



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **19th DAY OF JUNE, 2019** AT 9:30 A.M.

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

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

Item Nos. 587 and 595 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		
578	Request of Roberta Palmer to address Council regarding a new revenue source to help fund affordable housing, education and other pressing needs (Communication)	PLACED ON FILE
579	Request of Chris Wallace Caldwell to address Council regarding Human Rights Commission update and review of human rights concerns (Communication)	PLACED ON FILE
580	Request of Crystallee Crain to address Council regarding Human Rights Commission update (Communication)	PLACED ON FILE
581	Request of Kohel Haver to address Council regarding Council support of the arts and the creative community (Communication)	PLACED ON FILE
582	Request of Jen Forti to address Council regarding Council support of the arts and the creative community (Communication)	PLACED ON FILE
TIMES CERTAIN		
*583	TIME CERTAIN: 9:45 AM – Adopt the Supplemental Budget for the FY 2018-19 Over-Expenditure Process and make budget adjustments in various funds (Ordinance introduced by Mayor Wheeler) 15 minutes requested for items 583 and 584 (Y-4)	189569
584	Authorize temporary operating loans between various funds to provide interim funding to cover lags in federal, state, and other grant reimbursements and other negative cash and fund balances (Resolution introduced by Mayor Wheeler) (Y-3; Eudaly absent)	37433
*585	TIME CERTAIN: 10:00 AM – Approve the Mt. Hood Cable Regulatory Commission FY 2019-2020 budget (Ordinance introduced by Mayor Wheeler) 15 minutes requested (Y-4)	189571

<p>586</p>	<p>TIME CERTAIN: 10:15 AM – Direct Portland Parks & Recreation to amend the 2012 Washington Park Transportation and Parking Management Agreement with Metro and Washington Park cultural institutions to provide increased levels of service (Resolution introduced by Commissioner Fish) 15 minutes requested (Y-4)</p>	<p>37434</p>
<p>CONSENT AGENDA – NO DISCUSSION</p>		
<p>Mayor Ted Wheeler</p>		
<p>Bureau of Planning & Sustainability</p>		
<p>*587</p>	<p>Authorize an Intergovernmental Agreement with Metro for transit-oriented development planning for NW Portland and Inner East Portland streetcar corridors in the amount of \$630,202 (Ordinance) (Y-4)</p>	<p>189577</p>
<p>*588</p>	<p>Authorize grant agreement with Do Good Multnomah for \$40,000 to fund affordable housing analysis that support the Building Healthy Connected Communities Along the Powell-Division Corridor Project (Ordinance) (Y-4)</p>	<p>189563</p>
<p>Office of Management and Finance</p>		
<p>589</p>	<p>Reappoint Moreland-Capuia to the Prosper Portland Board for a term to expire July 9, 2022 (Report) (Y-4)</p>	<p>CONFIRMED</p>
<p>590</p>	<p>Reappoint Richard Schwarz and Harvey McGowan as Commissioners of the Civil Service Board (Report) (Y-4)</p>	<p>CONFIRMED</p>
<p>591</p>	<p>Appoint Josh Harwood as the Mayor's Designee to the Board of Trustees of the Bureau of Fire & Police Disability & Retirement (Resolution) (Y-4)</p>	<p>37432</p>
<p>*592</p>	<p>Pay settlement of employment lawsuit of Dylana Lewis in the sum of \$20,000 involving the Portland Water Bureau (Ordinance) (Y-4)</p>	<p>189564</p>
<p>*593</p>	<p>Pay bodily injury claim of Nehemiah Booker in the sum of \$19,909 resulting from a motor vehicle collision involving Portland Fire & Rescue (Ordinance) (Y-4)</p>	<p>189565</p>
<p>*594</p>	<p>Pay settlement of personal injury lawsuit of Randi Jones as guardian ad litem for Brandy Tuchscherer in the sum of \$40,000 involving Portland Fire & Rescue (Ordinance) (Y-4)</p>	<p>189566</p>
<p>Portland Housing Bureau</p>		
<p>*595</p>	<p>Authorize an Intergovernmental Agreement with the City of Gresham for \$1,012,825 for the HOME Investment Partnership Program (Ordinance) (Y-4)</p>	<p>189578</p>
<p>Commissioner Nick Fish Bureau of Environmental Services</p>		

June 19, 2019

*596	<p>Authorize the Bureau of Environmental Services to reimburse the property owner at 7017 SE Mitchell Ct for sewer user fees paid to the City, in the amount of \$2,290 (Ordinance) (Y-4)</p>	<p>189567</p>
597	<p>Authorize grant agreement to award up to \$73,000 in FY 19/20 to Southwest Neighborhoods, Inc. to provide outreach, technical assistance and community involvement for watershed projects in Portland's westside sub-watersheds (Second Reading Agenda 562) (Y-4)</p>	<p>189568</p>
<p>REGULAR AGENDA</p>		
<p>Morning</p>		
598	<p>Appoint Sabrina Purifoy to the Open and Accountable Elections Commission and establish terms for all Commission members (Report introduced by Mayor Wheeler and Commissioner Fritz) Motion to accept the report: Moved by Eudaly and seconded by Fish. (Y-4)</p>	<p>CONFIRMED</p>
*599	<p>Establish process to resolve claims related to the water main break of March 16, 2019, and authorize payment of claims (Ordinance introduced by Mayor Wheeler and Commissioner Fritz) 10 minutes requested (Y-4)</p>	<p>189572</p>
600	<p>Amend Acquisition of Public Art Code to expand eligible uses of the 2% funds, explicitly prioritize underserved communities and clarify City accountability (Ordinance introduced by Commissioners Fish and Eudaly; amend Code Chapter 5.74) 15 minutes requested</p>	<p>PASSED TO SECOND READING JUNE 26, 2019 AT 9:30 AM</p>
<p>Mayor Ted Wheeler</p>		
601	<p>Appoint Stephanie Kondor, Fernando Velez and Jessy Ledesma to the Portland Housing Advisory Commission for terms to expire June 19, 2021 (Report) 10 minutes requested Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-4)</p>	<p>CONFIRMED</p>
<p>Bureau of Police</p>		
*602	<p>Authorize a competitive solicitation for a law enforcement records management system for the Police Bureau (Ordinance) 15 minutes requested (Y-4)</p>	<p>189573</p>
<p>City Budget Office</p>		
603	<p>Adopt the annual budget of the City and establish appropriations for the fiscal year beginning July 1, 2019 and ending June 30, 2020 (Second Reading Agenda; 573) (Y-4)</p>	<p>189570</p>
<p>Office of Management and Finance</p>		

June 19, 2019

604	Authorize a contract for Integrated Tax System Software and Implementation for an initial term of five years and an initial not-to-exceed value of \$21 million (Procurement Report – RFP No. 00001061) 10 minutes requested for 604 and 605 Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-4)	ACCEPTED PREPARE CONTRACT
605	Declare temporary moratorium on new program requests and significant changes to existing programs in the Revenue Division of the Bureau of Revenue and Financial Services to ensure successful implementation of the Integrated Tax System (Resolution) (Y-4)	37435
Portland Housing Bureau		
*606	Adopt and authorize the submission of the Action Plan fiscal year 2019-2020, for the Community Development Block Grant, HOME Investment Partnership, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Program to the U.S. Department of Housing and Urban Development (Ordinance) 15 minutes requested (Y-4)	189574
*607	Authorize 14 subrecipient contracts for \$4,448,250 for services in support of providing affordable housing (Ordinance) 10 minutes requested (Y-4)	189575
Commissioner Nick Fish		
Parks & Recreation		
*608	Replace Park Exclusion Code to clarify ejection and exclusion processes from city parks to improve parks management and safety at park facilities (Second Reading Agenda 566; replace Code Section 20.12.265) Motion to add emergency clause because it is in the public interest for these rules to go into effect as quickly as possible: Moved by Fish and seconded by Fritz. (Y-4) (Y-4)	189576 AS AMENDED

At 12:50 p.m., Council recessed.

June 19, 2019

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **19th DAY OF JUNE, 2019** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Molly Washington, Deputy City Attorney; and John Paolazzi and Tonia Kohlman, Sergeants at Arms.

Motion to move Item 618 on the Supplementary Four-Fifths Agenda to be taken up immediately after the Time Certain Item 609: Moved by Wheeler and seconded by Eudaly. (Y-4)		
609	TIME CERTAIN: 2:00 PM – Adopt the 13 th Amendment to the South Park Blocks Urban Renewal Plan (Resolution introduced by Mayor Wheeler) 45 minutes requested (Y-4)	37436
610	TIME CERTAIN: 2:45 PM – Establish Privacy and Information Protection Principles to serve as guidance for how the City collects, uses, manages and disposes of Data and Information (Previous Agenda 452; Resolution introduced by Mayor Wheeler and Commissioners Eudaly, Fish, Fritz and Hardesty) 45 minutes requested (Y-4)	37437
611	TIME CERTAIN: 3:30 PM – Authorize an Intergovernmental Agreement with Multnomah County Department of Community Justice in the amount of \$206,000 to conduct general heavy brushing and cleanup work (Previous Agenda 462; Ordinance introduced by Commissioner Fritz) 15 minutes requested	PASSED TO SECOND READING JUNE 26, 2019 AT 9:30 AM
*612	TIME CERTAIN: 3:45 PM – Authorize three year grant agreement with Portland Community Media for public, educational and governmental access resources, and to provide community media and digital literacy services on a city-wide basis not to exceed \$929,587, increased by inflationary factors in years two and three (Ordinance introduced by Mayor Wheeler and Commissioners Fish and Fritz) 30 minutes requested (Y-4)	189579
613	TIME CERTAIN: 4:15 PM – Add Evaluation of Applicants for Dwelling Units to include renter protections in the form of screening criteria regulations (Second Reading Agenda 558; add Code Section 30.01.086) 10 minutes requested for items 613 and 614 (Y-3 Eudaly, Fish, Wheeler; N-1 Fritz)	189580 AS AMENDED
614	Add Security Deposits; Pre-paid Rent to include renter protections in the form of security deposit regulations (Second Reading Agenda 559; add Code Section 30.01.087) (Y-3 Eudaly, Fish, Wheeler; N-1 Fritz)	189581 AS AMENDED
REGULAR AGENDA		
Afternoon		

June 19, 2019

Commissioner Chloe Eudaly		
Bureau of Transportation		
*615	Extend contract with Motivate International, Inc. for the continued operation of the Bikeshare System not to exceed \$14,780,000 (Ordinance; amend Contract No. 30003174) 15 minutes requested	RESCHEDULED TO JUNE 26, 2019 AT 2:00 PM
616	Amend contract with TriMet for \$6,571,781 to provide for enhanced upkeep and security of the Portland Transit Mall and the original Light Rail Transit Loop segment of 1st Ave, Morrison and Yamhill Streets (Ordinance; amend Contract No. 30000826) 15 minutes requested	RESCHEDULED TO JUNE 26, 2019 AT 9:30 AM
617	Authorize a competitive solicitation and contract for the Photographic Traffic Enforcement System and related services (Second Reading Agenda 577)	RESCHEDULED TO JUNE 26, 2019 AT 9:30 AM
FOUR-FIFTHS AGENDA		
Mayor Wheeler		
Office of Management and Finance		
618	Assess property for sidewalk repair for the Portland Bureau of Transportation (Hearing; Ordinance; Y1099) 10 minutes requested	PASSED TO SECOND READING JUNE 26, 2019 AT 9:30 AM

At 5:01 p.m., Council adjourned.

DUE TO LACK OF AGENDA THERE WAS NO 2:00 PM MEETING THURSDAY, JUNE 20, 2019	
---	--

MARY HULL CABALLERO
Auditor of the City of Portland



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

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

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

Key: *** means unidentified speaker.**

June 19, 2020 9:30 a.m.

Wheeler: We have a pre-gavel item so I am not asking for the roll yet. This is a pre-gavel proclamation in honor of one of our most esteemed local artists, and that's Mr. Isaka Shamsud-Din, sir, could you wave in the back so people can see you? Thank you for being here. [applause] And this is a proclamation brought to me by commissioner eudaly, and a proclamation is something that we read on behalf of the entire city council. If you would not mind just coming up here sir and sitting up here at the rostrum, I would like the honor of reading this on behalf of the Portland city council. Before I begin I just want to acknowledge that the office of the mayor has long had one of your works prominently displayed in the office, and it's one that has provoked a lot of thought and brought a lot of joy, and a lot of color to our office, and we are appreciative for that, and we also have one of your works hanging in the rose room, which is our primary ceremonial space in city hall, and we are so grateful to you and for your artistic talent and everything that you do for the city of Portland. So, on behalf of the Portland city council, whereas, the Isaka Shamsud-Din, the sixth of 14, whose parents worked as tenant farmers, moved to vanport near Portland, Oregon, in 1947, after a racist lynch mob attempted to kill his father in texas. He was declared a child prodigy at an early age, and won a scholarship to the Portland art museum. This was the beginning of decades of amazing educational experience in using art to build a global consciousness towards social change. And whereas black families that located to vanport and became displaced by the flood continued to experience racism in Portland and have historically experienced inter-generational discrimination and displacement. Art has always been a bridge towards influencing systematic racism for policy change. Civic engagement during the civil rights era attracted the younger artist, Isaka Shamsud-Din, as he left Portland for the south to become a member of the sncc student non-violent coordinating committee organizing in Arkansas for years before heading west to san francisco where he later supported movements using his artistic platforms with the black artist repertory theater and as a black panther, but even before the floods and the 1960s civil rights work black arts in Portland was a thriving force for civil rights and social change. And whereas, the stories told by Isaka using art, theater, and music enhanced and created a signature value representing the life, families, work, and culture shared by original descendants of black Portland, and this is an important element that is not always acknowledged when telling the stories of Portland's black history, except for the medium of art. And whereas, today on this, and every thereafter, june 19th, known as juneteenth, is promoted in black communities across this country as acknowledgment and to celebrate the emancipation of all black americans. It is emancipation and freedom of expression that we receive these gifts in the artistic genius of Isaka Shamsud-Din, accompanied by his notes and liberated archives. His perspectives on the courage of juneteenth is cemented in Oregon on walls throughout the city, on our streets and even in our parks and transit-ways. It is because of the contributions of Isaka Shamsud-Din that we have the intentional access of his experiences and direct education. Isaka has now shared his gift with us, a collection of his work, including a piece made at the former albina arts center, which has inspired the limited edition juneteenth calendar, a legacy project presented and supported by the arlene schnitzer foundation and many friends. And whereas today all Portlanders are encouraged to tell stories of social change using

June 19, 2019

literature, photos, and art. You are encouraged to reflect on the spirit and motivation of all black people in the fight for human rights and dignity. Now therefore, I, ted wheeler, the mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim june 19, 2019 to be Isaka Shamsud-Din Day in Portland and encourage all residents to observe this day. Thank you, sir. [applause]

Wheeler: Commissioner Eudaly.

Eudaly: Thank you, Mayor. I want to say that this is, this acknowledgment is a long time coming and very well deserved. Your work is part of Portland and part of all of our lives, as the mayor mentioned. It not only documents the lives of our -- of the region's black families. It's also grounded in the history of our region, which is both aspiring and abhorrent. Thank you for all that you do, Isaka. We are honored to proclaim june 19th, or juneteenth as Isaka Shamsud-Din day, and I want to give thanks special thanks to teressa raiford, tia carpenter and tiffany burnet from artists for black lives, for partnering with my office on this special celebration. I also wanted to mention isaka's new juneteenth calendars work, coupled with regional black history there for sale online. I regrettably don't know the website, but they are also available at this evening's event, so everyone please join us in the atrium at 5:30 for our evening celebration and exhibit, and congratulations.

Wheeler: Very good. [applause] [inaudible]

Eudaly: Yeah, if we could take a photo real quick?

Wheeler: Great, maybe you could just come up here, thank you.

Isaka Shamsud-Din: May I –

Wheeler: Oh, I'm sorry –

Eudaly: Sorry.

Wheeler: Would you like to say something, sir?

Shamsud-Din: I would like to share --

Eudaly: Oh, the photos can go to Karla.

Wheeler: Very good. Thank you.

Shamsud-Din: Something with you and thank you, thank you, mayor wheeler and amanda Fritz, chloe, and especially your office that reached out to me, and nick Fish, who was represented my sister at one time. You probably don't know that was my sister but mariah taylor.

