. Some of the recommendations can be accomplished by administrative fiat, and I would expect the chief to live up to her commitment to enact those things through fiat as the chief of police. Other things will require additional support and funding from the Portland city council in order to be accomplished, that is clearly laid out in the report. And last but not least, many of these issues will have to be bargained collectively with the Portland police association and other collective bargaining units within the Portland police bureau. In all of those cases this council has a role as well in terms of accountability. Last but not least, I'd like to thank the oir group for your critical eye in conducting the work and your partnership on these issues. I think this work is very important, I know you will continue to push us and prod us, you will continue to provoke important conversations. I will confess I'm not always going to agree with you, but that's part of the point here is that we have a clear and open and frank dialogue about these issues in this particular report the sixth edition of the report you made 40 specific recommendations. The police chief is committed and agreed to all 40 of those recommendations. I want to state for the record, so too do I and I will work with the chief and the bureau and my colleagues here and the ppa, and others, to ensure we actually live up to that commitment. So with that, I thank you all, I vote aye. The report is accepted. [gavel pounded] last little bit of business related to this is the second reading of the ordinance, that is item number 110. This was -- is a second reading of a nonemergency ordinance. We heard the presentation on this last week, we took public testimony on this last week, this is with regard to the extension of the oir contract. Karla, please call the roll.

Fritz: Today's hearing showed why this is a good investment for the citizens of Portland. Thank you for your work. Aye.

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Hardesty: Yes, I just wanted an opportunity to have quality time with the principles of our before I voted to affirm this extension. Really great work, folks. Really appreciate you. Aye.

Eudaly: While I hope your reports get shorter and shorter until they don't exist, until then, really appreciate your service to our city. I vote aye.

Wheeler: I like that sentiment. I support it. I vote aye. Thank you for your hard work. [gavel pounded] the ordinance is adopted. Have a safe trip home. Next item, 111.

Item 111.

Wheeler: Nicole grant where are you, there you are, come on down and Yolanda is here?

Nicole grant, Mayors Office: Yolanda stepped out to use the restroom.

Wheeler: Of course she did.

Grant: She's been a gem and has been here for a very long time.

Wheeler: Why don't we take a two-minute -- five-minute break and we'll come back. We're in recess.

At 4:29 p.m. council recessed.

At 4:36 p.m. council reconvened.

Wheeler: Welcome Yolanda. Alright we are back in session after a brief coffee break. Welcome back everyone. Karla did you read 111 yet?

Moore-Love: We did.

Wheeler: Okay very good, go ahead Nicole welcome.

Nicole grant, Mayors Office: Good afternoon, commissioners. My name is Nicole grant, senior policy adviser for mayor Wheeler. I'm here with Yolanda Salguiero who was recently appointed by the mayor as a pcccp member. I want to thank her for her flexibility and time and being able to make it here for this council hearing and also introduce herself to you all. Today we are asking you to confirm her appointment as you did for the other members of the Portland committee on community engaged policing. Yolanda was previously an alternate and recommended for membership by the pcccpas an alternate she's been actively engaged in pcccp work to date, having participated in the required training and retreat and also having attended every pcccp meeting since pcccp went live late last year. A bit more about Yolanda she works for Portland state university's culture resource centers. She's an advocate for students and support student centered cultural programming. Many of the students who access her resource center are first generation students of color and she serves as a confidential advocate on campus, is trained in sexual and relationship violence and provides support within the psu sexual and relationship violence response program. She has Yakama, warm springs and Mexican ancestry. Although born in Portland Yolanda was raised on the Yakama reservation with her parents and two sisters, she earned an undergraduate degree in criminology and criminal justice and a master of social work degree from Portland state university. She has worked for the national Indian child welfare association, Oregon health and science university, federal bureau of prisons and the Portland police bureau. In her free time she enjoys traveling, cross-fit, volunteering and being in the community and now I would like to give Yolanda the opportunity to tell you more about herself and her interest in pcccp.

Yolanda Salguiero: Thank you, Nicole. I was really excited to apply for this position. Some of my previous command staff at Portland police sent me information as well as Nicole so I had multiple people tell me to apply, but I want to use my diverse work experience and police corrections and social work to not only advocate for vulnerable communities but also to build collaborations with Portland police bureau. I've learned police policies and procedures in my position as a civilian background investigator for Portland police and part of what I was tasked for in that position was going in the community and explaining how to becoming a Portland police officer. In that capacity, it was not only received well by our community, but I did that by myself and so working with

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pccep, I get to actually work with a committee of folks who want to build positive collaborations and partnerships. So I'm honored. Thank you.

Wheeler: Very good. Thank you.

Grant: Do you have any questions commissioners?

Wheeler: I have one, sort of my favorite question for folks that want to be on the pccep and first of all thank you for stepping forward, thank you for asking to be considered. What do you hope to bring to the pccep? You've had a chance to hear a number of meetings you're starting to get a sense of the personalities and dynamics on pccep what do you think you can bring in a positive sense to pccep and I would also like to know sort of the flip side? What concerns, potentially, do you have or fears do you have about your engagement in pccep?

Salguiero: To your first question, what do I bring? I bring kind of a multiplicity of perspectives, so not just the law enforcement policy and procedure but a social work perspective and that's needed on our committee and in working with police. One of the things that I was advised by a Portland police recruiter, we should be recruiting social workers for police officers and so having those multiple perspectives, I'm looking forward to bringing that. As far as concerns, I mean, I pretty much expect people to be angry and frustrated with police and I've been on both sides of that and so, it's not new to me. So that's kind of what I expect.

Wheeler: How do you take that kind of criticism, knowing that you've been to enough pccep meetings to know there's a couple of people who are very -- how do I say it -- enthusiastic about their participation. They care loudly. Are you comfortable in that kind of environment? [laughter]

Salguiero: I am comfortable in that environment. I worked with folks like that in the various positions that I've held and thinking about those individuals in particular, some of them struggle with mental health challenges and so coming from a compassionate lens and knowing that sometimes the things they're articulating, they whole-heartedly believe what they're saying. It may not be accurate, it may not be in the actual police report and the people in the audience may have said, like, no that didn't happen, but just knowing that person who is articulating, that really believes that is what occurred.

Wheeler: Very well. Colleagues? Commissioner Hardesty?

Hardesty: To your last point, so you've worked with the Portland police bureau in the past can you talk about what you've done with the Portland police bureau.

Salguiero: I started in the juvenile run away unit and that was very challenging, working with police and social workers and parents but it gave me really good kind of personal understanding of what those teenagers, the missing teenagers and their families are going through. From there, I went into corrections and came back and transitioned into Portland police in the personnel division. So I started working for sergeant as a public safety aid and then I applied and as a civilian background investigator. And so that was not easy and that came with politics there, too, because the command staff at the time advised me not to apply. They said those positions are going towards retired police officers, so don't even bother applying. So there was some failed recruitments, some issues with folks of color being hired from other police agencies and so then they opened up the recruitment again and they said now we're hiring folks with law enforcement experience and they don't have to be a retired police officer. So with my multiple experiences, I was hired.

Hardesty: You have a lot of experience working within the police organization and what's been your organization working with grass root's community members.

Salguiero: With grass root's community members, I've worked for the national child welfare association and I worked for naya for homeless youth. So both of those have been pretty grass roots, coming with, like, no budgets and luckily, Multnomah county was actually one of our counties who provided housing for naya folks who were accessing

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services for homeless youth. I still volunteer in the community. So that's part of why I want to be on this committee. I get to advocate for students but I also want to still work in community with adults. So I'm excited.

Hardesty: Thank you.

Wheeler: Thank you. Any further questions? I'll entertain a motion?

Fritz: I move to accept the report.

Eudaly: second.

Wheeler: We have a motion from commissioner Fritz to accept the report and a second from commissioner Eudaly to accept the appointment and please call the roll.

Fritz: Job applicants often say they are uniquely qualified to perform this role and when I'm reviewing 20 applications and they say uniquely qualified, I flip on but you are uniquely qualified to be on this very important committee and I very much appreciate your willingness to step up because it is kind of coming into the government fold and being responsible for helping to fix it, which sometimes people get impatient. I appreciate your perspective and your patience and your willingness to serve. Aye.

Hardesty: Aye.

Eudaly: Well, thank you for your willingness to serve. I probably could have used some of the background experience you had walking into this room. That might have helped me deal with the stress a little bit better, but aye.

Wheeler: Well, I'm very enthusiastic about your desire to participate and I'm always amazed when I read your biography because you do have a lot of unique experiences. I think you'll bring a fresh and important perspective to the group dynamic and I think you understand how challenging and how important the work is that pccp does and I personally could not be happier to support your appointment. I vote aye. The report is accepted the appointment is confirmed. Thank you.

Salguiero: Thank you.

Wheeler: Did you want to take a photo? I see that in my notes? Is that a yes or no? Great. With all of us?

Grant: Yes.

Wheeler: We'll take a get-up and exercise break here for a moment.

Grant: I can take it.

Wheeler: Next up, 112.

Item 112.

Wheeler: Colleagues, this ordinance would authorize a five-year intergovernmental agreement between the city of Portland and other parties participating in levy-ready Columbia which is a collaborative approach to Columbia river flood plain management. I will turn it over to the bureau of environmental service's director Mike Jordan to begin the presentation, good afternoon.

Mike Jordan, Director, Bureau of Environmental Services: Thank you Mr. mayor, members of the commission. Glad to be here today and with me today, as the mayor mentioned, my name is Mike Jordan, director of bureau environment services with me is Stephanie Hallock who is the facilitator from Oregon solutions who's working with the levy ready Columbia project for a few years now and also with us is Colin Rowan, who is the project manager for levy ready Columbia and I believe you started with Mr. Rinehart today so we wanted to bring him back for an encore.

Wheeler: What a joy.