Fish: Sure –

Shamsud-Din: And this is an opportunity that I will tell you I almost pride, I say almost because I have the humanity to know that you can get sucker punched sometimes on my self-defense, but this time I didn't have anything to defend because they hit me with, what do you call it, a cold cock, and it was sweet. It was in the form of bird, and some of you know her, and teressa raiford, and the wonderful people who work with her, fendi Germany and many others that have coalesced within the community, that see the values, that see the young talent and work with the young talent that we have here to send them on a trajectory that will allow them to explore art, to explore art. I would like to make just one little -- I tend to be lengthy so I will keep that in mind and keep it short -- but some of you may have known that hitler was an artist, a frustrated artist. How many of you knew that george Washington carver was also an artist, an artist who had to change directions because the art school that he had -- was enlisted in, that he got a scholarship to didn't realize he was black. It was the university of iowa, and then he matriculated to Tuskegee after that. But what I'm, I brought that up to say that many times in the challenges that art presents -- I didn't know what an artist was even when I was eight years old and people started making a fuss about my drawings and so forth. But, there's so many challenges that an artist -- once you get into it, I didn't know how to draw good. So I attempted new ways. I attempted to draw horses because I was scared. I couldn't draw horses. I put off drawing people because I was scared -- and then you challenge and you challenge and

June 19, 2019

you challenge, and you find these small accomplishments large at that time add up. They add confidence. They add a form of independence. They develop a self, a self-critique and a critique of the surroundings of our environment not only representational art, but also, art that explores any medium, any idea, and these are therapeutic and very functional ways of getting a child into a track where other things don't really, I mean, things like hanging out, doing nothing, they don't appeal to them anymore. Look forward to each day. I am alive today probably, all my brothers are gone, there were 14 children, all my sisters except two, and many others that I know and have known that have quit in the quest of becoming an artist because they did not have a route. They did not have patronage. They did not have mentorship. We need an art center here. We need a, if you could take a peek at this. This is a scholarship program that I started when I was teaching at Portland state. We need opportunities for our youth. Many of them may have and do have the kinds of material within them to do amazing things. You can't predict that they won't, but we can predict that they will grow out of feelings of not knowing what to do with themselves. Feelings of displacement. Feelings of not belonging. Those are the things that have propelled my concentration on african-american history. I knew only about white people all the way through school. I had one black instructor. All the way through to the 12th grade, and I only learned about european peoples. That's all I learned about it, just a little bit on slavery. So, and I think all of you have been here long enough to know that we had a real fight just to have two streets name after black folks. Harriet tubman on the \$20 bill now, we have that situation in front of us. We need reparations. And if I -- I present a challenge to you all with all respect and also an appeal to help us establish an art center here that will be ongoing, not one of these things that we have to fight every year so hard. What I propose is a -- we need a task force to resurrect the albina art center and make it better than it ever was, but if we had something like a wpa project where we can -- where artists can build on the research, working with chroniclers, working with writers, working with photographers to start a whole series, at least five years in the initial stage of making art in all forms that have to do with historical research, our own. There is a project that I did at dawson park right now, and it has about 80 portraits of african-americans, local, and that have lived in this area that have done things that really have made our lives, all of our lives so much better, but that's just the tip of the iceberg. How can we enrich this city? We can enrich this city by investing in those people. Did you know jacob lawrence was an artisan residence at the art museum here? In 1966. If we have the art museum, if the art museum was really hooked up, and that was one of the problems. I was an instructor at that art museum, a volunteer instructor, was that the funding was so, it was so much of a problem. Finally, it caved in, and I think it was 1977, and nothing since. So, I just appeal to you for that, and I hope that I have not spoken too long. Did you know the diego riviera's daughter was here, also, and she came here in support of the african-american visual art scholarship. We did benefits at kennedy school, at the old church and so forth. Anyway, I hope we'll be able to meet later and really get into this because the albina mural project of -- and I will shut up after this -- but the albina mural project in 1977-1978 attracted people from as far away as germany. It is in a book called "community murals" now, and walls of heritage, walls of pride. But, that wasn't in my head. I had no idea that would happen. I guarantee you that you will be paid many fold if you will please throw in all the way. Thank you, chloe. Thank you, pollyanne birge. Thank you, teressa raiford, and all the other wonderful people who have made this happen.

Wheeler: Thank you. [applause]

Shamsud-Din: Oh really?

Eudaly: Yeah, we're going to take a photo.

Shamsud-Din: Oh, okay. Should we go this way? Okay.

*******:** We want the kiddos in here. Yes, you all go, follow Isaka.

June 19, 2019

Photographer: Everyone look here...

Shamsud-Din: [inaudible] going to smile. [laughter]

Photographer: Say cheese.

Wheeler: Hey, who stole my gavel?

Fish: Okay.

Wheeler: I see what's going on here.

Eudaly: I did not touch that gavel. I don't know how it got there.

Wheeler: All right, good morning, everyone. This is the wednesday, june 19, 2019, juneteenth morning session of the Portland city council. Karla, could you please call the roll?

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

Wheeler: Here and now we will hear from legal counsel. Good morning.

Linly Rees, Chief Deputy City Attorney: Good morning, and 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 the city council meetings so everyone can feel welcome, comfortable, respected and safe. To participate in the council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on 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, would like to show your support for something said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do a 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 rejected for the remainder of the meeting. After being rejected, a person who fails to leave the meeting is subject to arrest for trespass. Thank you for helping keep your fellow Portlanders welcome, comfortable, respected and safe.

Wheeler: Thank you very much. Karla, first communications.

Item 578

Wheeler: Good morning. Name for the record. Three minutes, please.

Roberta Palmer: Good morning. A few years ago, Portland declared that our homelessness constituted an emergency. Since then, Portlanders acted --

Wheeler: I am sorry, you have to state your name for the record, it's a legal thing --

Palmer: I am very sorry.

Wheeler: No, I apologize.

Palmer: Roberta palmer, I am a concerned citizen of Portland.

Wheeler: Awesome, thank you.

Palmer: And anyway, Portland declared a homelessness emergency in 2015. Since then Portland has acted, metro has acted, so has the state, but 100,000 Portlanders pay more than 50% of their income for housing, and may find themselves on the street during the next economic downturn. Therefore, it seems likely that despite these efforts, the affordable housing problem will only grow. As long as revenue is left on the table, we are not doing all that we can. To me the obvious one is a tax on prepared food and drink. As a food destination that attracts many visitors and tourists, portland is uniquely situated to

June 19, 2019

benefit from such a tax. It is a fair tax, and that those who spend more for food and drink will pay more tax. Unlike the regressive property tax, it does not raise the cost of housing. Some restaurant costs have risen 18% recently, while a 15% tip is commonplace plus. Therefore, a one to three percent tax on prepared food and drink -- is minuscule in comparison, yet the revenue stream is huge. If quote regressive taxes, such as those on sales, hurt the poor, why is it that Portland is one of the poorest states in the union. Why do the other advanced economies, which employ a huge sales tax in the form of the value added tax have far lower poverty rates than the united states, and public services that we can only dream of. Ashland and yachats employ a 5% tax on prepared food and drink, yet their restaurant industries have not folded, and tourists continue to visit. I hear that a 1% tax has been advocated, but it will be difficult enough to pass that. Why not go for two or three and get more revenue. Also, if a public referral could be avoided, please do. Think of brexit and the Oregon constitution. What a mess. We can barely elect our representatives. Policy decisions should be left to our representatives. So let me close with the words of jesus. The foxes have their holes. The birds have their nest, but man has nowhere to lay his head. In the best city in the richest nation on earth, how can this be?

Wheeler: Thank you. Appreciate your being here.

Fritz: Thank you.

Eudaly: Thank you.

[applause]

Wheeler: Next individual, 579. And I don't, do 579, chris wallace and crystallee crain, do they want to come up together?

Moore-Love: Is she here now? Okay. 580 isn't here but 579 is ready.

Wheeler: Very good. Thank you.

Item 579

Wheeler: Good morning.

Chris Wallace Caldwell: Hi, good morning. Chris wallace caldwell, I am a commissioner on the human rights commission. I was to be joined today by dr. Crystallee crain, who just sent me a note. She unfortunately can't join, but she and I prepared a statement on behalf of the human rights commission. Basically, we are honored to both represent the Portland human rights commission and all those in our city as we have heard today this morning already who care about human dignity, and what we would like to do is come on a more regular basis and have a dialogue with the city council, so this is really the start of that relationship, and I am going to read a few words that dr. Crain put together, and also just kind of give you a sense of what we see this time for. Over the past year we have strategically designed a process where the human rights' commission can fully actualize the city charter for its purpose and the commitment of each commissioner to be responsive and accountable to the public. That being said, we intend for this time to be heard monthly represented by different commissioners each time. We hope in that process to share with you our individual and collective experiences for our service to the city of Portland, but also how our individual positionality serves us in our sight and our ability to take the things that we witness, to also take the things that are presented to us by members of the public who come and give testimony during our monthly meetings, and turn those into action for those who can't be present on a day like today. The human rights commission recognizes that we have the responsibility to do more than just symbolic gesture of words to sit in an archive, but we are here to serve and to push or bend the line of justice in the city to its right place. That place is people centered. We believe in partnership and collaborative action, and we know this does not come only in meetings and public testimony but also in structurally placed processes to enable the most just results. So the last time that I was here before you was in reading the declaration of human rights where we were highlighting the 70th anniversary of the un Declaration of human rights, and that was in december. My

June 19, 2019

colleague, dr. Crain, she made a point in contributing to that statement to name white supremacy as a larger social context that we need -- that we need to consider. What I wanted to represent for you is that even since that time in december in that intervening time, we could identify incidences where someone has been the victim of hate speech, hate violence, hate rhetoric, and in fact, dr. Crain was going to present her personal experience in that regard today, and unfortunately, could not be here. Researchers from the university of maryland and national security officials identify far right violence as one of the deadliest and most violent threats in our country, and so what we want to do is find a means to name that and to recognize that our role is to help us understand that our processes and our policies and our practices, how we name those, how we identify those are absolutely critical, so we have been working with you. We will continue to do so on naming those items, and we did most recently in presenting non-belief working with you to present non-belief as not a basis for discrimination. So those are the kinds of things that we will look at continuing to do with you, and we just put that charge to you to continue to look at where policies and practices may unknowingly put the most vulnerable at risk or where we might not be highlighting something that is happening on a daily basis in Portland that we need to call out.

Wheeler: Thank you. And I let you go for a bit because number one, your testimony is very provocative, and it suggests a partnership, and I want you to know that I am very eager to have that partnership. Number two because I want to acknowledge that you are not getting paid for your hard work on the commission, and the commission does tremendous work. You have lots of meetings. You have lots of discussions. You pull in different perspectives across the city, and I want to tell you how much I appreciate that, so we look forward to the continued conversations.

Caldwell: Good, thank you very much.

Wheeler: Thank you for being here today.

Caldwell: Thank you.

Wheeler: You bet. Karla, next individual, please.

Moore-Love: 580 is not here, so 581 and 582 I think want to come up together.

Wheeler: Very good.

Item 581

Item 582

Wheeler: Welcome. Thanks for being here.

Kohel Haver: Thank you.

Jeff Schnabel, Portland State University School of Architecture: Thank you.

Alisha Sullivan, Willamette Light Brigade: Thanks.

Haver: I am kohel haver. I am a lawyer, and I work with a lot of creative people in the [inaudible]. I have invited --

Wheeler: Kohel, would you mind pulling the mic a little bit closer?

Haver: I will. Should I start over? Hi, I am kohel haver. I am a lawyer and I have the privilege of working with a lot of creative people in their businesses. I invited two of them to join me here today. The first is the Portland winter light festival. They will introduce themselves. And after the, following us will be bellagram, jen forti.

Schnabel: I am jeff schnabel, the new director for the Portland state university school of architecture and one of the co-founders for the Portland winter light festival.

Wheeler: Thank you.

Sullivan: I am alisha Sullivan, I'm the executive director of the willamette light brigade, which is the organization that presents the Portland winter light festival annually.

Wheeler: Thank you.

Chris Herring, Portland Winter Light Festival: I am chris herring, the other co-founder for the light festival and artistic director.

June 19, 2019

Wheeler: Thank you.

Sullivan: So I want to tell you guys a bit about the Portland winter light festival, if you have yet to experience it, we hope you will come out on february 6-8, 2020. It seems like a long way off, but really it's just around the corner for us. The festival take place along the banks of the willamette on both the east and west side of the river and at affiliate locations throughout Portland. Light festivals have a proven track record of creating significant economic opportunity for cities, and invigorating Portland in the wintertime as part of our festival's mission. This year our festival facilitated an estimated 2.1 million in economic impact during the slow season of february with a winter storm watch to contend with and snow warnings. That's pretty good. We saw attendance of 154,000 people over the three-day event. A five-fold increase since the inaugural year in 2016. So, there is incredible potential for growth here. By comparison, baltimore's light city generated 33.5 million in 2018 with 470,000 over a week, so there is a huge amount of potential. Economic impact is not the only thing that this festival provides. We provided you with a packet with some more detailed information, but the second part of our mission is to build community by bringing art and technology to inclusive audiences. We present this event for free, completely free to the public. We are really committed to removing the economic barriers to art and design that are within traditional cultural institutions. So now heading into our fifth year, we really know the impact that this event has on the -- and the potential it has for Portland. For 2020, we are planning on upwards of 200,000 people over the three-day event. People will come out rain or snow to interact with the art and be together. We would love for this festival to grow into something that Portland is on the map for, for art and technology and someday host a million people in february on our own. We would like to become a sustainability anchor in Portland's winter landscape and keep providing this festival for free to Portland residents kind of as an amenity. So, we are hoping you all will consider truly getting involved and starting a dialogue with us to expand and grow this festival. The event is not a done deal. It takes expertise and resources to put together. We would like to follow-up with you, and that's all. Thank you for your time.

Wheeler: Very good. Thank you. Appreciate it.

Sullivan: Thanks.

[applause]

Eudaly: We have one more testimony coming.

Wheeler: [inaudible]

Jen Forti: ¶ Excuse me, may I have a bit of your time, I am a bellagram telegram the new old paradigm, I have been sent by someone who thinks you are the bomb with the message in a form of a song, you've got voice mail. ¶¶ On behalf of me and the rest of the working artists and musicians in Portland and those representing us, we want to literally sing you praises and ¶ thank you for being a friend, supporting artists and funding them, for what we do for the arts again and again, i'm singing here to say, I hope it always can stay this way, my hat is off, won't you stand up and take a bow, Portland is a city, that supports the arts and culture, too, yeah this is true and it's good business, too, and it all comes back to you, thank you for being a friend, film festivals and rack, here we go, film festivals and rack, winter lights festivals, thursday are musician loading zones for our gear to get in and to get out, let me do that one more time, film festivals and rack, winter lights thursday art first and last, there we go, musician loading zones for our gear to get in and get out, celebrations, parades, bring tens of thousands to Portland each day, we all need good art, it's big fun and a smart way to play, artists are working musicians, that ¶¶ pay the bills just like -- oh, my gosh, here we go again. ¶ artists are working people who got to pay their bills just you, but you got to get our back, you keep us in the black, and that's why we are here to say, thank you for being our friend, I want to thank you, thank you for being a friend, I want to thank you, thank you for being a friend, I want to thank you, thank you for being a friend, I want to thank you, thank you for

June 19, 2019

being a friend, I want to thank you...[clapping, singing] Come on, everybody, if you want, thank you for being a friend, we want to thank you, thank you for being a friend, we want to thank you, thank you for being a friend, we want to thank you, thank you for supporting the arts!!! Perfect timing. [applause] I hope I was not a disruption to your day, and again, my name is jen forti, just to give you my name, with bellagram telegrams. Thank you for giving me this opportunity to thank you for supporting the arts.

Wheeler: Thanks, jen.

Forti: Cheerio –

Wheeler: Awesome. Thank you. That's great. [applause] follow that. All right. So that completes communications. Karla, have any items been pulled from the consent agenda?

Moore-Love: Yes, we have 587 and 595.

Wheeler: 587 and 595?

Moore-Love: Correct.