Eudaly: Can't get enough of him. [laughter]

Jordan: Mr. Mayor, members of the council, I realize the hour is late and you have been through a lot today. You have the power point presentation before you, you also have the draft iga. With your indulgence, we will not go through the power point. I'll summarize some of the points that are cogent to the city of Portland and we stand ready to answer

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your questions, if that's alright Mr. mayor. It may be ironic we're here today on February 6th. February 6, 1996 was the beginning of huge flood in the city of Portland and 23 years ago the levees held and the flood event did not cause major damage within the area where the levies protect. We're here today to consider the third intergovernmental agreement that you've considered in the work towards recertification of the levy system. The city has been involved in the intergovernmental partnership since the Oregon solution project was designated back in 2013. The power point you have can be summarized in terms of a number of categories. It talks a little bit about where the project has been in the past. It has a listing of all of the partners that have been involved and they have myriad. The signatures to this I can't remember how many, the will be 11 signatures to this intergovernmental agreement. There's a slide in the deck that talks about the risks of flooding, both to property at economic value, essential infrastructure and residences within the area. The slides also talk about the reasons that we're pursuing a new district formation to replace the four drainage districts that have been there since the early in the last century. They were formed originally to protect farmland, both from flooding and to reclaim the farmland for a productive use back in the day. There aren't as many farms today as there were then, but we have many other uses in the area. There's a slide which talks about the projects that we believe may be necessary for recertification of the levies. They're throughout the levy system. However, it is worth noting the most expensive of those projects may be the reinforcement of the railroad grade at the west-end of the districts, which was the place where the failure occurred in 1948, which destroyed the city of vanport. Lastly, there's a slide which talks about where we're going from here so very briefly, we have currently a feasibility study going on that is being funded by the army corps of engineers and it will get to a place with local input will get us to a recommended number of projects and types of projects that need to be done for recertification. We are hopeful that ultimately when that study is completed, those projects can be submitted for potential federal funding or at least a share of the funding can come from the federal government potentially and at that time we would know more about what the local obligation would be. Also, as pertaining to that district I was referring to, there are pieces of legislation now at the state legislature which have been submitted that will be under consideration for the formation of an entirely new district to modernize the way we govern and the way we pay for both the protection of the levy system in the future and also the internal working within the levy. There's a lot of pumping that has to be done, lots of pipping and conveyance of both waters within the levy system but also some surface water that goes into the levy area. With that, I think I would say that the reason the city of Portland needs to be so involved in this and needs to continue to participate is that a, we believe it will take a number of years to both form a new district, put a new finance system in place and be able to do the work that's necessary for recertification of the levies. Secondly, of all of the lives, property value, ecological value and essential infrastructure that's protected by the levy the vast majority of it exists within the city of Portland. And so, regardless of how this all plays out at some point in the future, the city of Portland has a lot at risk behind the levies and so another reason for us to be involved. With that, Mr. Mayor, you have the materials. I'd like to stand ready to answer any of your questions and certainly the folks from levy-ready Columbia would be happy to do so also.

Wheeler: Very good commissioner Hardest has the first question.

Hardesty: Thank you so much. My question is very short, sweet and to the point. We'll create new districts and who pays for that?

Jordan: Right. There is a bill before the legislature which would create a new -- I'm forgetting the name as I speak --

Colin Rowan: It's a water quality and flood safety district.

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Jordan: Thank you. It is a new district under Oregon state statute. It would have the authority to create a utility and that's the key for the power of this new district. The current funding mechanism under the existing districts is an assessment on property value. That assessment has been deemed a measure 5 tax and therefore, what happens is because of the low value of public property within the districts, Reed Heron Lakes Golf Course, for instance, because it has really low market value, because it's not useable for any other use, therefore, it goes into compression quickly and the financial burden is shifted to other properties predominantly private properties within these districts. The money that would need to be raised to do the capital work on the levies, if it had to be raised under the current system, would not only be beyond the capacity of those districts to raise the money but the more they raise, the more inequitably the money is charged to individual properties. We've looked at this for two and a half years now and believe a utility model is the most fair way to allocate the overall maintenance and construction costs for these things and so, the statute before the legislature would not create the utility, it would create the district with the authority to look into a utility. There would be a transition period with an appointed board which would go through all of the methodologies and machinations of seeing how can you fairly allocate these costs through a utility and only when they found that could be done successfully would there be an elected board elected and they would hold an election and the elected board would be able to actually operate the utility over the long-term. I hope that makes some degree of sense.

Hardesty: It did. It made a lot of sense, but who will pay for it. Basically what you're trying to do is spread the cost out through a lot more stakeholders than currently pay for it, right?

Jordan: In essence yes, I can very briefly what we've been talking about because it really would be the transitional boards job to really nail this down. The folks who live inside the levy system now and the flood plain they would carry still the bulk of the burden for operations and for capitol, however we look to potentially spread some of the cost burden for the management of surface water that comes off the uplands and into and has to be conveyed to the Columbia river we would look to transfer some of that cost to those folks. I might that within the city of Portland that cost is already being transferred, the bureau of environmental services pays the drainage districts a little over \$600,000 a year for that conveyance cost, so it really would not necessarily be a transfer because, in fact, the utility transferred those cost, we would stop paying that \$600,000. It would be one way or the other for the city of Portland. Other jurisdictions, however, do not pay that kind of a conveyance. So some challenges there. The third level of cost would be looking at a general obligation bond, which would have to be voted upon, of course. That would transfer the just capital portions of the cost to renew the levy certification. Those capital costs, to all the of the district's property owners which would be Multnomah county within the urban growth boundary. That's the proposed boundary for the district.

Hardesty: I love this stuff. [laughter]

Jordan: I'm glad you do.

Wheeler: Commissioner Fritz.

Fritz: Just to follow up on that. Let me make sure I got this straight that for this particular.

Wheeler: Sorry go ahead commissioner Fritz.

Eudaly: I think I know who gets environmental services next, not me.

Jordan: I can also tell it's late in the day.

Fritz: Come on, team. We can get through this. The \$233,590 accounts for what in previously years has set aside some money for those intergovernmental agreement and we have got about 800,000 left of which, so this is coming out, but we do anticipate there will be some other overhead costs coming in the next several years that we won't have enough money for and the budget office will put that into our forecast. Is that a fair summary?

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Tom Rinehart, CAO, Office of Management and Finance: The record, tom Rinehart, chief administrative officer. That is a correct summary. In the assessment and the evaluation they did for your packet. We discussed with them that we did have enough money in the carryover from special appropriations previously that they would have to build out the additional costs in the five year forecast.

Fritz: To be clear it's not the general special appropriations that we hand grants over, it was a specific this is for the levy, this is the amount we're going put in this bucket that's going to live in special appropriations.

Rinehart: That's correct. And to council's credit since council has been methodically supporting this over the years that has been in the queue in the city budget office they're prepared for this and there's an expectation that we will want to continue this relationship per your direction.

Fritz: Thank you.

Wheeler: Can I get some idea of the time frame or do we know?

Jordan: For the entire iga? It's through 2024 is what the iga is for. However, if, in fact, let's just say the legislation were to pass this session, for the new district, transitional board gets formed, and everything goes pretty well, we could definitely be transitioning to a new district and the iga would become moot. Maybe within three or four years. I don't know. Just depends on how quickly you can move through those other steps.

Wheeler: Tom, obviously we would not bear the entire cost of the project as estimated in the slide deck, but we would bear some significant portion of that cost -- or what is our plan as far as reserving bonding capacity in the out years?

Rinehart: That is an excellent question I'm glad you asked it and for the record full transparency. I did not see the question. Chief financial officer Cooperman sat here a few months ago and worked with council on the long-term financial plan, the beginning steps of it. You may or may not recall that cfo Cooperman said this was in one of the columns of long-term liabilities we really need to get our hands around and we need to have a process for what the capital contribution would be. We don't have that yet, director Jordan and I are working with a group to try to figure that out, but it is, it's the right question for now that we have to start planning for what those capital costs would be. You can see on the percentage allocation that we are really winners in terms of the land percentage potentially impacted lands being 80% in the city of Portland. We're bearing 40% of the iga costs.

Wheeler: Right, but this isn't our own call on go timeframe. There have been quite a few others.

Rinehart: We are going to have to figure out what our capacity is and we're going to have to have a long-term plan for it.

Wheeler: We should know what our capacity is now. We obviously don't know the liability side of the ledger is, but we should have some sense of what our capacity is.

Rinehart: Yeah. Our debt capacity is always a percentage of real market value. I am confident we will have the capacity. The question then becomes the debt service and the vehicle through which we pay that debt service, which this highly competent group is helping us figure out.

Wheeler: See, commissioner Hardesty, this is the part that really excites me. I think we can get some partnership going.

Eudaly: Keep the questions coming.

Wheeler: Those were my questions.

Eudaly: It's after 5:00 but I've got all night.

Wheeler: Very good. [laughter] it has been a long day. It's not a nerd friendly end of the day subject. Any rate, that is really my main concern. I actually trust the process we're engaged in. I trust our partners in levee ready Columbia. I think it's a great vehicle. We have the win, obviously, with securing the funding for the feasibility study. It makes logical

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sense we would continue this next phase with the understanding that we're reserving this out of the budget capacity going forward, but I still at some point want to close the window of speculation a little bit around our bonding capacity in the time frame that we're presuming this will happen in the -- and I will be optimistic the four to six-year time frame. Commissioner Hardesty.

Hardesty: Thank you, mayor. Tom, that's a great segue into, you are going to be coming and we are going to be having that conversation sometime soon, right about just really what our bonding capacity is and kind of what the debt load is. So that as a council, we can actually look at the big picture compared to doing these things in silos.

Rinehart: Correct. There's a part of a long-term financial plan scenario for the council to consider.

Hardesty: I look forward to that conversation. Thank you so much.

Wheeler: Public testimony on this item?

Moore-Love: Yes. We have two people signed up. Edith Gillis and lightning.

Wheeler: Use your two minutes wisely. Name for the record.

Wheeler: Use your two minutes wisely name for the record.

Lightning: Three minutes. We're the last speakers. This is completely unreasonable.

Edith Gillis: I would like to make sure that when you are looking at this that you will, considering both the different influences on levy stability and longevity, as well as on those who put us at the most risk and those who have the most capacity to pay and to be careful of the conflicts or the catch 20/2s where we have a vested interest to raise the tax rate on different folks. I would like that to be correlated to the dangers that they give to the levy and to our civilians and our environment and at the same time, that we need to have a lot of bioremediation. We need to have a lot of natural areas to absorb the water and not have overdevelopment and that's not necessarily taxable but is of a great value for us. I would like us to tax more southern pacific because the railroad has a lot of that vibration with the oil bomb trains that can explode and destroy the levees and I think we should include they are upstream to us. If they destroy bonneville dam that's going to do a lot more harm than our levees are designed to take care of. Also we have to be looking at the different explosive chemicals that are being stored and used along the levee because when those explosions happen, the levees will not be able to stand. I would like us to make sure that we additionally have bioremediation, that we have native plants along the way and that we take care more of the construction projects that will have vibration, that will affect the water table and affect the stability of the soil. I also want to make sure that we have taken into consideration the four new fault lines we just discovered that are from mount hood to Portland, and to the Columbia river in addition to the other fault lines we already have in the city and how those interact with each other especially with the bethane gas lines.

Wheeler: Thank you.

Lightning: Again, before I start, you had other speakers come up here that you normally don't do. I'm just asking for one more minute on this issue cause to me it's the most important issue that we will ever have.

Wheeler: Get on it. You are already wasting our time.

Lightning: Fair enough I was just asking. My name is lightning I represent lightning super humanity. The Portland international airport is a joint civil and military airport. This levee is designed to protect our Portland international airport. This is a national security interest at the highest level for infrastructure funding from the federal government at the highest level. When you do research on the levee on how close it is to the airport, we will be one of the closest that you will find. This is a national security emergency that we need to look at this and understand. That levee was put in many, many years ago. In 1948, vanport flooded. They came back in and they did new work on the airport in 1950. It flooded everything and you have to understand we cannot have this airport flooded. This levee is nothing but a

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glorified sandbox that was used to protect the farms back in the day. We have billions and billions of dollars to protect today. We have climate change, radical changes in our weather, radical changes in the rise of the rivers. I was there in 1996. I understand what this levee is about and let me say this to you, this will not get accreditation. This will not be up to the new Orleans standard which the army corps of engineers spent \$15 billion and Mr. Bob Pamplin, listen very close with your watch dogs. I want you to analyze building new, build brand-new levee and analyze this from start to finish. This will be the largest construction project in the history of Multnomah county and Portland. This will dwarf the I-5 bridge and we will get approval from the federal government due to the fact that the military use of this airport and the close proximity to this levee which is outdated and if the army corps of engineers approves this levee with accreditation put your name on that report because you are not going to have a job in the future. I guarantee it. Thank you for your time.

Wheeler: Thank you colleagues anything else? This is a first reading of a non-emergency ordinance, it moves to a second reading. We are adjourned.

At 5:09 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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Key: ***** means unidentified speaker.

FEBRUARY 7, 2019 2:30 PM

Wheeler: Good afternoon everyone this is the Thursday, February 7, 2019 session of the Portland city council. It's been a long week. Thank you for being here. Karla, please call the roll.

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

Wheeler: Here, good afternoon.

Matt Farley, Senior Deputy City Attorney: Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business.

Moore-Love: Excuse me Matt turn your mic on, just hit that grey button.

Farley: We on?

Wheeler: Yea there you go.

Farley: 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 clerks office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. If it 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 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 thumbs down. Please remain seated in council chambers unless entering or exiting. If you're 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 disruptions will 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: Thank you. Karla, we only have one item today, item 113. Could you please read it?

Item 113.

Wheeler: Colleagues I'm going to withhold my remarks till the end, but I don't know if anybody would anyone like to make opening remarks? Commissioner Fish.

Fish: I would like to thanking my colleagues, each of you, your respective staff and community advocates for working collaboratively to draft this resolution and to organize this hearing. I'm proud council is speaking up in a strong, unified voice against hate, bigotry and white supremacy. We know we can't change the future if we don't acknowledge our history. Our city and our state have a long legacy of racism that we're still dealing with today. Today's action, however, is intended to make our values loud and clear. We thrive from our diversity. We believe in building bridges rooted in respect and

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inclusiveness. We are a proud sanctuary city. We, city council, and the city of Portland, are united in rejecting white supremacy and white nationalism and we are committed to creating a future that we can all be proud of. Thank you.

Wheeler: Very good. Thank you. So the order of events today is we're going to call up staff to give us some remarks and the run of show. Nicole Grant she is my senior policy advisor, come on up. Start us off. Thank you.

Nicole Grant, Mayors Office: Good afternoon, commissioners. My name is Nicole Grant, senior policy advisor to Mayor Wheeler. I'm here to introduce the resolution condemning white supremacy. This resolution is the culmination of several weeks of work beginning late last year involving contributions from each of your offices. I would like to thank Asena Lawrence, Winta Johannes, Cynthia Castro and Derek Bradley for their collaborative efforts in bringing this before you. In working on this we contended with the question of what this resolution and its symbolism would be meaningless. Mayor, you and I had this conversation as well. What good are words when people of color are assaulted on the street without provocation? When we are subjected to racial epithets at a high school baseball game, when our identities and citizenship status are dissected, mocked and undermined for political ends and when we continue to face discrimination in nearly every facet of American life. This resolution is not about white people. It is about all people with dedicated focus on those targeted as a result of their skin color. It is about encouraging all Portlanders to live up to our highest aspirations not only in word but also in deed. Yes, this resolution is a clear denunciation of white supremacists and alt-right hate groups which continue to treat Portland as their playground and levy threats against our mayor and fellow community members. However this goes beyond public safety and speaks to a need for cultural shift in the city. White supremacy isn't solely embodied in hate groups. It's woven to the fabric of Portland, Oregon, past and present. It is not an abstraction. It feeds on itself and affects us all daily. While sitting down for lunch with my family here in Portland a couple of years ago an older white gentleman a few feet away had been glaring at me. I found it odd and tried not to give it too much thought. My husband, who is white, stepped away and my stepson and I took that as an opportunity to give each other butterfly kisses waiting for my husband to return. I remember turning in the man's general direction and seeing the disgust on his face. Then he scoffed. He appeared to be so offended by the sight of us that he turned away, but then was compelled to look again actively feeding his anger. He would turn away and then look, turn away then look. I contemplated leaving the restaurant once my husband returned, but the man beat me to the punch. He left abruptly shaking his head and muttering before the server could even bring him his glass of water. This is Portland and it happens every day and I'm not alone in this. There are so many more stories out there that reflect experiences similar to mine. As a woman of color, specifically as a black woman, I'm constantly aware of my physicality in predominantly white spaces. That's more the case for me in Portland and anywhere else I have lived. I look over my shoulder more than I have ever in my life. There's an emotional burden that comes with fighting for recognition and inclusion in spaces that were not envisioned to empower and protect bodies like mine and it's frightening how ordinary this is for so many of us. The invisible baggage we carry every day is demoralizing and exhausting. We know the fatigue many of us feel goes beyond our individual experiences and interactions and is exacerbated by the predictable drum beat of lower graduation rates, lower wages, higher incarceration rates, rising suicide rates, higher poverty rates, higher mortality rates and the fundamental knowledge there's an impossible number of stories waiting to be told and uplifted. All this is a function of white supremacy, a function that historical impact of white supremacy and the policies implemented by civic institutions that ostensibly have been meant to serve all people but predictably only manage to serve some. This resolution puts a marker down for the city of Portland. This is important because it's not been done before

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with collective voices of our city council. Do not underestimate the impact of your words in speaking out against white supremacy when doing so appears to be the exception. It matters to have these words represented by the privilege and power of that dais. It's one step in our efforts to counter white supremacy with the intent of taking many more in order to create more space for people of color in the city to thrive and live authentically. I would like to now move on to run of show for this afternoon. We have two panels of invited guests. The first features Eric ward and Amy Herzfeld-Copple from the western state center and Bobbin Singh from the Oregon justice resource center. Second panel features Allan Lazo for Portland united against hate and the fair housing council. Maria Garcia from the new Portlanders policy commission and Revolución Coffee house and Wajdi Said from the Muslim educational trust. After the panels conclude public testimony will be accepted and then followed by your closing remarks. I would like to now invite Eric Ward, Amy Herzfeld-Copple and Bobbin Singh to the table to speak. Thank you.

Wheeler: Thank you, commissioner Hardesty.

Hardesty: Before you leave, Nicole, I want to thank you so much. I know how hard it is to put those personal stories out in public airwaves and just know that you're certainly not alone in having those experiences in Portland, Oregon. So I just want you to know how much I appreciate you being willing to share your own story.

Grant: Thank you. I appreciate that.

Wheeler: Thank you, Nicole. Good afternoon. Thank you all for being here.

******:** Thank you for having us.

Wheeler: The microphones move around about six inches away is the right distance we think. If you state your names for the record that would be helpful.