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

Fish: Yes, aye. **Eudaly:** Aye. **Fritz:** Aye.

Wheeler: Aye. [gavel pounded] consent agenda is adopted. Colleagues, just a quick point, item 588, which we just passed, this is a grant for \$40,000 intend for land use planning and predevelopment materials in support of what's called findley commons. That's a redevelopment of parking lot spaces at st. Mark's lutheran church on southeast powell and southeast 54 avenue. This is to create 38 units of supportive housing, and this is housing that will ultimately be focused on inner served veterans, including veterans of color, women, and extremely low income veterans. And so I am very pleased to see the city of Portland partnering with the folks at st. Marks on findley commons. We'll now go to the first time certain issue, and colleagues, just a little bit of housekeeping. We are going to read 583 and 584 together, and since the budget staff is here, we will also move 603 after those two items. So Karla, if you could read 583 and 584 together first, please.

Item 583

Item 584

Wheeler: Very good. Colleagues, before us we have what's called the over-expenditure ordinance, also known as the oeo. The oeo is very narrowly --

Fritz: Called the oeo. [laughter]

Wheeler: The oeo [laughter] Any rate, that's as fun as we are going to have here. It's very narrowly – yeah I was like, who's going to follow that act, and of course it's me, and of course I'm talking about the budget. It's very narrowly focused on preventing over-expenditure of the bureau fund or appropriation level, as usual there is also companion resolution authorizing a temporary operating loan to prevent temporary negative cash balances at the end of the fiscal year. I don't even think I could improve this if I sing it. [laughter] There are a few other adjustments that interim director kinard will walk us through, as well as relating to the trueing up of the general fund carryover costs between our fiscal years. This proposed over expenditure ordinance allocates funding in the general fund policy set-aside for the city attorney's office to request next fiscal year for settling claims related to last march's water main break. This morning, interim budget director kinard will walk us through the current ordinance and the resolution, we'll then hear and second any amendments to both those items. After that, we will provide opportunity for public testimony on the oeo before taking a vote. And I will turn this over to interim director kinard to review the over-expenditure ordinance. The oeo.

Jessica Kinard, Interim Director, City Budget Office: Thank you, mayor and good morning, mayor, and members of council. You can turn the oeo into a bit of a song but I won't do that in front of you today.

Eudaly: Oh, come on.

June 19, 2019

Kinard: Maybe next time. My name is Jessica Kinard, the interim city budget director. I'm here with Jane Marie Ford, our budget monitoring process coordinator. Today as the mayor mentioned there are two items that are part of the final budget monitoring process of the year, the over-expenditure ordinance, which includes a number of primarily of technical adjustments and also a loan resolution that prevents us from ending with a negative ending balance in our grant funds. I will briefly walk you through the highlights and the over-expenditure ordinance, and I know that you have a packed agenda, so I will be brief, but please feel free to interrupt with any questions if you have them. So in total the oeo reduces the current appropriation by 19.8 million. This is primarily based on technical adjustments related to debt service reserves for urban renewal areas so they are moving debt service reserves into ending fund balance, which is a technical adjustment. The key general fund changes, is as the mayor mentioned, there is one request for new general fund resources from contingency. This request allocates \$250,000 to a policy set aside account for the city attorney's office to request resources for settling claims related to the March, 2019, water main break. Approving this request would leave \$750,000 in the current year unrestricted fund contingency. There are also two program carryover requests and special appropriations for grants funding that have been awarded but they will not be spent or encumbered before the end of the fiscal year. This includes \$150,000 carryover for East Portland action plan grants and just under \$240,000 in special appropriations, competitive grant pool so again these are funds were awarded, they just won't be spent, so we are carrying them over to the next fiscal year. There are two requests to re-appropriate general fund resources back to this fiscal year that were initially carried over through the spring bump. The bureaus have now realized the resources are, actually, needed this fiscal year. We talked about these last week as part of the amendments to the adopted budget, and this includes \$55,000 for the office of community technology based on updated projections from mid-year transfer and reorganizations, things related to sort of the organizational transfer. They've realized they need this money this year instead of next year, and then \$50,000 in the Portland housing bureau for a rental services contract, again, the contractor has realized that they will be able to spend that money this year so we are moving it back into this year. Finally, there are two requested transfers from the Portland parks and recreation general fund budget to other parks funds. This includes a transfer of \$60,000 to the parks memorial fund to set aside resources for the scholarship program and a transfer of \$258,000 to the parks capital improvement fund to set aside resources appropriated for the East Bank Esplanade capital project. There are a couple of non-general fund items that I want to highlight, so the office of management and finance is appropriating \$17.3 million in contingency in the facility services operating fund based upon faster than anticipated capital expenditures in the Portland building, so that's because we are moving more quickly than anticipated with the Portland building reconstruction project. Parks is making adjustments in the enterprise funds, which is to increase the revenue projections in the Gulf Fund by \$200,000 and make some adjustments to reflect lower than anticipated revenues in the International Raceway fund. Those are the highlights of the oeo. The second item in front of you is a loan resolution, this is a technical resolution that we bring forward every year to make sure that when we send our -- in our grants' fund, we actually expend before we receive the reimbursement from the federal or state governments, so if we don't do this loan, we end with a negative balance, so this is just to take care of that. It's a one-day loan that we process every year. So I am happy to take any questions, and we will now move -- the mayor may move to the amendments if there are any.

Fish: I have a question either to you, Jessica, or to Commissioner Fritz. I fully support the use of funds to settle the water main break claims, but I guess my question is -- why isn't

June 19, 2019

the water bureau taking that out of its own resources? Why are we taking it out of the general fund contingency?

Kinard: So -- and my understanding is I spoke with the cfo cooperman yesterday about this, and I believe that the general fund was determined as the most appropriate source because we are not, actually, accepting liability for these claims. Otherwise, it could be conceived as a risk management type of expenditure, but it's an action that the council is taking as a choice to, essentially, alleviate some of the burden from these property owners, but not accepting any liability associated with the property damage. So, the general fund contingency is what it has been perceived to be the appropriate source.

Fish: I guess that I am still confused. Why -- I mean, we make judgments about liability all the time, and overall risk management, so why is the definitive ruling on liability dictate whether it's general fund or water bureau funds? It wouldn't happen without there being a water main break. It then resulted in flooding, so it's all within -- it's all related to the water bureau. Why not just use water bureau funds rather than general funds?

Fritz: So if I might --

Wheeler: Commissioner Fritz.

Fritz: On the advice of the city attorney in relation to a previous lawsuit on appropriate use of water funds, it was just felt this would get the money to the people who need it as quickly as possible. and I'm certainly open, commissioner. We're going to have that discussion later today. The ordinance is on the council's agenda, and so we can have that discussion later, if you would like.

Fish: Well, if the city attorney has a strong view and the budget office has a strong view, I suppose that's good enough for me. I hope we don't take -- start taking just the most conservative approach because of the lawsuit, and sort of default to the general fund. Having been intimately involved with that lawsuit, I could make a convincing argument these are -- that this is an appropriate expenditure of the water bureau because but for the water main break this damage wouldn't have occurred, so, you know, I am pleased that we are settling up the claims. I am just still not persuaded that it has to be general fund resources, but --

Wheeler: Itself looks like robert taylor is here to shed light on this issue.

Robert Taylor, Chief Deputy City Attorney: Yes. Robert taylor, chief deputy city attorney. Can you restate the question so that I understand the -- what's being asked?

Fish: Well, the budget director has walked us through the changes. One of them is we'll be settling claims of property owners who are impacted by a water main break. I support that. The question is why are we taking it out of general fund contingency rather than out of the utilities resources?

Taylor: That's a very good question, commissioner, and there is another ordinance coming up later today on the process for settling those claims. It's item 599. So there was some discussion about what is the appropriate source of funds for these settlements, and for the utilities, there is, obviously, limits under the charter for what the funds can be used for. And so, in an abundance of caution, we believe that we should not use the water bureau's rate payer funds for that, and instead, it's better at this point because there are general fund resources available to use those.

Fish: So, and your view would be different if there had been a clear finding from risk management of liability?

Taylor: If there had been a clear finding by risk management on liability, then, perhaps, the risk fund would have been an appropriate place, but because risk had made the finding that they did, the risk management fund was a difficult fund to tap, and because of the rate payer limitations, the water fund was difficult to tap. There was, given the timing of this general fund balance that was available, and so in an abundance of caution in order to find

June 19, 2019

a resolution so that these claims could get paid in a timely way, the general fund was identified as a reasonable source.

Fish: Again, I support the decision to settle these claims. I have some -- I have some ongoing concerns about the decision to use general fund rather than water bureau resources, but given the timing of this, I am satisfied with your explanation for now, so thank you.

Wheeler: Very good. Colleagues, are there any amendments anybody'd like to put on the table? For the oeo? Public testimony on this item, Karla?

Moore-Love: Yes, we have two people signed up for 583. Charles bridgecrane johnson and maggie.

Wheeler: And folks, today we will go to two minutes for testimony because we have like the longest agenda I have ever seen. So keep your remarks to two minutes, please.

*****: [inaudible]

Wheeler: We are talking about the ordinance 583, the resolution 584, that is correct.

Moore-Love: I have got a separate sign-up sheet for 584.

Wheeler: Well, we have read them together, so anybody who would like to testify on 583 or 584, this is their opportunity to do so. Good morning.

Charles Bridgecrane Johnson: Good morning. Charles bridgecrane johnson, and it's not every day that I get to come here and testify. Oeo, eo, eo, [laughter] but here we are. So, liability. Given you know, we have not talked about the tragic situation for certain parks and recreation employees. I hope that regardless of how much of a long shot it may be, that if september comes, and we have laid off employees, I hope that they will have the moral vision to sue the city for money from the water bureau or the general fund, either one. I think that commissioner Fish's thinking is very clear and rational that when a water main breaks, it's unlikely that anybody is going to challenge in court that the water bureau's funds should be used to compensate people who have suffered damages from a water main break. It's not a very long stretch of logic to say that the water bureau has a duty to be informed about the status of its at-risk pipes. It was unable to properly find the risk there and mitigate it. So the burden for these damages does lie solely with the water bureau, and it's sad to see money go out of the general fund for a city that can't maintain all of its community centers open coming this fall. I know that you have had to do some hard work and make some trade-offs, but I don't really think this city council can take pride in the outcomes from this budget. Thank you very much.

Wheeler: Good morning.

Maggie: Hi. Maggie, Portland homeless town hall. So, the water main breaks and, you know, someone has to be responsible. Flint, michigan, you know, they did their damage to the lower income communities, and they have to be responsible for that, but they made the communities take them all the way to the supreme court because they did not want to pay for the damage that they did. Okay. So, we have got these contractors who violate their contracts, like we, we have got bathrooms down, again, at the salvation army. We know it's closing. You know, you can sue those contractors or you know, some lawyer out there can sue you guys because you did not monitor your contractors when they were violating their contracts. Thank you.

Wheeler: Good morning.

Jeanne Connett: Good morning. Jeanne Connett. Okay. I am trying to remember when I left salem, it was a while ago, but before I left, it seems to me that they had said some of the homeowners up here on st. John's, said that their tax -- I mean their water rates went up three times in one year. I have not asked anybody about this lately, but it seems to me that I agree. If it's, if it's a main, it should not come from the slush fund. It should come from the water people. That's all that I am going to say. I don't know how you guys do the money. Maybe I do need charts, man.

June 19, 2019

Wheeler: Very good. Thank you. Does that complete?

Moore-Love: I have two more, lightning and onesha cochran.

Lightning: That was on 584 [inaudible] – She didn't read my name, I was on 584.

Wheeler: Yeah, that's fine. Come on. Good morning.

Lightning: Good morning. My name is lightning. Basically, on that water main, again, commissioner Fish made it very clear it should have come out of the water bureau or the risk management fund, and again, the attorney said something about the charter. We need to look at that, and we don't really have the time, so I kind of question that at the end of this, and I think what we are seeing here is you know, we are following the Oregon state local budget law, and I guess you can maneuver the funds around the way that you feel appropriate, but I don't feel this is appropriate. Now, again, the overall amount we're transferring is, again, from the transportation operating fund of \$11,500,000, so the small amount on the water main is only \$250,000. Now, where I have a problem with the transferring of the funds when we are using the term on grant funds, and using those type of terms is that I would like to have more of a study from the federal and the state level on are we getting the appropriate funds from the federal level in the last couple of years? And is that due to the relationship that mayor wheeler has with our good friend, president trump? And so, I am pointing the finger at the mayor, and I am asking, do you know how much money we have gotten in the last two years compared to in the last four years? And is our number is down, is that why we are having to come up with the money now to cover -- which I would consider almost losses here. Not getting the appropriate federal funds, so, I would like to have a study done on that in the last two years, and I will point the finger at mayor wheeler, if we are not getting adequate federal funding any more, it's because of your relationship with president trump and not understanding your job is also to make sure that we have that flow of federal funding coming to the city from the federal government and the state, and that is all your jobs up here. That's why you are sitting up here as elected officials.

Wheeler: Thank you. Your time is up, good morning.

Lightning: So, one term mayor.

Onesha Cochran: Good morning. My name is onesha cochran, and as a woman of the african-american community, I beseech you to take a very close look at the budgeting as it pertains to the health and well-being of your african-american citizens. Are you aware that prominent African-American leader and executive director of miracles club is dying in his house with days to live because his organization does not offer insurance. Most non-profit organizations do not offer insurance. He served this community well almost 30 years and he never was able to go to the hospital like the rest of us. I think that is implorable. Many things are affecting the african-american women in this community for lack of appropriate services, namely the diane wade house. The mayor is one of the highest elected officials, I would like to discuss this with you. My last item on my agenda is for coffee creek inmates, 85% of the inmates in coffee creek are there because of drug related issues, however drug treatment is not offered on a macro-level to inmates who have done time in coffee creek, and that is a huge problem. They get out with nowhere to go and with no beginning to understand how to deal with their drug treatment. I think that these are issues that need attention, as well.

Wheeler: Thank you. Appreciate it. Any further discussion on the ordinance 583? That is an emergency ordinance. I am going to hold off on that for a moment because we need commissioner eudaly to come into the room. Any further discussion on the resolution 584 - - oh, you have more to add?

Kinard: Oh, no, I was just getting ready in case there were additional questions.

Wheeler: Oh, well, okay. I don't believe we have any so at this point we will call the roll on 584, the resolution, please.

June 19, 2019

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

Wheeler: Aye. This is not, which day is it.

Fritz: It's alright.

Wheeler: I vote aye. The resolution is adopted, 584, and we need commissioner eudaly for 583.

Fritz: I don't even know why I was thinking of saying that.

Wheeler: I don't know if I want to know. [laughter]

Fritz: It's not even 10:30.

Wheeler: Greetings.

Eudaly: My apologies.

Wheeler: No worries. Karla, please call the roll on 583, the ordinance.

Fish: Well, this is a pretty straightforward ordinance, and again, I want to be clear, I support the council decision to reimburse property owners affected by the water main break. I believe that I have a respectful disagreement about where the options that we have available to us in terms of where the funds come from. However, based on the position that the city attorney has taken and explained to us, I am satisfied for now, and I will want to revisit this question in the future, and so I will vote Aye.

Eudaly: Aye.

Fritz: Commissioner Fish, I sincerely appreciate you raising these questions, all of which I also discussed with staff. Let's have a fuller discussion on the water bureau item later on today. Thank you very much, staff, thank you, director kinard for all your work on the budget and also jane marie ford. Aye.

Wheeler: Aye. The ordinances is adopted. We'll now move to 603, please.

Item 603

Wheeler: Colleagues, this is a second reading of the adopted budget ordinance. As you will recall, I set out this budget process to initiate several changes to make our budgeting process more transparent and accessible to the public. The budget office, cbo, has developed an online dashboard that not only includes information to help members of the public understand and navigate the budget process, but also it empowers members of the public to engage with the many layers of our total citywide budget. This new dashboard offers a one-stop shop for people to find the information that they need and that they want on the city's budget. Instead of thumbing through over 1,000 pages of the adopted budget document or searching the many pages on the city's website for information on the city budget process, you can now visit this dashboard and self-navigate to the information that you want to find. I encourage everyone to visit the site. It is Portlandoregon.gov/budget and select the adopted budget visualization. There you will find information on and helpful links for key components of the city's budget process, interactive data on the city's programs, revenues and expenses, and detailed information on budget decisions from this year's budget process. I am proud to say that this is a new cutting edge model for communicating budget information. In fact, the company tablo has requested that the city budget office lead a national webinar to demonstrate and instruct other cities on our construction and the use of this tool. Again, you can find this new information, the budget visualization tool at Portlandoregon.gov/budget. So Karla, this is a second reading of a non-emergency ordinance. We have had lots and lots and lots of testimony on this item. Colleagues, are there any other questions before I call the roll on the budget? Karla, please call the roll.