Amy Herzfeld-Copple: Thank you. We have a sequence here. I'm honored to go first. Mayor wheeler, city commissioners, good afternoon. Thank you for inviting us to speak to this historic resolution. My name is Amy Herzfeld-Copple and I'm the deputy director of programs and strategic initiatives at western states center. I grew up in Idaho, a state that has a unique history of successfully countering Aryan nations activity. I are been active in human right organizing advocacy for more than 20 years including several years as the executive director of the Idaho human rights education center and most recently as co-executive director of basic rights Oregon. I moved to Portland from Boise in 2011 drawn to a community and state that would provide more affirmation and security to start my family. Idaho still lacks nondiscrimination protections for lgbtq folks. I also moved here because I wanted to be in closer proximity to western states center, a group I deeply respect and served on the board of for 11 years before joining the staff team last year. Western states center is a 30-year-old civil rights and social justice organization based in Portland, but serving grass roots justice leaders in the pacific northwest and mountain states. Part of western states centers work is to monitor white nationalists and other racist and sexist extremists movements and to work with community leaders to find solutions to defend our democracy from the threats that these social movements pose to vulnerable communities and to our democracy itself. We believe this resolution today is the right first step. The resolution condemns white supremacists, alt-right and white nationalist hate groups and I want to provide some additional context about why they present an urgent threat to our city's residents and democratic institutions. White supremacy is a system of subjugation of people of color to preserve privilege and power for white people and its based on three core pillars. First, slavery and the exploitation of labor, particularly anti-blackness. Second the genocide of indigenous peoples and exploitation of their resources. Finally the control of sexuality in women. It's baked into u.s. history and culture dating back to our nation's founding with genocide and forced removal of native Americans and the shameful institution of slavery which helped build the u.s. economy into a global powerhouse. Here in Oregon our own history of black and Chinese exclusion laws have profoundly shaped

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our state's demographics and attracted those who sought to create a white homeland in our region. White supremacy is a system that operates within our institutions and endures in everyday life in the United States and it creates inequities that provide a breeding ground for white nationalism. This resolution cites several very relevant examples of how institutionalized white supremacy has shaped Portland's policies and practice today. They include policing and sentencing disparities in our criminal justice system, displacement of communities of color, and disparate access to public services. Nationally white supremacist policies including voter suppression laws, anti-immigrant family separation policies and the protection of confederate monuments shape our political landscape creating a climate where white nationalism can flourish. By contrast white nationalism is a bigoted social movement that seeks to create a white only ethnostate. Its supporters seek to build political power to achieve that ideological vision by implementing extreme racist anti-immigrant, anti-Muslim, homophobic and transphobic policies. White nationalists and aligned alt-right groups often have deeply anti-government ideologies making them a threat not just to vulnerable communities but to our democratic institutions. We find it troubling that while the vast majority of Americans reject white nationalists, according to 2018 data that Western States Center commissioned in a public polling scan from the Oregon firm DHM Research, 31% of Americans and Oregonians alike agree with a core tenet of white nationalist ideology that America should protect and preserve its European heritage. This speaks to the urgent need for leaders to send a clear, resounding message that bigotry will not be tolerated in our community. That hateful ideologies have no place in mainstream political debate, that the goals of white nationalists and other hate movements are incompatible with our city's goals of upholding inclusive democracy. This resolution is a laudable first step. Eradicating white supremacy and protecting our democracy from the threat of white nationalism will take long term commitment and resources from you and your staff but is certainly a task worth undertaking. White nationalism and white supremacy have been allowed to flourish in our national climate of rancor and division. This is an urgent challenge that we must face on a national level. We recognize it's not unique to Portland or our region, but this resolution and subsequent actions will be a model for the rest of the country. Western States Center commends your leadership for taking this step at the local level. Thank you.

Wheeler: Thank you. Appreciate your testimony. Good afternoon.

Eric Ward: Good afternoon. Mayor Wheeler, Commissioners thank you for providing us with this opportunity to testify. My name is Eric Ward, I'm the executive director of Western States Center. When I was a young teenager, I convinced my mother to give me this amazing t-shirt she had in her dresser. It was golden yellow and it had Oregon written across the front in green. I loved that shirt. I wore it literally until I wore it out. It was over a decade later before I realized that it represented the late '70s colors of the University of Oregon. That shirt made me feel that Oregon was a state that fit well with my tenacious, quirky but respectful and independent personality. While it would be more than ten years before I would actually come to Oregon, I take deep pride in the fact that in one way or another I have called Oregon my chosen home since I was a child. That is why I'm here before you today. I'm here to speak up on behalf of my home, Portland, Oregon. For nearly 30 years I have worked with governments, local community groups and national civil rights organizations, responding to bigoted movements who utilize violence and intimidation to undercut democracy and the rule of law. While discussing today how to challenge bigoted social movements it's important to remember that white nationalism is deeply rooted in dangerous anti-Semitism. In addition, white nationalism falsely promotes conspiracy that Jews, people of color, women, immigrants are responsible for the perceived threat to their goal of creating a white only ethnostate. The recent Tree of Life synagogue shooting in Pittsburgh where 11 worshipers were killed shows how deadly white nationalism can be

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when it is allowed to flourish. Where white nationalist rhetoric is allowed to be pushed into the mainstream hate and violence follows. While hate and violence is widely unreported FBI hate crime data for 2017, the most recently available, shows that hate crimes spiked 23% nationally making it the third rise in three years in a row. According to a recent report by the anti-defamation league, far right extremists were responsible for every extremist killing in the United States last year. The potent combination of bigotry and violence central to white nationalism is a serious threat to community safety. Sadly, our region has attracted white nationalists and other racist and sexist paramilitary groups. That is because of our history and because of our demographics, but also a challenge to Portland's reputation as a progressive stronghold. These include anti-government paramilitary groups like Patriot Prayer, the Proud Boys, Oath Keepers and the Three Percenters as well as neo-Nazis and racist skinheads like Northwest Hammer Skins. These groups seek to sow violence and mayhem in our community. They drain public resources, destabilize our public institutions and threaten the safety of the people of color, women, LGBTQ residents, immigrants and religious minorities. When people ask me as they often do why Portland has been such a nexus for these groups I'm reminded of a jarring moment from a Patriot Prayer rally. It wasn't an act of violence, it was a conversation between an alt-right activist and a bystander who asked him why he was there. His response struck me. He said, you can say you don't want us here, but you're doing something we could never do. You're getting rid of your black population. He undeniably had a point. While we, the city of Portland, must draw a clear moral line against hate we also must remember that one of the keys to our success is to address the underlying systemic discrimination that allows the alt-right, white nationalists and others to perceive that they are welcomed in our city. That's why I'm happy we're having this critical conversation. I commend you for taking steps with today's resolution to condemn alt-right and white nationalist groups and to affirm our city's values of equity and inclusion. This resolution is significant because it recognizes the historic and current harm and trauma that both white supremacy and white nationalism has inflicted on communities of color. The resolution unequivocally rejects the organized bigotry seeking to exploit intolerance and undermine the safety and stability of our communities. It affirms our city's commitment to dismantling white supremacy in our city's policies and practices and it commits to critical next actions providing training for city staff to up understand the growing threat of bigoted social movements. We hope this resolution can be an example to other communities around the nation. We look forward at Western States Center to supporting your leadership in any way we can to implement these goals. Together we can ensure that bigotry has no place in Portland. I thank you all for your leadership today.

Wheeler: Thank you Mr. Ward for being here. We appreciate it. Good afternoon.

Bobbin Singh: Good afternoon. Mayor Wheeler, commissioners, thank you for having me here today. My name is Bobbin Singh, I'm the executive director of the Oregon Justice Resource Center, which is a statewide nonprofit that provides legal services to currently and formerly incarcerated individuals and also advocates for systemic reform. We believe mass incarceration including over incarceration, mass conviction and wrongful convictions is in fact the greatest civil rights crisis of our time and that we must all take ownership of it. Importantly through our work when we openly acknowledge how institutional racism and shameful legacy of bigotry and prejudice of our past connect to our current policies we quickly understand that we continue to sustain the operation of a discriminatory and wealth sensitive justice system where those at the margins are always in the crosshairs. This sickens our communities, our state and our nation. Until we recognize and accept this great line that exists from our justice system to white supremacy and allow the terms of our debate to be shaped by what is politically possible we'll only continue to take tiny steps and call them major. Unless we're willing to unapologetically stand up and support those who speak out for racial justice and equality we will continue to foster a culture in which

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black, brown and the other will always be brutalized by the justice system. Unless we're willing to confront this racism and bigotry directly we'll continue to bear witness to the senseless harassment, terrorizing and killing of black, brown and the other. Unless we're more courageous we will continue to experience the type of heartbreak our community experiences because of the belligerent acts perpetuated by those hate and paramilitary groups who desire to intimidate, push out and terrorize our fellow community members under the ideology of white supremacy. The silence, timidity, complacency from our elected leaders are far more destructive and toxic in our society than anything else. We must speak out. We must act with greater desperation. There's now very clear right and wrong side to all of this. History will not look kindly on those who have the power to intervene but are choosing not to take real meaningful interaction. Moreover we must abandon our adherence to incrementalism which has resulted in profound failure. We're currently fighting the same fundamental battles that we were fighting during the mid 20th century. There is a broad awakening and soul-searching happening in this country to racial justice issues and we're currently involved in a ruthless fight nationally and locally in defining what is America, who is and who is American. There are those who are pushing for narrow and exclusive definitions either outwardly under the rhetoric and ideology of white supremacy or responding through silence and inaction. We must not remain silent in this fight. We must push for the most generous and expansive definition of those who are included and embraced now our community. We must unapologetically lead with the values of compassion, dignity and respect that ensure as we navigate through this conversation that we're always protective of individual rights and liberties. In this moment in time we must openly acknowledge the harms that we have caused and our failures to so many in our communities and act with urgency on that awareness. I want to be clear. Many communities have never, ever known what it means to be included and fully embraced by Oregon and have suffered profound trauma and with recent events we're forced to accept a harsh reality that has existed for so long and is now in full display for all to see. The legacy of white supremacy and other ideologies of hate that perpetuate systems of power and control over minority and marginalized populations are entrenched in all layers of our government and we must now navigate through that collection of trauma of unbearable magnitude that will take time to fully heal. One of the greatest forms of privilege and oppression is telling a segment of the community that the advancement of their rights and liberties may be disruptive to their political agenda or to a political agenda or career. To that end through this resolution I commend your affirmation of the city's value of equity and inclusion and the recognition of the harms and traumas experienced by so many in our community. The city's condemnation of white supremacy, alt right and white national hate groups is a powerful first step in moving an important conversation forward. The importance of elected leaders in our city to send a clear and unambiguous message that openly acknowledges the harms caused by white supremacy and groups that profess to advance this ideology cannot be overstated. The significance of giving recognition to the experience of so many so often ignored is a profound first step towards reconciliation and reparation. The complexity of the problem before us is great and that will require complexity in our solutions and our thinking and I'm here today to affirm our commitment to working with the city in identifying and implementing concrete and holistic next steps that will work to dismantle white supremacy in our city's policies and practices. Some may say the resolution is nothing more than lip service or an empty gesture. I disagree. There's a difference between empty gestures and symbolism in this instance words matter. In this instance symbols matter. This resolution absolutely matters. You have to tell the truth before you can get to reconciliation and culturally we have done a terrible truth telling in this state about our history of racial inequality. This resolution is a direct response to the absence of truth and the silence that is haunted us for too long. We look forward to working

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with you as partners as you move forward and I sincerely thank you for your leadership on this issue.