Fish: Well, mayor and colleagues, on may 23, the council voted to approve our annual budget. Since then, the tax supervising and conservation commission has given their blessing. Therefore, today's vote is a formality, and I don't intend to repeat all of my remarks on the last vote. I do, however, want to highlight a few things. First, this is mayor wheeler's third budget, and the third time that he has achieved broad council support for

June 19, 2019

his budget. So mayor, thank you to you and to your team for leading us through this process.

Wheeler: Thank you.

Fish: Second, this year we tried a new budget process, essentially, modified zero-based budgeting. It was an improvement and helped uncover a significant structural gap at parks so I want to give a big shout out to the city budget office for their work in helping us get to this day. I believe our public outreach for the budget is still a work in progress, and I believe we can and must do better. Next I would like to acknowledge a number of important items that were included in the budget but didn't grab the headlines. They include additional resources for supportive housing, a combined utility rate increase below 5%, and on the bureau of environmental services side, which is two-thirds of your bill, the increase is below 3%, which is below the rate of inflation. The small investments in the Portland rose festival and the Portland film office, that generate returns for our local economy, and funding for the next phase of our work to clean up the willamette river, support for important environmental priorities like brownfield cleanups and a dark skies initiative, an age friendly coordinator position in the bureau of planning and sustainability, and almost \$700,000 to cover ongoing operations and maintenance of new park facilities, many, if not most of which are in east Portland. Let me close with the word about parks. Director long and I are working closely with human resources to identify openings at parks and at the city for employees facing layoffs. We are very encouraged by our progress today. This summer, we will take a deep dive to identify new models for funding parks going forward. My goal over the next two or three years is to put parks on a solid and sustainability foundation. We are open to all creative ideas for how to achieve that goal. Finally, I want to thank my colleagues, developing a budget is one of our most collaborative undertakings. It has been a pleasure to work with each of you and your offices to craft this budget. I vote Aye.

Eudaly: This budget, I think, largely reflects our values and priorities as a council. It also reflects some compromises that were hard to swallow. Not everyone -- no one got everything that they wanted but we did fund many vital and urgent programs and initiatives. The ones that I am most thankful for is the ongoing funding for the joint office for homeless services, funding for the office that serves landlords and tenants. As we increase regulation, we need to support landlords and tenants and understanding our policies and their rights as well as the complete count for the upcoming census. There's many, many more, but I am grateful that we found funding for those, and I vote Aye.

Fritz: Thank you to everybody who's been involved, and obviously, this, in many ways, is a status quo and compromise, by, as my colleagues have said, with the exception of Portland parks and recreation. The cuts we're taking to parks are painful, and no one on council is happy with these cuts. However, they are necessary. Under the leadership of commissioner Fish and parks director, adena long, a plan will be developed that will provide for the long-term viability of a vibrant park system. In the short-term, there is disappointment and sadness, and I will commit to being part of the conversation to look for that ongoing sustainability funding. Council continues to invest in housing and houseless services, and we continue to meet the federal government to address those issues at a national level, I am encouraged to see the regional level and state level has finally come to the realization that this is not just a Portland problem. Los angeles has made significant investments in housing, passing a \$1.2 billion bond for housing, and yet, their homeless population jumped from 16% to 2018-2019. So there does need to be massive national investment in housing, and unfortunately, that does not look like it is going to happen. In the meantime the council under the mayor Wheeler's leadership is funding the joint office of homeless services at the requested level. So thank you, mayor wheeler, for working with your colleagues to adopt this compromised budget. Commissioner Fish, thank you for

June 19, 2019

bringing forward a responsible even if painful budget for parks that does put park on a more sustainability path. Commissioner Eudaly, I particularly appreciate your anti-displacement funding and your steadfast commitment to making sure that we do have measures in place before we enact further measures which may cause more demolitions and displacements so thank you, especially, for that. Commissioner Hardesty, made her comments last week. It's clear that she shares the rest of the council's commitment to our city employees and our vulnerable community members, and as Commissioner Eudaly said, this budget is a moral document that reflects our values and principles, which are all shared by everybody on the council. I acknowledge the excellent work done by the city budget office in a challenging year with new budget software and an interim budget director, Jessica Kinard and her team did an excellent job. Thank you so much. Thank you to all the community members who took time to attend the forums. It's wonderful to see so many different folks attending, especially when we hold them in the evenings when people come in. Thank you for the written comments. I was overwhelmed by the amount of emails that came in and was not able to keep up with them, so please know that they were read, and I am appreciative of the urging. We can never do everything that everybody wants us to do, so that's the challenge of being on the council is that we have to consider all of the values and not only the ones that come bubble up to the top of the public attention. The council, however, could not pass a responsible budget without hearing from each community member on what's important to you. Thank you to my staff for all your work on the budget. Claire Adamsick, Cristina Nieves, Meeseon Kwon, Cynthia Castro and Yesenia Carrillo. I could not do this job without you, and in particular, thank you to my chief of staff, Tim Crail, who has been with me since day one and hopefully will be until the end of next year. Aye.

Wheeler: First of all let me thank my colleagues and I am pleased with the collaborative effort that has led to this budget. As Commissioner Eudaly said, nobody got everything that they wanted. The reality is that it does not work that way. There is always compromise, give and take to be had, that on the whole, I am very proud of the work that we collectively have done for this budget, for the fiscal year 2019-2020. The budget reflects a collective commitment to housing and addressing the homelessness crisis, supporting equitable outcomes and fostering equitable prosperity so that as our economy continues to grow, Portlanders benefit regardless of who they are. Fiscal sustainability and inter-generational equity, clean and safe communities, and importantly in my opinion improving and streamlining both city processes as well as constituent response. We invested in housing and homelessness while we were certainly required to make some challenging budget decisions this year, I am very pleased that we are able to preserve and continue progress on critical and urgent housing and homeless needs. This budget includes almost ten million dollars to continue critical services that otherwise would have been cut, and it adds new services in the Portland housing bureau's budget. I am particularly pleased about our continued investments in homelessness services, and the fact that this budget provides nearly seven million dollars in funding to continuing the current service levels through the joint offers of homeless services. That's everything from prevention to shelter services to transitioning people off the street and into housing and providing services to help people be successful in that housing. This budget also invests in innovative new services, including \$500,000 for drug and alcohol treatment services for those who are the most chronically homeless. It includes anti-displacement approaches. It provides funding for a partnership in a new navigation center to make sure that the chronically homeless people are connected to whatever services they need to get off and stay off the streets. I am particularly excited about the inclusion of the new hygiene street response program. This pilot provides mobile bathrooms and showers to ensure access to basic hygiene needs for those who are homeless, and the provision of low barrier job training for individuals who

June 19, 2019

want to work as station attendants. We invested in supporting equitable outcomes and fostering equitable prosperity, and some of the highlights there just quickly running through the list, we continued our current support for Portlanders united against hate, we supported the Portland means progress initiative to ensure that the prosperity is shared across all Portlanders, and \$100,000 for the hill block project, \$50,000 for the cully project, and \$75,000 to help foster the albina vision over by the rose quarter, and staffing for the Portland commission on disability, creation of new citywide accommodations and inclusions through the establishment of a fund for employees with disabilities, and a new person in the bureau of planning and sustainability to focus on insuring that Portland is planning for an age-friendly future, as commissioner Fish indicated. We are supporting the 2020 census outreach, and the neighborhood prosperity business network, and the mercatus my people's market will all continue to receive funding. We invested in financial stability and inter-generational equity, and we prioritized costs that I believe will lower your costs and increase revenue collection. Some of this stuff was not exciting but important, and we did a lot of work collectively on it, and that includes the integrated tax system, and that includes making sure that operation and maintenance dollars followed new projects in parks that we had collectively supported, and we also provided resources to help provide a runway for the parks bureau to plan for its future. We invested in clean and safe communities. That includes the new hygiene program I just mentioned, the funding for the rapid street response program, which is a great opportunity for this city moving forward, and funding for a second year of the "keep it pretty rose city" initiative to engage people in the public who want to pick up litter on our streets. We supported the clean air construction standard, and we provided funding for the cease-fire program in the office of youth violence prevention. Finally, we invested in improving city services. That includes a significant commitment to the new 3-1-1 system, and a budget note to solidify the development of that system. We preserved the rapid response vehicle that was at risk of being cut in the fire bureau, and we increased the funding to ensure the public records requests are facilitated more quickly. I would like to make a couple of thank yous here. First of all, director kinard for what I believe has been outstanding leadership over the course of the last year and to all members of your budget team. They provided great insight, great support to this city council. It goes without saying that we thank our community budget advisers, including Frieda Christopher, Sho Dozono, Pam Knowles, Dunetchka Otero-Serrano, Andrea Paluso, all of whom spent many, many hours without staffing going through the budget, learning the budget, and giving us really good advice and counsel. I would also like to thank the bureau advisory committee members for all of the bureaus across the city, public engagement has been a very important process. We experimented with some new community engagement opportunities. I agree with commissioner Fish that over the course of the next year, we are going to get feedback on those various types of community engagement, and hopefully, settle on some strategies that we think are the best overall. Lastly, I would like to thank Kristin Dennis, Adrea Valderrama and many other people on my staff who worked for the last year on this budget. Thanks, everyone, I vote Aye. The budget is adopted [gavel pounded]. Time to start working on the next one. [laughter]

Eudaly: Oh –

Wheeler: Item 585, thank you.

Item 585

Wheeler: Colleagues, we're here to approve the mt. Hood cable regulatory commission fiscal 2019-2020 fund budget. Who thought that we were done with budgets? The city's allocation to the mhcrs operating budget is nearly \$315,000, and the amount is included in the city's approved fiscal year 2019-2020 appropriations. Speaking today is our panel, leif hansen, who is the commissioner chair, sue disciple, and both these individuals of course

June 19, 2019

are appointees to the commission. Julie omelchuck, the program manager to the mhcr is here to answer any questions that anybody may have. Good morning.

Leif Hansen, Mt. Hood Cable Regulatory Commission: Good morning. I didn't bring a musical instrument. But, I am here to highlight a couple of the mhcr activities from the past year and to seek your approval for our 2019-2020 fund budget. I believe you got the proposed budget in your meeting packet. We have handed out a copy of our annual report, as well. As a reminder, the mhcr is an intergovernmental partnership among gresham, fairview, Portland, troutdale, wood village and Multnomah county. Each of these jurisdictions appoints citizen representatives to the commission. I am one of those appointees from the city of Portland. The mhcr has oversight enforcement and public benefit responsibilities for the cable services franchises with the cities and the county. Portland has two cable service franchises with comcast and centurylink. There are four total within the commission's purview. As highlighted in the annual report, the mhcr deals with ever changing technology to support the community needs for local authority over public rights-of-way and compensation. We act as a consumer watchdog platform for community voices, affordable broadband networks for schools, libraries, and local governments, and also, local solutions for addressing digital equity issues. Over this past year, mhcr has provided many services to the communities and its residents. We continue to work with public schools and districts under our techsmart initiative for students success. Portland public schools, david douglas, centennial and reynolds have active grants serving Portland students. Thus far, the commission is over \$11 million into the longer term investment goal of \$17 million. 220 classroom teachers in five school districts are supported by those resources provided under the techsmart initiative. The community technology grant annual competitive round funded six new grants with community organizations. These grants leveraged over \$2.1 million in matching resources. The grants are responsible to needs identified by the community and support organizations to use technology in addressing their issues. For example, an mhcr grant from this past year in supporting a panel's mission to reduce the disparities in economic and education for asian and pacific islander communities. The grant will equip apano's community space in a new affordable housing development with technology for digital literacy training and broadband internet access for low income residents. Affordable broadband has become more and more critical to our local public institutions. The mhcr is leading a network planning effort in partnership with 18 public agencies within Multnomah county. This partnership for the current institutional network, otherwise known as the I-net, provides high-speed affordable broadband connectivity to 308 schools, libraries, public agencies throughout the county. The mhcr provides capital funding and franchise enforcement, support to open signal. The city's operational support grant agreement with open signal is on the agenda later today. The cities funding leverages the mhcr capital funding so that open signal can effectively use the equipment and facilities to provide services to the community. Over the past year, open signal produced over 2,500 hours of original local programming. They also trained 600 residents in digital and media literacy skills. The mhcr addressed consumer protection issues, both broadly and with individual subscribers. For example, the mhcr worked with the cable companies on issues related to clear information on subscriber bills, on-time appointments, phone answering time frames and service fees. We had 181 complaints that reached resolution from the cable -- the local cable tv subscribers over the past year. Coming up in fiscal year 2019-2020, the mhcr engaged in a future focused planning considering rapidly evolving technology in public policy. Our community's increasing reliance on available -- availability of broadband internet, very important for our agenda. We intend to work with you, your city staff, communities to identify the needs and opportunities for our broadband future. We have got a technology needs ascertainment underway in preparation for our franchise renewal negotiations with comcast and

June 19, 2019

centurylink. I'm happy to report once again that in speaking of the money side of the equation, that we once again received a clean audit for fiscal year 2018-2019. That full document is available on the mhcr's website. Wanted to note the downward trend that we're seeing in the cable franchise revenues, page 9 of the annual report. You will see a graph showing this trend and it's a continuation of the trend from -- that we reported on last year. But, for the first time in franchise history, the actual revenue for 2017-2018 decreased 7% over the previous fiscal year. Based on the first three quarters of 2018-2019's revenue we are projecting another 6% decrease for the current fiscal year. Mhcr has been closely monitoring the trend and anticipating implications for franchise fee revenue for local governments and for revenues that support the commission's community grants and other programs. 2019-2020 our budget reflects a projected decrease in franchise fee and peg i-net fee revenue. Surprisingly the total number of cable tv subscribers actually increased in 2018 as reported by the cable franchise companies. We are conducting a franchise audit to better understand the data and why the revenue dropped while overall subscribers actually increased. The mhcr proposed 2019-2020 fund budget is in your meeting packet as an attachment to the ordinance, annual budget allocation for all jurisdictions, collectively fund about half the mhcr total operating budget. This coming year's allocation is \$314,820, or \$314,826, representing about 6% of the franchise fees collected by the city. Remaining portion of our budget is funded by other resources, mostly to administer the dedicated capital fee revenue and related programs. Before closing, I want to thank the mayor and council for supporting the county-wide partnership, 25 years is our anniversary this year. Also want to thank you for the new bureau architecture. Appreciate that. And your recent appointment of elisabeth perez as the interim director and also our staff director. Looking forward to working with her more over the coming year.

Wheeler: Great. Thank you, sir. Commissioner Fritz.

Fritz: Thank you very much for your report. Thank you for serving. I think this is one of the, mt. Hood cable regulatory commission is one of the most powerful volunteer jobs in Portland given the authority that you have and the ability to collaborate with people from other parts of the region, so thank you for your work. I'm curious as to why if cable subscribers are up, why is the revenue down?

Hansen: Yeah. It is an interesting question. We actually don't have the answer yet. The data -- the subscriber data comes in late, and we just received it in the last 30 days. So, we've asked those same questions of the companies to better understand whether the data is accurate or whether there is an underlying reason. So we will discover what that is, and we can certainly report back.

Fritz: I know in the past we sometimes have very nice settlements after audits of those kinds of things. It could though be the, that people are -- more people are subscribing, but they are buying cheaper services. Right?

Hansen: That certainly could be one explanation. Yep.

Fritz: Thank you very much. Please let us know when you find out.

Hansen: Thank you.

Wheeler: Very good. Does that complete your presentation?

Hansen: It does. Yes.

Wheeler: Thank you both. Great. I don't see any further questions. Is there public testimony on this item, Karla?

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

Wheeler: Very good, thank you.

Moore-Love: Charles bridgecrane, Maggie and Jeanne.

Charles Bridgecrane Johnson: Good morning, commissioners. For the record, charles bridgecrane johnson. I wish that we heard a bit more about the regulatory aspects of the

June 19, 2019

mt. Hood cable regulatory commission because I would like to be able to balance in my mind what we're saying about comcast and what the honorable timothy a. Bradshaw finds about comcast. Case number 16-2-18224-1 up in seattle, not an Oregon case. But, my guess is that if the headlines in the media say that comcast broke the law 445,000 times to take advantage of consumers, that probably almost every complaint a local person made to the mt. Hood cable regulatory commission may be substantiated. So, you know, Portland and vancouver, Oregon and Washington were pretty much the same people pretty much the same things happen. So, it would be pretty much miraculous if comcast was a spotless, honest actor in this market, but in the state of Washington, the headlines say they broke the law 445,000 times, and they get off with a \$9.1 million settlement, probably under appeal because at the rates we are paying for comcast, god knows that they can afford some lawyers and a whole british television network called "sky" so, I hope that everybody on the mt. Hood cable regulatory commission will add that context to the way that they process subscriber complaints and make sure that in our service area, the areas that you have constituents in, we make sure that comcast with its highly profitable business is conducting itself honestly, and I hope that the mt. Hood cable regulatory commission would, actually -- it's probably in the report, and hopefully you will find it online, list the exact number of customer complaints and outcomes. Thank you very much.

Wheeler: Good morning.

Maggie: Hi, so I want to talk about something related to this which is at&t, which the government sued at&t for doing the same thing. Yet you reward them with a contract. So I would like to say to you again about contractors is sometimes your own contractors that you are paying are ripping off the very people that you paid them to help. That's what I want to say.

Wheeler: Very good. Good morning.

Jeanne Connett: Good morning. Jeanne Connett. The last time I had anything to do with comcast or anything – I don't even own a tv, was when they weren't paying their taxes. Did they ever pay their Oregon taxes? Does anybody care whether they paid? [inaudible] three, three thing. I don't know but fact is that being the mayor of Portland, if you have a company like comcast in our state and you see that within your jurisdiction they are not paying their taxes at the end of the year, shouldn't there be something you do besides reward them? You know? I'm just curious. Because that really bothers me. It bothers me when I read – now this was like a year and a half ago, before I came up here, how many companies there were in Portland, Oregon, that actually were not being followed through to pay their taxes. As far as I know they had no extra fees. If they did pay it for paying it way, way late and having to be forced to do it and can't we come up with better companies in the state of Oregon and Portland to where they are more set on helping the community instead of taking away from the budget of our city and town? Thank you very much for your time.

Johnson: Fair taxes. Stable budgets. It would be a beautiful world.

Wheeler: Does that complete public testimony, Karla?

Moore-Love: Yes. That's all we have.

Wheeler: This is an emergency item. We'll wait until commissioner Fish returns. Very good. So Karla, can you please call the roll on item 585, approving the mount hood cable regulatory commission fiscal year 2019-2020 budget?

Fish: Thank you for your presentation and all your good work. Aye.

Eudaly: Aye.

Fritz: I am a huge fan of the mount hood cable regulation commission. Thank you for your annual report. Huge fan of the office for community technology. Julie omelchuck, thank you for all of your work over many years. Mayor, thank you for appointing Elisabeth perez, the deputy director and also restructuring it as was mentioned in the presentation. This is a

June 19, 2019

small but mighty bureau that brings in millions of dollars of revenue and then the mount hood cable regulatory commission is authorized to give some of that revenue to community purposes which are detailed in this report so it's really important that we close the loop with this report every year. Thank you so much. Aye.

Wheeler: Well, as you heard the mount hood cable regulatory commission is a long-standing important intergovernmental relationship. It includes Gresham, Fairview, Troutdale, Woodbridge and Multnomah county, and of course the city of Portland. Portland's particular appropriation goes to administer about 6 million annually in community technology related benefits throughout the city and the county, so these grants help the city meet the goals of the digital equity action plan to better serve our residents, and I want to thank Leif and Sue for their service on this commission. They are citizen volunteers so they do not get paid for their hard work. I believe they have represented the city and its residents extremely well in administering public benefits through the jointly negotiated cable franchise agreements. I vote aye. The ordinance is adopted. Thanks for the presentation. Next item, 586, please.

Item 586

Wheeler: Commissioner Fish.

Fish: Colleagues, in 2012 Portland Parks and Recreation entered into a Washington Park transportation and parking management agreement with other cultural institutions in Washington Park. The agreement is due for an update. Today we'll receive a presentation from Victor Sanders, Portland Parks and Recreation Program Coordinator, and Heather McCarey, Executive Director for Explore Washington Park. Welcome to both of you.

Heather McCarey, Explore Washington Park: Thank you.

Fish: I'll turn it over.

Victor Sanders, Bureau of Parks and Recreation: Thank you. Thank you, commissioners, Mayor. As Commissioner Fish mentioned, my name is Victor Sanders, Program Coordinator for Washington Park and I'm joined today by Heather McCarey, Executive Director for Explore Washington Park, one of our great partners in Washington Park. As Commissioner Fish mentioned today's resolution directs Portland Parks and Recreation to amend the agreement we have with our cultural institution partners to reflect the latest in park attendance and the need for the park. We expect the completed amendment to include three major changes. The first is additional funding for park shuttle services, additional funding for road and pathway maintenance and additional funding for transportation planning based on the recommendations from the Washington Park Master Plan which is approved by Council, or rather adopted by Council in 2017. So I'm very pleased to be here to share with this presentation by our partners in Washington Park on how Portland Parks and Recreation have kept our promise on that 2012 agreement to the public, to our partners and to the neighborhood adjacent to Washington Park. I'll hand it over to Heather McCarey. She'll give an overview of those programs and discuss a little bit about the changing to the amendment, rather changes to that agreement that will occur very shortly.

McCarey: Good morning, commissioners. Mayor Wheeler. Thank you so much –

Wheeler: Good morning.

McCarey: For the chance to be here. Special thanks to Commissioner Fritz, who has been so supportive these past couple of years, and to Commissioner Fish, who was there at the beginning when we got started. I'm Heather McCarey the Executive Director of Explore Washington Park, we're the 501c3 that was created to make sure access to Washington Park and make sure people have a great experience once there. So as we all know, Washington Park is home to Portland's most iconic attractions including the International Rose Test Garden, Oregon Zoo, World Forestry Center, Portland Japanese Garden, Hoyt Arboretum and the Portland Children's Museum. Access has always been an issue. Washington Park used to be called City Park and in 1903 when the Olmsted Brothers came

June 19, 2019

through Portland to do a plan for the parks of Portland they said this of city park. Already the capacity of city park is taxed to its utmost upon holidays and pleasant sundays in summer. That was in 1903. So we fast forward 100 years and that's to 2012 and that's when the directors of the park as well as city council and metro council made an agreement that victor spoke of to improve access to the park. It really promised two things, that we would create a nonprofit to do traffic management for the park, as well as create a pay to park system so the funds could be reinvested. So it took a couple of years but in 2014 the pay to park went live and that is when we made promises to the public and through the agreement victor spoke of, some of the promises included a new master plan for the park, a new nonprofit, a free shuttle and better park maintenance and security. Now that we have an update to that amendment before you I wanted to provide a report card on how we're doing with those promises. One of our most visible programs is our free inter park shuttle. The shuttle links the Washington park max station to downtown, excuse me to the rest of the venues in Washington park. It comes every 15 minutes. You can track it in real time at ewpshuttle.org. They are fully ada accessible. We provide about 130,000 rides in that annually. The new agreement stated this should be an annual service rather than just seasonal service so it will now run daily through october and then weekends only november through april. We also run shuttles to overflow parking lots with buses that we bring to the lots closest to the zoo. The agreement also states that we should expand this service. We were running it just on weekends and we now run it Thursdays, Fridays, Saturdays and Sundays in the peak season as well as large events like zoo lights. We bring about 70,000 visitors to the park each year through this service. We put customer service staff down at the international rose test garden as well as at the trimet station. These folks are there june, july and august, seven days a week and they help 30,000 visitors annually. We wanted people to understand the park in a more holistic fashion so that if they went to the Oregon zoo, they knew that they were also in the same park as the international rose test garden and how to get there, and so we developed a park map with all of our partners. We hired a local artist to do the map cover this year. We printed 80,000 of these maps and distributed them throughout the city of Portland. We have also done a lot with work around diversity equity inclusion. We developed dei committee to coordinate efforts of the park venues around this work. This committee is developing a work plan and we have set aside funds through the new agreement as well as through metro grant to actually implement that work plan. So certainly been busy over the past couple of years as has Portland parks in delivering some of these promises.

Sanders: One of the really exciting aspects of the pay to park program that is provided through this agreement is we now have a dedicated funding source to address some of the deferred maintenance issues in Washington park, so for example this photograph showing just a simple paving project in front of the Oregon zoo in Washington park and so again, this funding is allowing us to rebuild the infrastructure within the park that we don't have general fund ability to do. Then we also have dedicated park rangers as well that are provided through this agreement. Three full-time park rangers as well as seasonals that provide security throughout the park and on the trails, and the pathways and the roads within the park. Of course we also have the Washington park master plan which as I mentioned was adopted previously in 2017. That's an update to the 1981 master plan that we just completed. One of the outcomes of that master plan was a transportation management plan which we committed to come back to council in 2022 to complete. This new agreement provides funding to complete that plan as well.

McCarey: All of our work up there is definitely having an impact. We do annual intercept surveys of over 1,000 people in the park each august. We started in 2014 and through those surveys, we have been able to see a 23% decrease in percent of people getting to the park using their personal vehicle use, 59% increase in transit use, over 250% increase

June 19, 2019

in the percent of people using our free shuttle, and an over 1,000 percent increase in uber and lyft use but of course, in 2014 not a lot of people were getting in the car with a stranger so we started at a low number. Right now about park wide 9% of guests get to the park with uber and lyft and then that increases when you look at the garden to about 16%. These are all great numbers that we're excited to share and we're even more excited to share that in light of the 11% increase in parkwide attendance that we've seen in peak season since 2014.

Fritz: Just as I interrupt you there. I really, the ride share really is people driving, it's just they're not parking.

McCarey: Yes. That's correct –

Fritz: So I –

McCarey: Yes and so we definitely, it brings its own challenges. I think it does increase access to the park in that they're not needing to find a parking space so there's some benefits, but it certainly brings challenges with it.

Eudaly: It's congestion and pollution and –

Fritz: Yeah –

Eudaly: I really detest the term ride share because it suggests that two people are getting somewhere they need to go together. It's you're hiring a driver and a car.

McCarey: Yes, yeah.

Fritz: I just wanted to note -- I know you have been paying attention to this because we want to increase the number of transit and shuttle –

McCarey: That's definitely –

Fritz: I would like to see that a 1,000% increase.

McCarey: Yeah, I'm glad that you guys are highlighting that because it's one of our top issues that we want to address.

Fritz: Great, thank you.

McCarey: Yeah.

Eudaly: Very excited about the other mode share increase.

McCarey: Me too. A 59% increase in transit is really exciting.

Eudaly: If only we could do that city-wide. It would be transformative.

McCarey: Yes, it would be.

Fritz: Free transit. That's how you do it.

Eudaly: Oh, I agree, Commissioner. Thank you.

McCarey: So we definitely have things on the horizon. Victor mentioned the transportation management plan outlined in the master plan. We'll be doing a scope for that work this summer and fall. We hope to go to bid this winter. We also really want to be an incubator for new transportation initiatives for the whole city. With that in mind we're working really aggressively to turn our inner park shuttle fleet into fully electric fleet, potentially and hopefully by next summer, and then of course we're always looking at ways to use data to better inform our policies. So I have been at the park for five years, and in those five years it's become clear that Washington park is really becoming a destination park. It's very heartfelt that I tell you that i'm honored to be a part of Washington park's story. I take it really seriously, the work that we're doing there. Exploration park is committed to ensuring that as we open our backyard to the world we maintain access to this amazing place for our entire Portland community.

Sanders: So that concludes the presentation. Just as a representative from Portland parks, we have been incredibly pleased with the success of Explore Washington Park and with the success of the program. I think it's something that the city should absolutely be proud of. I know that the partnerships with our cultural institutions are the strongest they have ever been so the Oregon zoo, hoyt arboretum, Portland children's museum, Portland Japanese garden, world forestry center, all of those folks meet monthly at the leadership

June 19, 2019

level to discuss these issues. It's really exciting we have built this infrastructure with excellent results. This amendment to that agreement really builds on that to create a legacy project for Washington park that will continue on for many, many years. Happy to take any questions.

Fish: Questions or comments from my colleagues before we go to public testimony?

Wheeler: Thank you for the presentation.

McCarey: Yeah, thank you.

Fish: Thanks for your great work.

Wheeler: Karla, how many people have signed up?

Moore-Love: Two people signed up.

Wheeler: Very good.

Moore-Love: Maggie and Jeanne.

Wheeler: Go ahead. Maggie go ahead, thank you.

Maggie: Okay, Maggie, Portland homeless town hall. Okay, I want to reference Ernest Hemingway right now and a story called *The Short and Happy Life of Francis Macomber*. If you've ever heard of it, I highly recommend you read it. Although I don't like zoos because I don't like the idea of animals being in a zoo, I recognize the horrible situation we're in with global climate change and how we're losing habitat for wild animals, and I see the exceptional educational opportunity that this brings for children and adults. And I'm wondering how the zoo can bring into their educational programs about climate change and loss of habitat and how we can live our lives reducing you know dependence on bottled water and bags and all sorts of things that end up in the marine, in the oceans and you know, I mean 200 dolphins were just killed. By the way we live and war causes all sorts of pollution. So want you to go read this story. We need nature preserves but not nature preserves that have to rely on hunting and driving up and killing these partially domesticated wild animals to fund themselves. We want kids to grow up and realize that saving these animals' habitat is saving ourselves.

Wheeler: Thank you. Good morning.

Jeanne Connett: Good morning. I was looking at that map she had of Washington park and I mean, I really want to ask did Washington park lose a couple of acres somewhere in the last 20 years? But I did want to say this. I love Washington park more than anything in the world. When I was younger I went to New York because I knew my dad would look in Cali to find me. Frank Sinatra was right because if you can make it in New York, you can make it anywhere. And while I was there, I said the most beautiful place that I have ever seen is the rose gardens in Portland, Oregon. I have bragged throughout all the states in the United States about certain things having to do with the Portland area and the beauty that they try to maintain. I agree with what you said 100%. I would rather it be a, you know, you go in in your car and [inaudible] whatever. [inaudible] I watch packy and when I watched packy, many, I watched that guy try to get out of that little water thing that they had and scrape his knees until he bled. It affected me seriously. Of course, packy was, what, a year after me, so [laughter]. But yeah, I think it's great you guys are doing all this work with Washington park. I wish that you would do that in other parks. For instance holiday park some black gentleman walked up, hit my brother, knocked him to the ground. My brother is 60 years old, people and I'm walking to the Lloyd Center over to the Max here [inaudible] which is by my home, and some black guy comes up to me and tells me he's going to –

Wheeler: Could I ask you to keep your testimony germane, please, to this particular item?

Connett: I wish you would take care of all the parks and not just some of them.

Wheeler: Thank you.

Connett: You're welcome.

June 19, 2019

Wheeler: Very good. Thank you both. Karla, this is a resolution. Colleagues, any further questions? Please call the roll.