Wheeler: Thank you Mr. Singh, thank you all three for being here. Appreciate it. Nicole mentioned the second panel is Allan Lazo from Portland united against hate and the fair housing council, Maria Garcia from new Portlanders policy commission, and Wajdi said, Muslim education trust. Thank you for being here.

Allan Lazo: Good afternoon, mayor, commissioners. Welcome, commissioner Hardesty.

Hardesty: Thank you.

Lazo: Thank you for having me. My name is Allan Lazo, I'm the executive director of the fair housing council of Oregon. We're a private nonprofit civil rights organization whose mission is to end housing discrimination and ensure equal access to housing opportunity throughout the state. I'm here today speaking on behalf of Portland united against hate, a coalition of more than 65 community based and civic groups working to counteract hate in the Portland community. These groups represent many communities most impacted by the current rise of white supremacy and white nationalism today. Our coalition already has brought forward a letter of support that I'll give to the council here thanking you all for your leadership in working to end hate in our communities and condemning rise of white supremacy and white nationalism. Coalition members as you know were here just last month reporting on the work we have done in partnership with the city and the office of community and civic life so you know the investment that already has been made in our community based hate incident tracking tool and the numerous community led resources that have been created and deployed to combat hate in our city. Portland united against hate coalition members already are equipped to respond to, interrupt and importantly prevent incidents of hate in our community. Our coalition and our numerous community members continue to stand ready as your partners to work together to create policy that changes and addresses the city's role in combating white supremacy today. We applaud the efforts to empower our city's employees with necessary knowledge and training to create a Portland that embraces safety and belonging for the diverse members of our community. From my perspective in a civil rights organization that's rooted in racial segregation and discrimination in housing I particularly applaud the language in the resolution acknowledging our government's role in the systemic and institutional history of racism in housing that took place across the country as well as right here in our city. These past institution practices again many brought forth and upheld lawfully by government jurisdictions have their roots in white supremacy. That environment also manifested itself during historical times of rising white nationalism in this country. We think about these once legal institutional practices as long gone now. Maybe legal 50 years ago through the fair housing act that we commemorated together last year. Yet they have created lasting legacies of racial tensions and disparities in our communities. The intentional racial segregation and denial of opportunity of these long past policies continue to echo today in areas as far reaching as racial wealth gap, educational achievements and violent and deadly encounters between law enforcement and communities of color across the country and right here in Portland. Further, institutional and systemic practices and policies serve to reinforce hate that spreads to the personal level to that on the street level. We have a history as a city and a state that literally intended to separate us. We have groups coming into our community intent on dividing us with hate, but we are thankful today for your statement that we will stand together, united against these historical and systemic forces, united against today's hateful forces to say that together we will not tolerate hate but stand together united in peace, respect, inclusivity and equity.

Wheeler: Thank you Mr. Lazo we appreciate your being here.

Maria Garcia: Buenas tardes. Thank you, mayor wheeler and city commissioners representing our board. Welcome, commissioner Hardesty. My name is Maria Garcia, I am

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a woman, immigrant business owner and one of the three co-chairs of the new Portlanders policy commission. Because my leadership is rooted in community organizing I believe in the values you have listed in this resolution and the language of them being rooted in peace, respect, inclusivity and equity, but I cannot say that is because of our city's strength and diversity. I must tell you that I am also a member of the activist community and I advocate for immigrants and oppressed people throughout Portland and surrounding communities including incarcerated Latino men in high security prisons all over Oregon. I have found it hard to promote values listed in this resolution when engaging with city of Portland. I have witnessed the lack of dignity and value placed on community members seeking resolution for their experiences. I have witnessed violence and rhetoric used to deflect from accountability by the very agencies and leaders who stand up and speak of the terms and values of equity and inclusion. I have sat with members of the city who have spoken for hours about the need for civic engagement and support and education in all sectors of the city business and management only to be rejected when they push towards the due process. This city doesn't have the answers. None of us really do. We have to truly want to be inclusive to add texture for this type of resolution. A community partnership takes an established and community effort to unite and build. It's time for us to engage in our neighborhoods and develop relationships that matter. Our children need this and we need this for our future. I like the idea of a resolution against white supremacy and alt-right hate groups but it doesn't make me feel any safer. As an advocate for incarcerated youth and Latino men I assure you many white supremacist individuals exist everywhere including the judicial system, county jails and state prison. Severe punishment and tougher crime laws are not working as we expected, measure 11 is a clear example, personal experience has revealed this problem is worst at prison. It has gotten so bad that people segregate. White with white, black with blacks, Latinos with Latinos. We had riots of more than 200 people inside a high security prison in Salem due to racism in 2016 and 2017. Being a Mexican national, a victim of the first attack. I know this is a fact because I advocate for him. What does this say about this community? About us? About our safety? The moment we convicted people with racist beliefs that have committed hate crimes they are going to socialize and strengthen ties with their peers in jail with similar beliefs and even recruit innocent ones that will be joining out of fear just for survival. Eventually these individuals will get released and commit hate crimes and continue recruiting more people. We need cohesive solutions, addressing inside the city but inside county and state prisons. Addressing racism from inside the walls also needs to be a priority. I ask city council to work in partnerships with county jails and Oregon department of corrections to make sure these individuals receive attention needed implementing perhaps a [audio not understandable] like other states. Also this resolution can't make any of us safer if we cannot even discuss what happened in August of 2016 to a child in the city who has not been the first nor the last. He happened to be the one we quickly forget. The one whose name should also be listed in this document. I will say his name on the record and extends to the council that when we speak of a solution against hate that we should make sure all of us are partners in making it work. Lanell Bruce mattered to this community and was killed by white supremacists publicly and without remorse. Please say his name and stand up for all communities affected by working more selectively towards a better Portland, but by holding leaders accountable, providing resources to people committed to this work. Gracias.

Wheeler: Thank you, we appreciate you being here today. Good afternoon.

Waji Said: Good afternoon. Respected mayor and respected commissioners, congratulations commissioner Hardesty, I am really glad today growing up with nine sisters to see a measure to woman in city council. I'm very thankful for being here today. My name is Waji Said I am a member of the Arab American community and American Muslim

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community, I'm a member of the new Portlanders policy commission. More important as well a member of the beloved community. According to Harry Belafonte he says that all those liberties may have been abolished, the crippling poison of racism still persists and the struggle still continues. According to my teachers saying that racism comes in many different forms. Sometimes it's a subtle and private and sometimes it's public and overt and sometimes it's violent and sometimes it's harmless, but it's definitely here. It's something that I think we are all guilty of and we have to make sure that we deal with our own personal racism in the right way. Racism stinks, xenophobia stinks, bigotry stinks, hypocrisy stinks, islamophobia stinks. Whatever our race, religion, color we must stand in solidarity, change coats with our institutions and speak loudly and passionately against racism of all shapes and all forms. Our constitution states we're all one nation under one god. It also states that we are created equal and no one person bears superiority over other. This is the opposite of what supremacy stands today. The very ability of white supremacy has been since the slavery, since indigenous ethnic cleansing, stands against everything that this country or these founding fathers and mothers have created. It is inherent racism and culture of hate lie against the very principles on which this nation and this great religions were founded. It is time that we, the people, reclaim our narrative. The narrative of humanity, dignified humanity. As humanity and revive our nation's founding principles. There is no black and white and there is no yellow and brown. There is only one color. That is the human color, the human race. Our dear beloved prophet Mohammed peace be upon him linked our humanity to one body. If one part of this body aches the rest of it rushes to help bring about healing and strength. We are currently aching within our homes, we're aching within our schools, we're aching within our city, we're aching within our state and within the liberal and conservative circles. It is easy for us to point fingers at conservatives but really we are all guilty. Each and every one of us we need to collectively act to bring about healing and unifying to our private and public squares. In a meaningful way and holistic manner over 50 years ago Malcolm X El-Hajj Malik El-Shabazz addressed the same issue. He says if you stick nine inches into my back and pull it out three inches that is not progress. That is not progress even if you pull it all the way out. That is not progress. Progress is healing the wound and America hasn't even begun to pull out the knife. That was over 50 years and here we are in the 21st century in 2019 having barely scratched the surface. I'll close with the following saying that Martin Luther King has said. Dr. King says, "I refuse to accept the view that mankind is so tragically bound to the starless midnight of racism and war that the bright daybreak of peace and brotherhood can never become a reality... I believe that unarmed truth and unconditional love will have the final say". Now is the time, my dear respected mayor, respected commissioners, now is the time that we do something boldly. I urge the city council today to proclaim a unified stance against white supremacy, against all of racism within city government once and for all for the safety and dignity of our city and once for all for the safety and dignity of our communities, our children and our humanity. Respected council men and women, it's very important that we come from the livestock into action and to a system of change to reform within our city government and city of Portland and the state of Oregon. Thank you for your bold leadership and thank you and may God bless you and bless your families and bless us all. Amen.

Wheeler: Thank Waji, thank you all three of you for your testimony. We appreciate it. Colleagues that completes our invited testimony, at this point Karla will open it up for public testimony. How many people do we currently have signed up?

Moore-Love: We have eight people signed up.

Wheeler: We can extend three minutes per person. I would ask people when your three minutes is up if you could please stop so I don't have to play microphone cop. Three minutes. You'll see the yellow light come on 30 seconds before your time is up. The red

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light comes on when your time has expired, thank you Karla the first three please. Has everybody signed up who wants to sign up? Karla, close the list, please. Good afternoon.