Fish: Well, first of all I want to acknowledge that we began having this conversation in 2011, 2012, and it was not initially viewed as the most popular idea that we have ever put on the table. But the idea was that we were forecasting over time too many people driving to Washington park, too much congestion, and we weren't collecting any revenue from many of our guests to offset the impact on our roadways. The theory was if you're going to drive to the park and you're going to bring your car, you ought to help offset the cost of dedicated parking and the impact on our infrastructure. It's not the world's most popular idea with we first raised it, and change is hard, but we came up with a winning model and I think we can see from today's results that five years later we have a lot of positive news to celebrate. I want to thank heather mccahey for her five years of service and thank all of the people that serve on explore Washington park. It has had another therapeutic benefit, which is it has helped to bring together all of our partners in Washington park. Each of them has a different set of issues and concerns and agenda, but this process has galvanized our partners in a very positive way. I want to thank victor sanders and the parks team for bringing this home. This is the product of what we call six-party negotiations that went on for a while and there were lots of different views, but i'm very pleased that we have landed where we did. As we heard a few minutes ago Washington park is one of the jewels of our system. This program helps us pay for the cost of maintaining some of the infrastructure. It is not a readily adaptable plan to other parks throughout the city because it's based uniquely on the fact that so many people drive to Washington park and we can generate revenue, but the point is well taken. I think it's a terrific report and power point. Always love to be reminded of what the olmsted brothers said in 1803 and what I particularly liked about the section that you called because I have the original report in my office, is that in those days when they made a mistake they typed over it. They didn't retype the whole document like we do now, so the olmsted report is actually filled with typos that have been corrected on the original draft. Some of you are old enough to remember when we used to do that but now you just redo the whole document. Nice piece of work, very proud to sponsor it today and to vote Aye.

Eudaly: Well, thanks for the presentation. I am particularly impressed by the fact that although we have seen visitors increase by 11% we have seen trips in single occupant vehicles or in cars decrease by 23%. Transit increase by 59% and shuttle increased by 279%. That's really extraordinary. I love taking the max up to the top of the park, I guess you would call that, and encourage everyone to explore that option. I vote Aye.

Fritz: I'm not usually a tunnel person but I don't mind the max one. It's interesting they make it interesting the way the artwork and the geological features in the elevator are so as long as i'm distracted i'm not quite so aware i'm in the middle of a mountain. So thank you very much, commissioner Fish. This, you started this and this is really a heavy lift in your first term as parks commissioner. It's really good to see the results of your efforts there coming back and bearing fruit now that you're back in charge of Portland parks again. Thank you very much to the coalition and the transportation management team for all your work on this. Aye.

Wheeler: I was going to note the same things that commissioner eudaly noted. I think this is very impressive. The transit and shuttle usage in particular is impressive. If you back into the numbers it says in 2018, 61.5% of visitors drove in a personal vehicle to the park. That means nearly 40% of the people who came to the park did not. That's actually a very high percentage of people not driving to the park. But instead using transit or shuttle or ride share, other means of getting there. This appears to be a success and the hard work that people put into this in 2012,2013, 2014 is being validated. Glad to see it. I vote Aye. The

June 19, 2019

resolution is adopted. Thank you. Great presentation. Next item, please. We are now finally, believe it or not, on a regular agenda. Item 598.

Item 598

Wheeler: This is a report. Commissioner Fritz.

Fritz: Thank you. Colleagues, this is to appoint the final member of the open and accountable elections program. As you know, the commission is responsible for providing community oversight to the open and accountable elections program. Most of the commission was seated in January with many, since the – and they've had a very ambitious timeline, have worked incredibly hard and had wonderful output. Sabrina Purifoy is currently a policy analyst for Oregon Department of Consumer Services. She has years of experience in politics law and a passion for social equity and justice. We're very excited to have her join the commission. She's unable to be here today because she's traveling but we wanted to do this appointment today because she's going to be able to join the commission at their meeting tonight. Here's Susan Mottet, the program director to give any additional information.

Susan Mottet: Sure, I have little to add other than the fact that one of the things that was very appealing on our application was that in Los Angeles County, she was the department lead for the government alliance on race and equity, and wrote and implemented the racial equity action plan for her department. So we really appreciate that perspective and value that in joining our commission.

Wheeler: Great. Thank you. I'll entertain a motion.

Eudaly: So moved.

Fish: Second.

Wheeler: We have a motion from Commissioner Eudaly to accept the report, and Commissioner Fish seconds. Any future discussion or questions? Please call the roll.

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

Fritz: I'm excited to appoint you. I know the superstars of this amazing commission. Thank you, Anna Pycior, the deputy director of the program who is the lead staff person to the commission. Susan Mottet has been here just six months and has pushed amazing levels of implementation to this program. I'm very excited about it. The commission meets once a month, third Wednesday of every month, which is tonight. If you're interested in attending it's held in the Petty Grove room here in City Hall from 6:30 to 8:30 and everyone in the public is welcome to come and observe. Aye.

Wheeler: I continue to be amazed by the quality of the volunteers we have serving on our boards and commissions. This is certainly no exception. I really appreciate this. I vote Aye. The appointment is approved. Thank you. Next, 599.

Item 599

Wheeler: Commissioner Fritz.

Fritz: Thank you Mayor and thank you for your partnership on this. Obviously I think most people in Portland know about this water main break on March 16th. Here we are on June 19th, which in city terms is really lickity split. On the other hand, if you're a property owner or a resident or an employee of one of the businesses that was affected it's been a long road to getting to resolution, and I've learned so much since I was put in charge of the water bureau. The pipe was over 100 years old, and so of course, I and everybody else said well that's a really old pipe of course it broke. It turns out that that pipe was supposed to last at least 200 years. It was not a pipe that was -- we build your water system, your water system, to last for centuries. So this was not something that should have been anticipated which is one of the reasons that the risk management folks determined that it was not an act of negligence on city's part. On the other hand reasonable people would say whoever's fault it was it certainly was not the fault of the people who got flooded, and so when I talked with the Mayor about it that was kind of basic agreement that we should

June 19, 2019

make sure that people who were impacted by this failure of city infrastructure were compensated. La Playita market and deli, for example, had to shut down their entire business. Very much appreciate chief deputy city attorney, Robert Taylor, who once the risk had made their determination and there was a process because obviously we don't want after something happens for cash being handed out on street corners without a due process and so Robert Taylor volunteered to figure out a process that could then very, as quickly as possible, make the payments to those who have legitimate damages including economic losses. So now I'll just have Robert Taylor say things, say what I probably may not have, should not have said just then or the right framing of how to say what we're doing here. Thank you.

Robert Taylor, Chief Deputy City Attorney: Thank you, commissioner. Robert Taylor, chief deputy city attorney. I think what you said was perfect and described the situation perfectly. This was an exceedingly rare event that did have a large scope of impact. The folks in risk management do an excellent job every day on behalf of the city handling the more usual regular types of claims, but this was really exceedingly rare and large in scope and that's why I believe we were asked to come up with a process to handle these claims as quickly as possible and so just to walk you through the process, there's a deadline to submit the claims and that's July 15th. If folks have already submitted a tort claim notice to risk, those will be forwarded to the city attorney's office. Folks will not have to reapply. We will treat those as the application but our office can ask for more information if necessary. That is the deadline for anybody watching July 15th to submit claims under this ordinance.

Fritz: To you, right?

Taylor: To the city attorney's office and our address is in the ordinance for folks to find and we're in city hall. Room 430. The types of costs that the city will pay are outlined in the ordinance that includes economic losses, property damage caused by the water main break, including cost to repair and replace damaged property, temporary relocation, expenses, lost wages or income. The ordinance also explicitly says the types of claims that the city won't pay and that includes property upgrades, asbestos abatement, pollution remediation, other damages including any caused by power outages. Then it goes on to require the city attorney's office to get sufficient documentation to support these claims before they will be paid. There's an authorization for the city attorney to pay the claims that's required by the charter. There is, the ordinance establishes the source of funds and that was part of a discussion earlier today in council as well. And then there will be a release and assignment of claim, so if property owners get paid, they will release their claims and then assign to the city any claims they might have against their insurance carriers. And then finally the deadline to resolve claims for our office is October 14th, so this will give people some assurance that if they use this process to try to resolve their claims we will do that by October 14th. If we're unable to resolve it or if people decide they don't want to use this process they are absolutely free to go through the regular risk management process and pursue litigation if that's what they desire to do.

Wheeler: Great. Thanks. Any questions? Commissioner Fish.

Fish: What if the claim submitted exceeds the amount of money we have set aside to resolve the claims?

Taylor: We do not believe that will happen. First, based on the claims that have been submitted so far. Second, the plan is to collect all of the claims information by the deadline so we know the universe we're working with. Then try to settle all of the claims within the limit of that fund. Having the limit of that fund and the deadlines associated with it should give us the ability to successfully resolve these claims.

Fish: Is there a scenario though where you may have to discount the claims because of limited funds available?

June 19, 2019

Taylor: That is a possibility. But we do not foresee that but that's a possibility. And if we're forced to do that we would try to do that in a rational way so that everybody is affected evenly.

Fish: Thank you.

Wheeler: Very good. Thanks, robert. Any public testimony on this item, Karla?

Moore-Love: Yes, we have two people. Lightning and maggie.

Wheeler: Thanks, robert. Appreciate it. Good morning.

Moore-Love: Lightning, can you turn that mic on? Someone turned it off. Thank you.

Lightning: Okay, thank you. Yes, my name is lightning. I find it outrageous in the manner that you're dealing with the public on this issue. The water main broke. It flooded into their properties. Guilty as charged. It's nonnegotiable. Now, what you want to do is come back and counter back and say, hey, we've got this unanticipated -- it's not our negligence, we're going to throw this out at you. Well you know, here's my problem with the way you negotiate like this. It's one thing to negotiate with me like that and i'm going to get right back in your face, but when you negotiating with senior citizens, people that may not have the full mental capacity to deal with this type of situation, and it's causing them severe trauma, you say to them plain and simple, it's our water main, it's our water that went into your property, we're going to take good care of you. We're going to make sure you're taken care of. Don't worry about this. Don't stress out about this. We've got everything in line but instead you come back like a gordon gecko, a george soros and you say, well we're going to put a cap of 250,000 and maybe you'll get paid if you get that in real fast. Are you serious? Is this the way we want the city of Portland dealing with the people out in our communities? Guilty as charged. You flooded into their properties, you're going to pay the cost. Let me tell you something, if I heard correct some of the businesses are closed right now. \$250,000 is going to go through in a second. Into people's basements, into certain damage. In today's world that is nothing to cover that. Nothing if it went down into their basements and mold started happening and then you say you won't clean out the environmental issues. City of Portland, you're going to pay everything. That's why you're insured. That's why you have a general fund. Don't play games with the people out there that you harmed, period. Nonnegotiable. You accept all liability, city of Portland. Guilty as charged. Per lightning. Pay up. Nonnegotiable.

Wheeler: All right. There we have it. Karla –

Lightning: It's absolutely ridiculous –

Wheeler: Wait, we need commissioner eudaly here for this.

Jeanne Connett: I've never seen a watermain break and the city not take responsibility.

Wheeler: We need –

Fritz: If I might just make a comment –

Wheeler: Commissioner Fritz.

Fritz: We are making, taking responsibility. I can't recall a time I've had testimony which is completely opposite to what we're doing here. We are saying that we're going to take responsibility. As robert taylor said, \$250,000 should more than cover the amount of claims that we both know of and anticipate. As was mentioned earlier we need to have a number to carry over because we're going from one fiscal year to another, so that's why we have estimated high so that we can pay all of the claims. I further need to say that i'm really grateful to all of the people who contacted me. I called several of those affected personally. All really understanding, gracious, encouraging, collaborative, and merely seeking to make sure that they are made whole and so I really appreciate those who have been affected for their patience, and I appreciate the council for getting this done as quickly as bureaucratically possible.

Wheeler: Very good, and I'm waiting for commissioner eudaly. This is –

Fritz: I know, I was kind of –

June 19, 2019

Wheeler: An emergency ordinance. Here she is. Very good. Karla, please call the roll.

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

Fritz: So this is the right thing to do. I appreciate my colleagues for doing this and again, thank you to Robert Taylor and the city attorney's office for stepping in to make things right. Aye.

Wheeler: No good deed goes unpunished, Commissioner Fritz. [laughter] I vote Aye. The ordinance is adopted. Next item, 600.

Item 600

Wheeler: Commissioner Fish.

Fish: Thank you, Mayor and colleagues. I'm very pleased to make a few introductory remarks on this matter which Commissioner Eudaly and I are bringing forward. In February of 2018 Portland City Council adopted our arts affordability plan. This document includes 24 recommendations on how the city of Portland can help artists afford to live and work here. We have made great progress and later this summer my team will be coming back to Council with an update on our work. But today we're here to discuss the tenth recommendation in the plan, changes to the rules around our 2% for art program on page 18 of the plan. We have worked with city bureaus, regional arts and culture council and key stakeholders on this update. These proposed changes if adopted by the Council will make this tool more flexible, more equitable and we hope more effective to bringing public art to all communities in Portland. This morning we're joined by Jamie Dunphy, senior policy director, from my office, and the main author of the report. Tracy Schreiber, my arts affordability fellow, who will be completing her fellowship with my office at the end of the summer and Jamie will also introduce our special guests. Jamie?

Jamie Dunphy, Office of Commissioner Fish: Thank you, Commissioner. Also with us is Pollyanne Faith Birge with the office of Commissioner Eudaly, and I'm going to turn it over to Tracy, our special guest.

Tracy Schreiber, Office of Commissioner Fish: Good morning. My name is Tracy Schreiber and I'm the arts affordability fellow for Commissioner Nick Fish. We also have David Huff here, our city arts manager with the office of management and finance. We're here today to propose amendments to the percent for art code. Our plan for preserving and expanding affordable arts based in Portland recommended changes to the 2% for art program and the 2018 rac audit recommended better monitoring and oversight of rac's work. Along with the grants and the arts tax, percent for art is one of the main programs rac implements for the city. The proposed changes addressed both the plan and the audit and will one, clarify the code so Council, bureaus and rac understand who is accountable for what parts of the program and who has decision making authority at certain junctures. Two, expand eligible uses of the 2% to include creative space and more clearly allow for activities like artists in residence. Three, more explicitly allow 2% funds to be decoupled from the triggering project site. Four, add language to encourage prioritization of underserved communities access to art. The community mapping funding in the 2019-2020 budget will inform this priority and future art siting and activity. The offices of Commissioners Fish and Eudaly worked with David Huff in OMF, alongside rac, and the city bureaus on the proposed amendments to ensure efficiency, flexibility and clarity in the code. We're excited to bring you this proposal. We believe it represents Council's commitment to supporting underserved areas by offering expanded options for arts and cultural activities and access, and clarifies the intention and support system for a successful public art program. We welcome your questions. Thank you for your time.

Wheeler: Thank you.

Dunphy: That concludes our formal presentation.

Fish: That's the most succinct presentation I think we've witnessed in Council.

June 19, 2019

Wheeler: Short and to the point. I just have, I'm sorry. Commissioner Eudaly, did you have a question?

Fish: Polly, did you want to add anything?

Pollyanne Faith Birge, Office of Commissioner Eudaly: No, no, I mean I think it's been really a terrific partnership with your office and rac as well. I'm just excited I think to be able to use these funds in a different way or at least codify that for residencies and things like that. I'm real excited about that, specifically [inaudible].

Wheeler: I just had a quick question related to preserving art space or potentially artist in residence space. Could you elaborate on that just a little bit in terms of how the 2% would be specifically used with regard to art space? Is it rent subsidy? Is it, how does it work?

Dunphy: It absolutely could be. The opportunities for space are going to be relatively limited but they are there. A great example is the Broadway corridor project. The amount of percent for art funds could be the equivalent of adding an extra room onto a building or putting up a couple extra walls. If you're already building it, it's not the hardest thing to add an extra room on. But it could also be rent subsidies. It could be paying artists a stipend in order to use a space that already exists. We want to really give flexibility because we know we have heard that, these, this is an opportunity for regular injections of art into the community and while the uses historically in a lot of the public art have been great they haven't been shared wide and we continue to hear from artists that space is the top priority. That space is quickly going away so any opportunity where we could add an additional room for activities in an affordable housing project or add a room on to a new fire station, something like that where we could permanently dedicate space towards creative use, the opportunities will not be very often. It doesn't happen that we have a project of that scale, but when that is an option the bureau working with rac should be able to consider that as one option.

Wheeler: So, Jamie, will there be some rules established or guidelines? I'll put two concerns that I have on the table. Number one let me just say I support the value. I think it's an important value and I appreciate your expanding in this arena but it comes with some logistical questions. The first is as you get into the question of space affordability all of a sudden what's a large budget for rac for the purposes that it currently is -- for the actions it's currently engaged in, could see a lot of pressure particularly given the cost of art space today in the city of Portland. So I'm wondering number one, how you put guidelines or limits around that so you don't see a significant portion of the rac budget suddenly being shifted to real estate efforts. The second area is around conflict of interest. Because I assume it's the rac board that would make decisions about who does or who does not get access to these funds and I just want to underscore the usual issue we have with all boards and commissions which is they must adhere to state ethics laws and that means that there cannot be a conflict of interest and you also have to guard against perceived conflict of interest. It raises questions of do insiders get favorable treatment over, say, emerging artists or people who might be more on the fringes of the current art scene, and so I guess I'm not asking you a specific question today except saying as you go into this new area, you're going to need to be mindful that there are these other budgetary administration and potential ethics issues that you're going to have to wrestle with.

Dunphy: Absolutely. With each percent for art program or project, or eligible project, it triggers a meeting between rac and the bureaus. There's been historic confusion about who is supposed start that process. A lot of times if it's a pbot project for example the engineers are more concerned with getting the road paved, than getting it paved right, than having a conversation about public art. So often the dollars will be put into a pool. Those conversation, basically, what this changes is that conversation at the front end. Historically what we do is rac will convene a panel. It is not the rac board but it is led by rac staff with

June 19, 2019

representative artists. They will begin to form an idea around what the bureau envisions and if the bureau doesn't have guidance than what the panel envisions. We have had some situations where what the bureau envisions and what the panel envisions are different, and we've clarified what that looks like, but the opportunities now for that front end conversation. For example, Prosper Portland has told us they would rather do one big project than ten little projects. They can pool those dollars and have that conversation as a collective. This wouldn't be in a private development. Percent for art programs are only triggered through public facilities. We're not building new libraries, we aren't building new, redoing the Portland building every day. Most of these tend to be relatively small, and more discrete amounts of money. In those cases the way the process works now will work well then too. We'll still be able to continue to develop art f. It moves towards the space side of things, it wouldn't infringe on rac's bucket because this is determined by a percentage of the total project.

Wheeler: It's really the allocation of the budget –

Dunphy: The allocation –

Wheeler: Once it's gone to rac –

Dunphy: Once it's there –

Wheeler: It's just very, very hard, as you know to –

Dunphy: Absolutely –

Wheeler: Say no to friends

Dunphy: Yes.

Wheeler: So there have to be very, very specific guidelines about who does qualify versus who does not qualify and then it has to be uniformly implemented.

Dunphy: Absolutely.

Fish: Your comments, you know, we'll certainly in the implementation phase take into consideration your comments. What I would like you to think about in terms of what we're proposing here is that we just expanded the menu of options a little bit. You know, for some time there has been a concern that the 2% for art program, because of where public buildings are generally located, tended to focus public dollars on areas that were already arts rich. You think about where our major investments are in terms of public facilities, they tend to be in the inner core. Triggering the 2%. This conversation really began around a notion that why did we have to link the art with the actual building. The building itself triggered the obligation to set aside the money but could we decouple the art from the building to provide more equitable distribution of art city-wide. That was an original vision. Because of the current focus on the need for affordable art space and other kinds of city investments along that line, the menu options have been expanded further to provide for that conversation as well. But it is uniquely a conversation that rac, our partner in administering the funds, and a bureau will have at the front end in terms of going through the menu and deciding on what's the vision and how to move forward. But we'll be mindful of your concerns as we do regulations.

Wheeler: I appreciate that very much, Commissioner Fish.

Dunphy: The conversation around areas like 122nd and division being perfectly bereft of any public art, however, that may not be the right place for public art but there are still artists there and they have needs and community wants. So yeah, absolutely.

Wheeler: It sounds like we're all in agreement on this. And I appreciate that very much. Very good, any further questions? Public testimony on this item, Karla?

Moore-Love: Maggie signed up.

Wheeler: All right. Thank you all very much.

Moore-Love: She's not speaking.

Wheeler: Very good. This is a first reading of a nonemergency ordinance. It moves to second reading. Next item, number 601.

Item 601

Wheeler: Colleagues, the Portland housing advisory commission, phac, is the primary forum for the discussion of housing policy strategy and resources for the city of Portland. Phac members rise above their individual interests and affiliations to take a comprehensive approach to housing policy and strategy to support the unmet housing needs of all Portlanders. The appointments today fill vacancies on the commission with individuals that are committed to addressing the pressing housing issues in Portland and needs of residents across the city. Stephanie kondor is vice president of development for related northwest. She's responsible for leading and managing all aspects of development and financing for related to affordable developments. Ms. Kondor's previous experience includes portfolio management of multifamily housing including senior housing, assisted living, low-income housing and hud communities. She is experienced working on complex transactions with multi-layered funding along with new market tax credits. Jessy ledesma is the director of development at beam construction overseeing ground up and adaptive reuse projects for beam including commercial office developments and hospitality from sourcing all the way to completion. Ms. Ledesma served as development manager for affordable housing projects utilizing low-income housing tax credits as well as mixed use urban developments for both for profit and nonprofit ownership. She has experience working with new construction, major renovations, acquisitions and usda rural developments. And then of course fernando velez has nearly 30 years of experience working in banking, mortgage lending and consumer protections. He's a first generation latino immigrant and helped organize the first culturally specific financially homeownership fair in the city of cornelius. Mr. Velez has participated on several nonprofit boards including casa of Oregon, habitat for humanity, the african-american alliance for homeownership, hacienda cdc, bienestar and Portland community land trust. I want to thank you, stephanie, jessy, and Fernando, for your willingness to serve on the Portland housing advisory commission. I believe each of you brings very important perspectives to this housing conversation and I looking forward to your guidance as commissioners. With that I will turn this over to our housing director. Welcome, shannon callahan.

Shannon Callahan, Director, Portland Housing Bureau: Good after, good morning, mayor, good morning commissioners. Shannon callahan. I'm just here to express my thanks to all of our new appointees to the Portland housing commission. Thank them in advance for all of the guidance they will give us on strategy, policy and budget going forward. I would also like to thank and acknowledge our two co-chairs, shannon singleton and nate mccooy, for their work on the selection committee to help select these new members of our commission. With that I would turn it over to the committee members if they would like to speak a little bit on their own behalf.

Wheeler: Thanks.

Jessy Ledesma, Beam Development: Mayor, commissioners. Jessy ledesma. I appreciate the opportunity to serve on the phac and I look forward to working through the all critical housing issues our city faces.

Wheeler: Thank you.

Stephanie Kondor, Related Northwest: And thank you very much for this opportunity. As a community member in Portland and having worked on some of the homeless issues with central city concern and now representing related northwest i'm very excited to be a part of this. Look forward to working with you all.

Wheeler: Thanks.

Fernando Velez, Department of Consumer and Business Services: Mayor wheeler, distinguished commissioners, my name is fernando velez, I'm an almost 30-year resident of the city of Portland. I am a longtime advocate for minority homeownership, home buyer education and consumer protection. I have witnessed the pitfalls of unsustainable

June 19, 2019

homeownership during the recent housing crisis. I believe this could have been ameliorated through effective and risk related home purchasing and home retention education programs. I look forward in participating in decisions on new ways that homeownership can be increased, sustained, as well as exploring and strengthening current and new affordable home buying options. If I may insist, the positive results of meaningful home buying and rental education programs supporting sustainable housing is undeniable and effective. Thank you.

Wheeler: Thank you very much, appreciate it. Colleagues, any questions?

Fish: I move the report.

Fritz: Second.

Wheeler: We have a motion from Commissioner Fish, a second from Commissioner Fritz. Any further discussion? Karla, please call the roll.

Fish: So I have just a brief comment and then a kind of a charge. Monday morning I had breakfast in los angeles with someone who is arguably the architect of the city's response to the homeless crisis, and we talked a little bit about differences between Portland and los angeles, we talked a little bit about what was working and what wasn't working in terms of strategies. Commissioner Fritz earlier today noted that in the most recent street count, los angeles saw 16% increase in homelessness, yet among other things they passed a \$1.2 billion ballot measure to fund supportive housing and they are housing people at the rate of 1700 a month. Director callahan would kill to have the kinds of resources to be able to find 1700 homes every month for people in distress. The number of people living in rv's and their cars has exploded and is a number that is so shocking that it doesn't seem real. Then wherever you go in the city, because it's a city of elevated highways, freeways, there are overpasses and so there are campgrounds everywhere. It is an enormous challenge like our city, the mayor, by charter is a weak mayor. Mayor garcetti by charter is a weak mayor and therefore has limits to what he can do. Our mayor by charter is a weak mayor. This commission style form of government is the last of its kind. And then of course there's the challenge that the dollars that are needed to provide the essential services to make the system successful are allocated by the county, not by the city. So the most important relationship the mayor has is with his or her counterpart at the county. It was an eye opening conversation, particularly because la has been in the news lately as making big investments, and yet the problem is getting worse. It is reaching a boil and the kinds of conflicts that we're experiencing here are very similar to what they are experiencing but on a much bigger scale. The mayor had recently been in venice beach talking about opening up a shelter and spent four hours at a meeting taking abuse from people who didn't want the problem to be solved in their neighborhood. Well, if you go to venice beach in california, what you notice is a lot of camping actually on the beach and everywhere around. The point of my story is that every city up and down the west coast is experiencing a crisis. I believe that because of our size, because of the nature of the partnerships and because of the plan which particularly the joint office is charged with implementing on homelessness, I believe we'll see progress over time but it will take time. The mayor has said it could get worse before it gets better. Los angeles is experiencing that. It is getting worse before it is getting better. So you are coming into service at a particularly sensitive time. Your charge will be more focused frankly on affordable housing than homelessness because of the way we divide up the responsibilities but it's really important that we get as much of the bond money and other resources out the door as quickly as possible and in projects which address the crisis. We are counting on you to help us get it right and it seems -- I don't remember the last time we had nominees to phac that had the breadth of experience that the three of you have. You're an all-star panel. Thank you for serving. Here's the charge. I created the Portland housing bureau and created the phac. My one disappointment with the phac, the Portland housing advisory commission is that we

June 19, 2019

intended it to be an independent body that would from time to time come to council and say the city is not going down the right path or we disagree with an expenditure or at budget time we have a different view or whatever. It is vitally important that you maintain your independence and from time to time you're going to disagree with the distinguished director or with the council's direction. What I want to charge you with is it's in those moments that you are doing your best service in making sure we're aware of your concerns. The only way we become aware of the concerns is if you send us a letter or some communication that says respectfully phac disagrees with a budget proposal or policy decision or whatever. So, that's a role that phac has not played as robustly as I would have liked and I just want to charge you with the responsibility of not only being a good steward of the policies and resources of the bureau, but please take advantage of the opportunity to let council know when you respectfully dissent from something being proposed. Otherwise we won't know. We won't have the benefit of your wisdom on something. So please take that charge seriously. I'm very pleased to accept your nominations. You're a terrific panel. Aye.

Eudaly: Thank you for your willingness to serve. I'm really excited reading your bios about the expertise you're going to bring. And fernando i'm particularly interested in your ability to help in the conversation around inclusionary zoning and affordable housing and helping developers figure out how to make it pencil out. I hear that a lot and having never bought a home or developed a property, I can't really aid them in that endeavor. So it's essential that we have people serving the city who understand that part of the puzzle. Thank you very much. I vote Aye.

Fritz: You're going to be in the center of the storm of all of the challenges that we face as a community in providing affordable housing and housing in general. Thank you very much for your willingness to serve. Aye.

Wheeler: First of all obviously I strongly support the work of phac, and I support these nominees. None of them are what I would describe as people who would shy away from conflict, who would shy away from speaking truth to power or coming up with ideas that they believe we as a council should support. A slight footnote, I want to also just note that this week the auditor's office issued what I believe to be a very positive audit on the Portland housing bond, and I was glad to see that. Of course part of your charge will be working with us on that, making sure those resources are deployed to full effect to create as much work force and lower income housing as we possibly can with the resources that we have available. But I also just want to read into the record the mission of phac because it's worth it to mention this every opportunity we get because it is a broad mission. The mission of phac is to advise the director of the Portland housing bureau, the housing commissioner, the Portland city council on housing and homelessness policy, strategy, and resource issues, promote improvements within the Portland housing bureau and the larger housing system, highlight opportunities for influence between the city housing system and other systems as well as provide a forum for public input on housing and homelessness issues. So I agree with commissioner Fish that to some degree while there are amazing people serving on phac, it has felt like a ferrari parked in the garage and occasionally trotted out to run to the grocery store. We have a really solid group of people on this commission, and the issue that you will be working on, the issues that are all interrelated that you will be working on are right now the most important issues in the city of Portland. I know this because I hear about these issues 100 times more than I hear about any other issue impacting the city of Portland. So in closing I want to say this. I thank you. All of you are super busy. All of you could be doing a million other things. There's nothing about this charge which is easy. Some of it is even downright controversial. I appreciate again that we have people in this community who are willing to volunteer their time, their energy and their talents for this kind of purpose. I'm really gratified by it and as a

June 19, 2019

fellow Portlander, my hat is off to you and I appreciate your service. I vote Aye. The report is accepted and your appointments are confirmed. Thanks a lot and thank you for being here today. Thank you, director callahan. Next, 602, please.

Item 602

Wheeler: Colleagues, the city owns and operates the regional justice information network called region. It is a records management system for police reports and related law enforcement records which are essential to the Portland police bureau's operations. Region established a governing body of more than 40 partner agencies in the two-state five county metropolitan region that are signatories to an intergovernmental agreement. The agreement covers cost sharing and recovery. The number of participating agencies has dropped from 43 to only seven in recent years due to three waves of exit from region placing a disproportionate share of fixed cost of the operating system onto the Portland police bureau and the city of Portland. The vendor contract for the current rms expires in july of 2021. The bureau has contracted with a consultant to assist in development of a procurement solicitation seeking a replacement system that can be implemented and made operational prior to the end of the current contract. The city will no longer rely on other agencies participation to determine the cost or financial liabilities of the new records management system to the city. The new records management system will be more efficient and cost less than region. The project timeline to select, implement and transition the bureau to use of a replacement rms by the expiration of the current contract has little slack and requires timely action on the part of the council. Failure to complete the project by july 2021 may require the city to extend the contract with the current vendor for a full year at substantial additional expense. I appreciate that we have senior program manager tammy mayer here today and we also have ryan lee here as well, I suppose in backup support or to answer any questions. Good morning.

Ryan Lee, Portland Police Bureau: Good morning.

Wheeler: I don't know if you want to add anything else or just answer questions?

Tammy Mayer, Portland Police Bureau: I can add a little bit, sir. My name is tammy mayer, i'm the program manager for the current region program along with other technology programs the bureau uses. Region was a grand idea and it had some good minds behind it. Unfortunately there were a lot of things that did not go the way the original planners had thought. From the governments of the system to some late adds to the system, clark and clackamas counties as well as some system complexities. We selected the system in 2012 and it went live in 2015. There have been a lot of technological advances in these systems since and I am positive we can find a better functioning system and a more user-friendly system and work the governance where it does not put a burden on the city of Portland to support the other partner agencies.

Fish: Mayor?

Wheeler: Commissioner Fish.

Fish: First of all I know that you did the circuit and briefed each office on this so thank you for taking the time and I had a chance to have all my questions answered. Without belaboring the point and you alluded to it in your comments, I think one of the things we're going to need to ask the city attorney's office to do on a regular basis where we partner with other jurisdictions to offset the cost of anything which is generally a good government idea, is to highlight for us any contract where the withdrawal of other partners sticks us with the cost. I think this is kind of an eye opening experience because the goal of sharing the expense and thinking region-wide and et cetera was very noble and we tended -- that's our default. We try to think about how to engage partners, share the load, think regionally, have an integrated system. Those are all good things, but I think it's terribly important in the future that the city attorney's office or procurement highlight for us in any contract a circumstance where other people by opting out can in fact shift their cost to us because

June 19, 2019

this obviously can't happen again and we have learned I think a valuable lesson, so thank you for the work that you've done in addressing my concerns.