*****: Hi.

Wheeler: Thank you for being here.

Randy Blazak: Thank you, Mr. Mayor and commissioners. My name is Randy Blazak, I'm the chair of the Oregon coalition against hate crimes, the coalition has been in existence since 1997 as a coalition of community and local and federal and state government agencies to combat hatred and I have been spending a lot of time talking about the history of white supremacy in our state but today in my brief time I would like to talk about the impact of hate on our communities not just hate from things defined as criminal by our state intimidation statutes and federal civil right laws but things that are legally protected by the first amendment that go on as hate incidents. What we know from the research is that the impact of hate is wide and there are ripples of hate. We know the victims of hate experience greater psychological trauma than normal crime victims and normal victims of negative social interactions including longer depression, more likely to change their behavior, more likely to experience fear and higher rates of depression and they experience those incidents much differently than normal victims of crime. But on the second way are the members of those communities who also experience waves of anxiety that they might be the next targets. There's a ripple effect that goes beyond the immediate victims and the targets of that hatred where those folks experience greater levels of anxiety including changing their behavior patterns and may be afraid to go out. They may be afraid to exist in the state and then the next wave of impact is on neighboring communities, other marginalized communities who feel they may be targeted as well so there's this incredible ripple effect that flows out through the communities and communities begin to suffer. Those communities expand over physical space but also across time. Those things that happened 30 years ago can be discussed by those communities like they happened yesterday. There is a real similarity with posttraumatic stress syndrome around these issues of hate that exist and people are constantly reminded by stories in the news or other incidents that happen to other people that raises those anxiety levels. Lastly the place itself becomes stigmatized by those incidents of hate. Can you say laramie, wyoming, or jasper, Texas, without thinking of the crimes that happened there over 20 years ago, similarly Portland Oregon because of the death of Mulugeta Seraw and the incident that happened on the max in 2017 have been associated with these crimes. I get regular calls from people outside the state, can I be safe in Portland Oregon, can I be safe in a place where the alt-right marches, where these horrible crimes have happened, is this a welcoming place. Those impacts are far and wide, this isn't a normal social interaction, this is something that has a neutron bomb effect on communities. So it's really important to send a very clear message out that these values are not the city's values. I want to be here as a representative of the coalition to commend the work that you're doing and the importance of sending this message out far and wide about the importance of saying we are a welcoming place and we don't agree with these things that have happened in our community that have characterized our community. Thank you for your work.

Wheeler: Thank you. Good afternoon.

Dacia Grayber: Good afternoon. My name is Dacia Grayber. I have been here before as a labor advocate for equity and inclusion, but today it's different. I'm here today as a student of homeland security at Concordia university where I'm currently doing my capstone on white supremacy, extremism and proliferation in the Portland metro region. I have spent the last two years immersed in the studies of groups and individuals in our region, some of whom are in this very room today. So it is an honor and a privilege to be here today as this council declares a bold and courageous path to acknowledge the racist history and structures in place in the region and more importantly to forge a path forward and commit

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to exposing and ultimately eradicating white supremacy extremism. Where there's a will there's a way. As others have mentioned in 2018 all u.s. extremists murders and violence were at the hands of far right and white supremacy extremists. In that spirit, I would also urge the council to recognize that while we have groups that foment hate and exploit our differences the majority of deadly attacks are at the hands of what has historically been called the leaderless resistance and lone wolves. This ideology dates back to Louis Beam in the 1980s the man who inspired Timothy McVeigh and the Oklahoma city bombing. Hate groups provided the rhetoric and provide the Rhaetic, but is individuals who act. To this end I look to leadership of this city council to empower all organizations working to interdict and end white supremacy extremism even where that makes us uncomfortable. I hope we can strengthen the bridge between law enforcement communities, our intelligent community, academics and community activities and advocates. Perhaps this means finding a path to focusing a partnership with the jtff on the real terror threat facing our communities, white supremacy extremism. Thank you again for the opportunity to speak on this historic and heartening day. I applaud your initiative and work and look forward to forging a path together to adjust an inclusive city and region free of hatred, fear and intimidation. Thank you.

Wheeler: Thank you. Good afternoon.

Shedrick J Wilkins: I'm shedrick wilkins and I think that racism, sexism and homophobia are a form of mental illness. I think if you all these lines of thinking you won't be able to think rationally. I think we have inventors in history that tend to be white so people associate white people with great things. That's not true at all. Nasa has scientists of different races and colors and sexes. So also I do believe that racism will lead a person to forms of violence eventually. The reason I want to hear a racist talk is I want to know where it comes from and where he gets these ideas.

Wheeler: Thank you for your testimony. Next three, please. Do you want to start on this side, please?

Joey Gibson: My name is Joey Gibson, founder patriot prayer. I have a brown daughter, I have a white son. I believe they are both equally beautiful. I believe they have a great future in front of them. Anyone who would make my daughter feel less of a person because of the color of her skin or my son feel less because of the color of his skin is a horrible thing. I'm here to denounce all forms of white supremacy and hate. With that I'd like to read from Corinthians "love is patient and kind, love does not envy or boast. It is not arrogant or rude, it does not insist on its own way. It is not irritable or resentful, it does not rejoice at wrongdoing but rejoices with the truth. The truth. Love bears all things, believes all things, hopes all things and endures all things". I think it's great to denounce white supremacy and I think that looking at this resolution there's a lot of the word hate in it a lot. It's about what you are against which you denounce but I think you have to have a solution. I do believe the solution is love. Without a doubt. You cannot fill in a dark room with more darkness and more hatred we have to bring love into it and I do believe the answer is love. If you are serious about attacking hatred and fixing that problem that you have in the city of Portland, there's one fact that we all have to admit. Hatred doesn't care about the color of your skin, it doesn't care about your gender, your sexuality, it doesn't care if your republican or democrat. It doesn't matter if you're liberal or conservative. It wants to infect every single person in this world who allows it to happen. Unless we can admit no one is immune to hatred, it doesn't matter if you are conservative there's a problem with hatred with conservatism, and patriot prayer, there's been a problem with hatred with liberals and democrats, communists, antifa. It's a problem, I see it and I'm just as guilty as anybody else and I think that that's something we have to talk about and we have to admit the fact that hatred is not just about racism, it's a form of hatred is what racism is. I have seen hatred get out of control. I know I made a lot of mistakes in the city

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of Portland. I stand by my decisions but I do believe we have to admit the fact that hatred is going to infect every single person who allows it. I appreciate you bringing this to the forefront and bringing this out for people to have the conversation.

Wheeler: Good afternoon.

Steve Drury: Good afternoon.

Fish: Can you lean forward so we can hear you.

Drury: My name is Steve Drury, I have been in and around Portland all my life and I remember severe racism. You know the guys with tats on their neck, the scary looking dudes with all the 7s? To me that's a pure racist. Now, I was sitting on my can and I heard about this racist guy and he was going to speak at Clark College so I jump up out of my chair like a citizen. I'm going -- I'm going to beat him down, but I got to know him. There's not a racist bone in that man's body right there. I don't see how anybody could condemn him of any such thing. Once you get to know him. Are you that afraid? I wasn't. Maybe just a little. I was going into a den of racists. I was going to die. This is what I met. Nicest guy in the world. Two kids. Home. Business owner. Just a regular Christian guy. Bible and his family. What I did find out is it gets on his nerves when there's masked criminals running around Portland. You're allowing it. That's what gets on his nerves. Yeah. Look at me. I'm looking right at you. We know you're doing it. We know this is what this is all about. What, has antifa scared you that bad, ted? Really? They don't scare me, I got tape. Come on let's go on a walk. We can pray. Have about 500 jackasses pushing you, spitting on you because you want to pray? Well, where is freedom of expression. I can see your point about racist, we don't want racism. That's been dead in Portland forever. I don't see it like I did. Okay? It was all over. 30 years ago Portland was completely full of it. Portland has done a real good job getting rid of it. I don't live here every day, okay? Forgive me if I don't see it, but here's what I do see. All kinds of people show up to rallies. People they have never met. They buy a patriot prayer shirt online and come out and start cussing at people. I really think the content of a man's character is way more important than branding someone patriot prayer so you're thrown out of Portland. How about we take each individual by their actions. He was saying somebody was racist and said something. Let's hold that person accountable. We have no clue who shows up in black masks. Are you going to hold everybody accountable? No. Take one individual. Thank you.

Wheeler: Good afternoon.

Nicholas Carroll: Thank you, mayor, commissioners. My name is Nicholas Carroll, I'm a city employee, but I'm on my lunch break, speaking personal experience. This is very personal for me, so I thank you for this resolution. I'm a product of a mixed race marriage. My dad was a white man from Kansas. When they joined the air force in the Vietnam war they stationed him in Thailand where he met a Thai girl, they got married and had three children. They celebrate their 50th anniversary in December this year. They proved that love does transform boundaries of cultural and race and religion. So I participate in some of these rallies and some people ask me why I do it. I think commissioner Saltzman had said in a meeting last year that if we didn't show up -- if the counter-protest group didn't show up they might get tired and not come to Portland any more but a week after Charlottesville massacre, there was a rally in Boston where white supremacists showed up and there's famous picture where there were 50 people huddled in a gazebo in a park and 40,000 Boston people showed up on solidarity with people of Charlottesville. Last week in my hometown of Stone Mountain, Georgia the white supremacists had a rally, Stone Mountain famous for the klan burning crosses on top. The white supremacists canceled the rally when the anti-protesters showed up. So as one who has participated in these events like the August 4th one was the most intense, and it's kind of disheartening some of the tactics that the police use to feel like it's used against citizens of Portland. We're defending our city from these people who do not live and work in Portland and we feel they

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are draining the resources of police department. There's so many things the police can do that's good for the city and they should not have to spend over time dressed up in riot gear baby-sitting these two groups from attacking each other. I think people hate speech is not protected speech. They should pay for their own security. It's draining the city's resources and it needs to stop. I don't want another summer like the last two we had. I think we're better than that, but I thank you mayor and the commissioners for what you're doing. Thank you.

Fish: Thank you very much.

Wheeler: Next three, please.

Moore-Love: The last two who signed up are robert west and jessy west.

Jessy West: Hi, my name is jessy west. I'm mixed, I'm half Mexican, half white. My dad here is robert west and my mom is Mexican. A lot of people like antifa -- I have seen some officers say my dad is racist, all that, right, but the same people that say he's racist are the ones doing racist stuff to me. Any of you know officer simpson? Arrested me a few years ago for no reason a few years ago. I was in booking for ten hours. They released in we no charges or nothing because I did nothing illegal.

Wheeler: I'm going to ask you to keep this to the resolution at hand?

West: Oh, yeah, yeah. What I like -- you guys want to stop racism, but my belief, stop racism, I'm pretty sure a lot of it happens parents teaching their kids, this is what you do, this is not what you do. There is some officers that are racist so how can you stop racism on the street if you can't stop it by having a parent -- racist parents teaching their kids racism. Those kids grow up learning that. I grew up in Portland. I'm 23, I'll be 24 soon. I lived in Portland 20 years of my life. I ran into six racist encounters. Two of them by officers, four by civilians. You know? My dad gets along with patriot prayer. If they get along with him i'm pretty sure they are not racist. Nazis don't get along with people that get along with another race. My dad has a kid with a Mexican. To be honest when my dad first married her she used to be illegal. She got her paperwork, she became a citizen, she's a law abiding citizen, she's a Christian. If you met her you would respect her. Everyone that meets her respects her because she always treats everybody with respect. A lot of my family they go through a bunch of racism, a lot my friends and it's not just from civilians, its from police too, but I'm not saying all police are racist, not all of them are racist, I seen some good police officers, I've seen some bad ones. Just like civilians, there's good and bad civilians, but I believe a lot of the racism gets taught down by the parents teaching their kids their racist ways. I believe it should stop. I have been attacked over racism stuff. Stuff like that. My dad has been attacked verbally. I don't agree with racism. I don't like see skin color like black, yellow, white because my opinion is still racism because you're saying a person by their skin color. There's people, I have a roommate he is african-american citizen now he was originally from Africa, from Ethiopia. I have friends that are Mexican, I have friends that are friends that are Asian, I have friends that are islander, I have friends of all races. I don't say I have a brown friend, I have a yellow friend, I have a white friend, I have a black friend. I see them by their races, if you mention it by the skin color that's when it starts becoming racist. When you start naming them by their ethnicity, their race, it's not really racism because that's their race. That's who they are and you should be proud of who you are.

Wheeler: Thank you.

Robert West: Yes, my name is robert west and lately I've joined the patriots of prayer. I don't consider the patriots of prayer racist. I met joey gibson, talked to him several times. He's a christian guy. He may not have the same beliefs and philosophies as other people, but he stands by his beliefs. Under the u.s. constitution, regardless if you like it or not people have a right to their beliefs. Okay? I don't like the resolution and I'll tell you why because there is nothing in this resolution that says what a racist is, what a racist group is,

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what an alt-right group is. Who is going to make that determination? Does city council make that determination? Does the police make that determination? Does the state make that determination? What is a racist group? What is an alt-right group? That's what I'm curious about. Do you guys consider patriot prayer alt-right? Do you guys consider the proud boys alt-right? Do you consider the hammer skins alt-right? So the question is, who is going to determine what these groups are? Okay? Second of all, you need to determine if it's a gang you're looking at or an individual? If they qualify under a gang, if you say, okay, this resolution is against gangs, then you need to determine what a gang is. Under the ors, five people committing a crime can be considered a gang. So the question for you guys is like I said it was poorly wrote up because no one knows and no one has any authority as to who is alt-right and who is not. You know? Can any of you guys say for a fact that patriot of prayer is an alt-right group? Okay. What if they say we're not an alt-right group? Okay, who is there to make that determination? Yeah, you're an alt-right group. Who is going to make that determination? It's a nice resolution, wrote up to make Portland look good and we're against racism, but it has no authority whatsoever. It's like, you know, Portland police have a gang unit. Okay, they have one officer that's assigned to white supremacist organizations. They have 40 assigned to --

Wheeler: Appreciate it. That concludes our public testimony for the day. Thank you. Any further discussion before we call the roll? I just want to make one point of clarification. The last testimony we heard does not apparently reflect anything that is actually in this resolution. I want to just be very clear about that. Karla, please call the roll.

Fritz: So it's both my challenge and my honor to bring us back to why we're here. I want to remind us all about Nicole grant's speech at the beginning of this hearing and how very moving that was. I appreciate very much your work on this resolution along with Asena Lawrence of commissioner Fish's office, Cynthia Castro in my office, Winta Yohannas in commissioner Eudaly's office, all women of color who have experienced this on a daily basis for as long as they have been in Portland as well as Derek Bradley in commissioner Hardesty's office. Thank you for helping us understand what would be helpful and putting in words some of the history that we need to acknowledge that we are acknowledging today because yes, there are lots of hateful people in Portland and in our country, and yes, there's a great need for us to unite and emphasize love. And we have to recognize history of this city and of this country and of white people nationwide, worldwide. I'm not proud of many of the things that my ancestors did being from England and the colonization, the slavery, the invasion of this country, the annihilation of the native American people. I'm not proud of any of that and I'm sorry for all of them, I'm sorry for what has happened in Portland over the last 200 years. It's up to us to acknowledge these hurts and they are not the hurts of yesterday they are ongoing hurts. There's ongoing lack of wealth for people of color in Portland because of not being able to own property in the right places or keep property because of not being able to get education and jobs, because of having higher incarceration rates, poor health outcomes. All the things we have been acknowledging actively since 2010 when mayor Adams and I heard the community and decided to move forward with establishing an equity program within the city of Portland, to change the way that city of Portland, the 6,000 people who work for the city of Portland acknowledge and understand and work to make reparations on the hurts that have been done by the city council in the past. We're not nearly where we need to be. Our community is not where it needs to be and our community is so divided with all of the horrible things that are happening both in our country and worldwide. That's why we have to come together to unite, to say what we do believe in and part of what we do believe in is that this pretense that racism doesn't exist or because I have an x as a friend or family member therefore I'm not racist, we need to acknowledge and correct and move forward. I particularly appreciate this resolution is not only a statement of our values, it's important to state our values, and

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it's important that all five of us have been a part of creating this resolution and that we are all supporting it today. We have community advisors in many different places in the city who do us the honor of for giving the fact that we haven't done a very good job of community engagement in the past. We haven't necessarily included all communities. Now we have the new Portlanders policy commission and we have the human rights commission and many other citizen bodies who are willing to give us the council the chance to make amends and I appreciate that. Thank you to the human rights commission in particular who last year denounced white supremacist groups and reaffirmed the commitment dismantling structural racism in our city per the article of the united nations universal declaration of human rights. Thank you, Allan Laz, previous chair of the human rights commission, now from Portland united against hate. Thank you all the groups that have come together since fall of 2016 to make sure that we do talk to each other more, work together more and stick together more. I do acknowledge that some people may be concerned that this resolution is just empty words. If you go to the 1900 buildings where the bureau development services is, look at the placard honoring former city employee and army veteran rick best who was killed standing up to hate during a max incident nearly two years ago. The placard reads I can't stand by and do nothing, neither can we and we won't. Aye.

Fish: Well, I got up a minute ago and made a phone call because something popped up on my phone and today we announced that a very distinguished candidate for a high city office had accepted the position. She's the deputy commissioner for parks and recreation system in new york city, and a first in her class, if you will, youngest ever to be borough commander, first woman to the position. I think we give people a lot of latitude when they make comments but someone chose this moment to attack her based on what they perceived to be her race and her sexual orientation. As I said to the reporter, even by the loose guidelines of your newspaper you need to take that down. It's not in the public record, it's not appropriate and it's just completely inappropriate for someone to write such a thing. So if we need a reminder, and I don't often look to the comments section of the newspapers because I think that's in the area that sometimes operates below the sewer, it is where some people anonymously allow, feel comfortable sharing things which I think give us something of a temperature of our times. This has been a long week for us and a week in which this council has stepped up and done some of its finest work. Here's a secret about this council, and it's been the same my entire ten years. We do our best work when all five members of the council are engaged and when we can build consensus. There's nothing particularly noble about a 3-2 vote or a closely divided issue. What I often conclude from some of the sort of more conflicted votes that we have is that I wished in retrospect we had more time to build consensus, which is always within our reach, but it takes the time and the humility to engage people's perspectives. When we do that we get to a better place, I'm extremely proud to be on a council that's going to vote 5-0 in support of this resolution. I gave my closing statement as an opening statement so I won't bore you with the speech a second time although it probably reads better the second time. I will say this. I listened very carefully not only to Nicole's beautiful statement and Nicole handles the hardest portfolio in the mayor's office and probably ends up getting the most crap on a daily basis of any staff person in the building. I think what she is hearing from this dais is how proud we are about what she did today and her comment and the way she spoke from her heart and shared her story. We can agree or disagree about issues that come before this dais, but we can also take a moment to be proud of a up public servant willing to come forward and share her story, I wish to acknowledge that. Here's in addition to thanking Asena lawrence, Asena would you raise your hands please who is my policy advisor and worked so hard on this resolution with each of our offices and staff, I have a special request. I think someday people are going to look back on this resolution and this moment

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and say that maybe and this is what I hope, we chose a different and novel path for how we were going to address a number of related issues in our community and many of the people who testified today have very strong views about how to deal with disruptions on our streets and the rise of hate groups and other things and have present add path different than some of the legislative fixes we debated in the past. I think people are going to come back and want to look at this resolution and here's the challenge. They are not going to find the testimony unless they look separately for the testimony because they have to go through another database, find the record, and by the way, people testified, a microphone, words get missed. It's not word for word as accurate as it could be so my request to Eric, Amy, Bobbin, Ala, Maria and Waji who today have shared with us superb testimony in fact one of the best presentations we have ever had, and you elevated the conversation so beautifully I would ask that each of you consider emailing your testimony to Karla so that your testimony can be made part of the record with the resolution. So that someone doesn't have to go find your testimony through some other database, so that forever the resolution will be married with your statements. I hope you'll consider that and my office would be happy to help, we would be happy to take simple Xeroxes if that's easier, but please don't leave without having your testimony memorialized as part of the packet because you've done something special today and each of you said something important and inspired each of us. Colleagues, I appreciate the way we have worked on this as we have this week on many other issues. I hope this is the beginning of a pattern in how this council operates. Aye.

Hardesty: You don't have to look far just to the comments section of any newspaper to find out whether or not racism is still alive and well in Oregon. In fact any time there's an article or an issue around race, you don't even have to look far in the comments to see the hatred, to see the white supremacist mindset of those who like to be anonymous when they write their hate speech. I am extremely proud of this city council because I made a request of the state of Oregon in July of 2017. That request to our state elected leaders was that they all sign on to a letter stating that we were opposed to white supremacist activity, hate groups, and the alt-right organizing in the state of Oregon. At the time that I made that request, I was told that most of our state elected leaders had signed on and they were just waiting for one more signature. Again that was July 2017. We're still waiting for that last signature to show up. That letter has never been finalized and published. I'm saddened by that because anybody that grew up during the civil rights movement understands what happens when we are silent in the face of hate, organized hate groups taking over our community. I'm proud of my colleagues because we were not all of like minds in the beginning but we worked hard to get to a consensus about what we would present today and what would happen after today because I don't believe anyone in this room believes that today is going to fix what's broken in our society. It won't, but I also want to remind you that as an african-american woman who is african-american 365 days a year and 366 on leap years, I can assure you that racism is alive and well in Oregon. I can assure you that today I feel less safe walking the streets of Portland than I have ever done in my almost 30 years here. I can tell you the vile language that I have seen people use to be derogatory against people who speak a different language, who look a different way, who came from another country has been more prevalent since the election of the current president than it has been in my entire time here. So where does leadership come if it doesn't come from the top? Certainly doesn't come from Washington d.c. today, but it will again. I want to remind people that hate crimes happen every single day in the city of Portland. Many of us remember may 26, 2017, because that was the day jeremy christensen stabbed two people to death and injured one severely. How many of you remember what happened the day before? May 25th, 2017? When demetria hester was attacked by jeremy christiansen on the exact same max line at the same time of day. She was not believed. She was not

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considered a victim. She was not treated like you would expect someone to be treated who was a victim of a hate crime. I ask you, what would have happened had she been treated like a victim and Jeremy had been arrested and held somewhere? I know for one thing he would not have been on the train on May 26th. Portland has a lot to make up for as it relates to racial reconciliation and today is the beginning of that process. I want to take this moment to really appreciate all my colleagues, the mayor's office has taken the lead on this, but every single office has been involved in this resolution, and you have my commitment today that this resolution is the beginning and not the end of a process. It's the beginning of an acknowledgment that we have a lot of work to do in this community and that we as a city council are willing to stand with our community and make sure that this community is really a place where people are safe regardless of who they are and what their skin tone is and where they were born. Pleased to vote aye for this resolution.

Eudaly: Not every bigot is a racist but every racist is a bigot and this resolution is hate in all its forms which you would know if you read it in its entirety. It specifically calls out white supremacy and alt-right organizations for the simple fact that far right wing extremists as Eric noted earlier are responsible for all of the extremist killings in 2018 and most of the killings in the previous decade including in our own city. I want to take a moment to talk about white silence. I want to give a lot of white people the benefit of the doubt. I think a lot of people don't want to misspeak. They don't want to speak on behalf of community members who they do not represent. They don't want to bring up unpleasant topics. They don't want to cause more harm by repeating hateful language, but silence isn't neutral. Silence makes us complicit and as Audrey Lord said, your silence will not protect you. It certainly doesn't protect the very people that we're here today to stand up for who are targets of hate and racism in our community. I have to point out that this week we passed an item that was somewhat controversial, a settlement with a former Portland police officer who made unforgivable racist remarks and three sergeants, all white, one lieutenant, stepped up and called him out and held him accountable and I want to once again commend them for that. It's something all of us should do as a normal matter of course but it's not something we hear from the police bureau every day. Colleagues, today I'm reminded of the passage of the welcoming inclusive sanctuary city resolution early 2017 although this is certainly a more solemn and respectful occasion, at that time we knew it was not enough to simply pass a resolution yet it was clear that council needed to speak with one voice about our shared values and commitment to protecting our immigrant and refugee communities. That resolution helped lay the groundwork for meaningful action and we're in a similar place today. In light of escalating violence and threats to our communities we need to explicitly reject white supremacy in the many forms it exists. Today's resolution is simply one step in a series of actions council has taken and will continue to take as we seek meaningful remedies to individual and systemic racism. I'm proud of the city's partnership with Portland United Against Hate, which has grown to a coalition of 65 community based organizations and neighborhood groups. They recently launched report hatepdx.com, where community members can access a reporting tool, training opportunities and resources including counseling for individuals who are targets of hate speech and crime and connection to other advocacy networks. I look forward to continuing to work with the coalition. Many of us on council are already integrating anti-hate policies and practices into the work of our bureaus. For example Pbot's walking while black focus groups have informed the bureau's understanding and commitment to increasing safety in the public right of way for black residents who as Nicole Grant shared at our opening have to move through public space with awareness and caution that the majority of us do not. In civic life we're taking a more holistic approach to our conflict mediation work because we recognize interpersonal conflicts are often a reflection of larger societal issues we're investing in our community's ability to better understand race, immigration and other

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challenging topics through our newly formed civic dialogues program. White supremacy is a public safety issue and a national security threat and a clear understanding of the magnitude of that threat should drive our decisions about where and how we invest our resources. At the federal level I was disappointed to learn that the DOJ and FBI backed away from aggressively tracking and addressing alt-right extremism for political reason in 2009. I'm proud to be a member of a council that doesn't shy away from addressing white supremacy head on and look forward to helping to craft and support the policies that will emerge as a result of this resolution. I want to thank everyone, almost everyone who testified today and the community members who continue to show up to help us create a more welcoming and safe city for all. Finally I want to thank Winta Johannes as well as my colleagues and their staff with a special thanks to Nicole Grant and Asena Lawrence for their work on this issue. I vote aye.

Wheeler: Colleagues, I'm sure we have all heard the concerns that this resolution is purely symbolic. We have also heard that this resolution will ultimately change nothing. In truth I have to confess that's been a concern of mine as well. I know that some of you have been struggling with this issue. Why support it then? Why bring this resolution forward? White supremacy is fed by silence and complacency which naturally results in complicity. Silence on almost any issue is almost always noted. I have spoken out against hate before, of course, and made it clear that I don't see a place for hate or divisiveness in our community. When I have said that, however, I haven't been standing by my colleagues and communicating that message as a unified city council voice. I'm doing that today. What does it mean for our community to come to grips with its shared discriminatory history? What does it mean for a majority white institution to denounce white supremacy and white nationalism? What does it mean to finally have the first black female commissioner on this dais at a time when the federal administration continues to pedal racist and exclusionary attitudes to its base? The alt-right continues to grow bolder by the day with increasingly violent activity. We all share power on this dais, and we all share power in this community. Collectively our silence on these issues is damning and it only provides fertile ground for hate to flourish. Communities of color should not have to wait until white people have been educated by friends or colleagues and they shouldn't have to wait until white people have a person of color in their families before recognizing and taking action against the insidiousness and immorality of racism. People are now emboldened to express hate, spread fear, and do harm against those who simply look different from them. As elected official, I believe I and I believe all of us on this dais have a moral obligation to speak out against white supremacy and white nationalism and stand together with all Portlanders. In 2018, as you've heard, every extremist murder had ties to far right extremism. In other words, the facts back our rhetoric on this resolution. If last year according to the anti-defamation league was the fourth deadliest year for domestic extremist violence since 1970, what can we expect for 2019? What does it mean for our city often referred to by the national media as the "whitest" large city in America. What does this mean for a community trying to live up to progressive ideals oftentimes missing its own blind spots while coming to terms with its racist past and present? It means that because we operate as a deficit of perspective we have more work to do despite our good intentions. It's a fundamental recognition that we have to prioritize these issues because our demographics and history skew towards disenfranchising and disempowering communities of color that have been unable to benefit from our city's progress. This resolution matters because there is a clear connection between language and action. We're seeing this play out on a weekly basis where the hateful words of those in power galvanize the hateful actions of those who follow them. Words do matter. They have an impact because they fundamentally reflect our values as Portlanders and as Americans. Several of us on this dais are still learning and coming to grips with the ways in which our

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own actions and policies may unintentionally reinforce white supremacist structures in our city and still we are united and determined in rebuking white supremacy and racism. Yes, words do matter, but words that are never spoken also matter. Now is the time for us to speak loudly and clearly about what we value as elected officials. We were elected to ensure the well-being of this city and its residents. This resolution provides a clear signal to people of color that we are on your side and we will do everything that we can to ensure your safety and honor your dignity as human beings. This is not a silver bullet but I'm hopeful that this resolution is a start and it's followed by meaningful, determined action. In closing, Nicole, as always, you have stepped up. You have allowed yourself to be vulnerable in a public space. You have spoken truth. You've spoken your truth that it reflects the truth of so many people in this community. I just feel honored to have you as part of my team and I want to thank you in particular for the work that you did on this resolution and the work that you did to bring the community together to help make this a reality today. I want to thank Asena Lawrence from Commissioner Fish's office who worked hand in hand with Nicole to make sure that this would be a reality and my other colleagues have indicated, there was not a single person on this dais and not a staff in this building that was not actively engaged in this resolution. That's how seriously we take this issue. Thank you all. I want to thank my colleagues. I vote aye. The resolution is adopted. [applause] and there being no further business today we're adjourned.

At 3:37 p.m., Council adjourned.