Wheeler: Commissioner Fish, to that point, poor ac Lee as heard me go on and on and on and on about this. I don't know how that contract even got signed to be honest and it's a legacy contract. It's been with us for some time but I don't believe there should ever be a circumstance where we enter a cost sharing agreement where only we absorb the liability if others make an independent decision to withdraw. So that is my first and fundamental problem with the contract as it currently exists and so I'm happy for us to move along. The second piece of this relates to a larger issue, and I know commissioner Fish you've had a particular interest in this enterprise wide, which is who is looking over everybody's shoulder as decisions are made about new technology platforms. I have made it very clear that at every step we're going to stage gate this and make sure we have independent eyes looking at what we're doing and how we're deploying the new platform because I most certainly, while I wasn't here for the genesis of the previous contract this one will most certainly have my name at the bottom it and I want to make sure we do not repeat the highly negative experience of the existing region contract. I am making that commitment to council here and now as I have made it behind closed doors in front of the police bureau brass for many months now. Honestly I was amazed. I'm not an attorney, obviously, but I'm amazed that it's even legal for us to enter into a contract that we cannot back out of under any circumstances. To me that's just crazy, so we're now at the end of this contract period and I'm very eager for us to move on to a better product. Any further questions about this particular item? Public testimony on this item?

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

Wheeler: Very good.

Moore-Love: The first three, please come on up, are Maggie, diana and Jeanne.

Wheeler: Jeanne, why don't you go ahead and start for us please.

Fish: Karla, who is the fourth? Maggie is not here.

Moore-Love: Steve – Maggie's here.

Jeanne Connett: I'm sorry, what did you say?

Wheeler: Jeanne, would you please start.

Diana Ogaz Gutman: Yes, my name is Diana –

Wheeler: Diana, I'm sorry I misheard. I apologize.

Gutman: It's okay. And just listening to what was currently discussed I think that is absolutely great that we're going to be moving on from this contract. It is something that is pulling resources in an unnecessary way at this point that could be allocated to other aspects that are needed in our city. It was astonishing to hear that out of 43 we are now down to seven. That is a really, really big drop in the number. I really like to highlight what commissioner Fish pointed out in regards to making sure that as we move forward from this that we're highlighted and that any partners who are withdrawn, that it's notified immediately. My question is that who is going to be appointed to be that person to look over the shoulder and keep accountability and maintain due diligence. Aside from that, that is all I have to say. I'm in full support of this.

Wheeler: Thank you.

Connett: This is hard for me because I talk to a lot of cops all the time. Basically, I don't know if the new system is going to work better, but I do know that I keep hearing this on the street from cops, we can't do our job. We're not allowed to do our job. Either danielle outlaw is stopping us from doing our job or mayor ted wheeler is stopping us from doing our job --

Wheeler: Okay, that's a separate -- [speaking simultaneously]

Connett: Wait, wait, wait, so I'm hoping, so I'm hoping that if you guys change this policy and get out of where you've been, hopefully there will be a better reflection on the street.

June 19, 2019

****: Thank you.

Wheeler: Thank you. Good morning.

Maggie: Just second that motion of everything that was just said. Thank you for your testimony.

Wheeler: Thank you. Very good. And there was a fourth person who is not here or is here.

Moore-Love: Steve Suo.

Wheeler: Very good. Come on up, sir.

Steve Suo, Society of Professional Journalists: Thank you, good day, commissioners. I'm Steve Suo. I'm here on behalf of the society of professional journalists local chapter. Amanda Waldroupe, our president, I believe submitted written testimony. I work as the editor for the Oregonian's watch dog and data driven enterprise team. My team works with public records databases to perform analyses of important problems, public policy, and hold agencies accountable and to in many cases identify solutions. In our work with the police bureau's current database, we have encountered many barriers to access. It's been difficult apparently the system is very difficult for the bureau to work with to export data in bulk. As a consequence, we have been quoted extremely exorbitant fee estimates for producing data. One was in excess of \$1 million. We did not pay. In an effort to get a better understanding of how the data is structured and make more informed and precise requests of the bureau we have attempted to access their data dictionary, which is a document that describes the contents of database, the tables and fields that it contains. We were told in response to our request that this was a trade secret as stipulated by the vendor. This new contract is a real opportunity to make sure that doesn't happen again. We have requested that two requirements be included in the rfp. That the data be capable of being exported in bulk or in part without any special coding that any ordinary bureau employee be able to perform that function. Second that a data dictionary should be made deliverable under the contract and a public record that can be accessed by the public upon request. Thank you.

Wheeler: Could you answer one -- I didn't quite follow you with regard to the data dictionary. Could you describe that again what that is?

Suo: Sure. It's kind of a menu of what's available in the database, it describes the contents -- it's a standard element of documentation that's created when a database is designed.

Wheeler: Okay.

Suo: So it's an index or catalog that would enable us to be able to see what records are in the database and what elements.

Wheeler: And for my own benefit, and I'm sorry to go on a little bit of tangent here, is that readily available for other platforms?

Suo: It's -- you mean from other agencies?

Wheeler: Right. I have never heard this term. I'm a little over my skis here, but is this something that would typically be readily available with a different software platform or data management system?

Suo: Certainly big enterprise systems like this it's something that it won't be built without the creation of such a document. It's just a question of whether it gets shielded from public access.

Wheeler: Ok, very good. As a trade secret in this particular case.

Suo: Yes.

Wheeler: Ok, thank you. That's helpful. That gives me two new points that I didn't have previously. So I appreciate your testimony.

Suo: Thank you.

Wheeler: Very good. Any further discussion on this item? This is an emergency ordinance. Karla please call the roll. I'm sorry, was there more public --

Fritz: Sorry --

Wheeler: That was it? Okay.

June 19, 2019

Moore-Love: -- signed up.

Wheeler: No worries. Please call the roll.

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

Wheeler: Aye. The ordinance is adopted. Next item we have done 603. Let's skip to 604, please.

Item 604

Item 605

Wheeler: All right, so if you thought that was exciting, colleagues, the integrated tax system project is a large scale effort to replace the city's multiple aging tax administration platforms with a single modern tax system. This report would authorize the chief procurement officer to execute a contract resulting from the previously authorized request for proposals for ITS software and implementation. Included with the report documents are initial estimates funding and cost recovery plans for the ITS project in exhibits a and b, interim procurement manager scott schneider is here to present this item.

Thomas Lannom, Director, Office of Management and Finance: And Mayor, if I may jump in, thomas lannom with the revenue division. Can we read both items? [inaudible]

Wheeler: Sure, 605 as well. I didn't realize they were going to be read together.

Lannom: Yes.

Wheeler: Karla, would you mind also reading 605 please. Very good, thank you. Director Lannom.

Lannom: Scott please.

Scott Schneider, Office of Management and Finance: Good afternoon. Scott Schneider, procurement services. You have before you a procurement report recommending the award of a contract for a not to exceed amount of \$21 million. This contract will have an initial term of five years. On november 6, 2018, the chief procurement officer advertised rfp 1061 and on december 27th, four proposals were received. All proposals were deemed responsive to the requirement to the solicitation and were reviewed by the evaluation committee. The city issued a notice of intent to award the contract to fast enterprises llc on march 19, 2019. No protests to that notice of intent were received. Based on the expected spend over the next five years, the confidence level for this procurement is medium. Fast enterprises llc is not a co-bid certified, minority owned, women owned, service to sale, or veteran owned, or emerging small business. There are no subcontractors on this contract. If council has any questions about this solicitation process I can answer those. Thomas lannom is here from the revenue division to take any project specific questions.

Wheeler: Colleagues, any questions?

Lannom: I also have some remarks if you would like to hear them.

Wheeler: Yes, please.

Lannom: Okay.

Wheeler: And this is related to the resolution, is that correct? 605?

Lannom: I'll address both the contract and the resolution.

Wheeler: All right. Thanks, director lannom.

Lannom: To kind of back up a minute this is something we have been working toward for many, many years in the revenue division. We recognize that our databases are long in the tooth, are coming up on expiration in terms of useful life. So the systems that we're talking about replacing include the business license information system, which is 21 years old, and a critical accounting platform for this year looks like 150 or more million dollars in business license tax revenue. Over 400 million dollars all in including arts tax, hotel motel taxes and other new taxes. This new platform will enable us to have a single hosted solution so we're replacing many platforms with a single platform with offsite backup, enhanced security, and disaster recovery. There will be tangible improvements for customer service including a secure online portal, an electronic filing, expected for tax year

June 19, 2019

20-21. So we'll finally be in the place where instead of a taxpayer using turbo-tax to print out and mail in a return, they would actually be part of the electronic filing network that people, many people use for the state and the federal government. We're also expecting some improvements in collections and compliance. The all in cost for the project for the project itself is \$22.9 million. \$9.68 million is included in the fy-19-20 budget as an up-front cash contribution to make sure that we maximize the dollars that we spend. The remainder of the one-time costs are debt financed with annual debt service of \$1.1 million per year. As directed by a budget note in the fy-19-20 budget, and this is very much on target with what you just discussed regarding regis, revenue will seek full cost recovery from all the funds administered on the ITS platform. This is exhibit a to the financial impact statement. If you want to take a look at the dollar amounts the funds would include the arts tax, the clean energy surcharge, Multnomah county notably and others. The budget note directs the revenue division and cbo to finalize the financing model by september in time for the fall bump so we have all these pieces in place. The project is expected to kick off in august and cut over to the new platform is expected august of 2020, so this is an all-in, big bang approach. One year, the vendor is the top bidder in the space. We have high confidence that we can hit these timelines and stay within the budget. Then that would be followed by a 12 month stabilization period, so this is a 24-month project with a cutover at about the 13th month. Switching to the resolution, just briefly, this would freeze current revenue programs and prohibits any new ones during the implementation period expected to last again one year until august of 2020. This is absolutely necessary to improve project success. Again, just moments ago we heard about regis and a lot of things being added at the last minute which really does jeopardize project success. We may come forward with additional code changes to our tax code so for example if the vendor is contemplating some kind of a customization as opposed to a configuration of their product merely because we've got some arcane or unneeded penalty or interest calculation or other sorts of treatments that are immaterial to how we go about collecting taxes but are somehow going to be difficult to implement in the new project, on the new product, we would come forward to city council and try to smooth out any of those bumps so we can make this product work well for us. We're not interested in trying to force the product to execute everything the way that we currently do. In fact we're looking to the vendor to help us nail down best practices and implement them. I will stop there. If there are any questions i'm happy to answer them. We also have other folks in the room from cbo, jennifer cooperman, the project manager, Rachelle Gorseger who is my hero back there next to jennifer. Wheeler: Very good, colleagues any questions. Commissioner Eudaly.

Eudaly: Well, I would just like to commend you for getting out ahead of this issue and not allowing your software to go into unsupported status. No bureau that's performing a vital function for the city or for the public should allow that to happen. It's really a nightmare. I know through experience. That's really all I wanted to say.

Wheeler: Very good.

Fish: I have a couple of questions.

Wheeler: Commissioner Fish.

Fish: You described 12 month period followed by another 12 month period or 24 month period all in. But the moratorium only covers the first 12 month period is that correct?

Lannom: That's correct. With a six-month extension. So with this resolution you would be granting me authority to extend it for six more months if needed.

Fish: I see. Is it a blanket moratorium or are there carve-outs.

Lannom: There are carve-outs. There are three. The clean energy surcharge which we're still implementing recently passed by voters, the rental registration system, which we're still working with the housing bureau to implement and any desired changes to the arts tax

June 19, 2019

within bounds. We would need to be careful about what exactly that was but if there were desired changes we want to keep that possibility open as well.

Fish: Thank you.

Wheeler: Very good. Do we have public testimony on the resolution?

Moore-Love: Maggie has signed up.

Wheeler: Very good, gentlemen, thank you. I know your five-minute presentation follows years of work.

Fish: Move the report.

Fritz: Second.

Wheeler: We have a motion and a second for the report and Maggie is no longer here. So please call the roll on the report.

Fish: Aye.

Eudaly: This is just item 604?

Wheeler: 604, correct.

Eudaly: Okay, Aye.

Fritz: Thank you for all of your work. Aye.

Wheeler: Aye. Report is adopted. Item 605, the resolution, please call the roll.

Fish: Aye.

Eudaly: I'm sorry, this just went by so fast that I didn't get some questions answered on the resolution so --

Wheeler: Without objection would you mind, colleagues, if we let commissioner eudaly ask her questions of director lannom?

Eudaly: Yeah, because I didn't hear anything about the resolution. I didn't think to ask my questions.

Wheeler: No worries.

Eudaly: So I want to support this resolution. I have a couple concerns. One is how long will the temporary moratorium be?

Lannom: 12 months.

Eudaly: 12 months. And, mr. lannom, we had conversations about a variety of potential new taxes and whether or not any of them could be incorporated into this first year. We didn't have a follow-up conversation so I don't actually know if you determined with the vendor whether that would be possible or whether that would impede implementation of the new software. Could you speak to that?

Lannom: It entirely depends on what we choose to do. For example the personal income tax, which is one thing you and I discussed at length. We have an estimate from the vendor about what that would cost. We have a timeline. So it's not included in the scope of what we're buying here today with this report. We have to come back and amend the budget but we do have the ability to begin work on that even as we're working on these other pieces. I'm not prepared to sit here today and say what tax year that would be turned on but suffice it to say that's one of the taxes that are carved out in this moratorium. Any other taxes would likely be a second rollout. We're going cutting over in august of 2020 so think of any other taxes or fees more like a 20-21 timeline.

Eudaly: Okay --

Lannom: And I would like to add, it pains me greatly to have to tell this body or any other that we can't implement something but this is absolutely critical to make sure we have got success.

Eudaly: I understand. I really respect and appreciate the work that you do for the city and I trust your assessment and your judgment. I just was concerned that this would impact something that we have already had conversations about. I feel -- new programs and significant changes. Okay. I'm satisfied. Thank you.

June 19, 2019

Fritz: Just a point of clarification though, it's actually effective through august, the end of august of 2020, so longer than 12 months and then with you being given authority to extend for an additional six months. So we had testimony at the very beginning of this long session about a restaurant tax, for example. We both --

Lannom: Right, I saw that.

Fritz: Had discussion about needing a new funding source for Portland parks and recreation. So although it wouldn't -- so does this resolution mean that we can't even scope out those kinds of things or just that we can't implement them?

Lannom: We can scope them out. So if your office asks us do some research, we absolutely can do that. And you're right. It's not 12 months. I was speaking from august to august. But really this is effective immediately so it's more like 14 months. So thank you for catching that. With the six-month extension possible as well.

Fritz: And if we were to do either of the things I just mentioned or something commissioner eudaly has been scoping out we probably need a fair amount of lead time to do that anyway.

Lannom: That's correct.

Fritz: It doesn't preclude us from discussing new revenue sources, just they wouldn't go into effect until those dates.

Lannom: Right

Fritz: Got it.

Eudaly: Colleagues, thank you for allowing me to ask those questions, and I'm ready to vote.

Wheeler: Very good. Karla?

Eudaly: Yes. Aye. **Fritz:** Aye.

Wheeler: Well, this is a significant and an important project between the ordinance and the resolution that will allow the city to collect revenue and as was made clear if we don't replace the system all of our revenues are at risk. So I thank you for the great work that you're doing. I vote Aye. The resolution is adopted. Next item please, 606.

Item 606

Wheeler: Thank you. We have kim mccarty and matt tschabold from the housing bureau here. I'm sorry. We do not have kim mccarty. We are blessed with the director, shannon callahan. Thank you for being here. Brevity counts.

Shannon Callahan, Director Portland Housing Bureau: Thank you, mayor. Good afternoon again, Commissioners. Hud requires the city of Portland to submit an annual action plan. This is the fourth year into a five-year consolidated plan. All allocations accord to the housing bureau's budget as well as our partners' budget, the joint office, as was submitted and approved during the budget process that council has recently undertaken and approved. We are required to get your formal approval based on the adopted budget before we submit to the housing and urban development. Matthew and I are here to answer any specific questions you may have.

Fish: Director --

Wheeler: Commissioner Fish.

Fish: Just to maybe simplify this, we have to submit an action plan but is it fair to say that the various programs listed on our agenda from cdbg to home to hopwa, that what we're doing is seeking our share based on a formula?

Callahan: Yes. Also letting hud know how we intend to spend those funds in accordance with the already adopted plan and consolidated plan and budget.

Fish: Okay, so we're required to submit a plan in order to get essentially our share of a formula based funds that then support our work. Thank you.

Wheeler: Any further questions? Very good. Please call the roll on item 606. This is an emergency -- I'm sorry, was there testimony?

June 19, 2019

Moore-Love: We have Jeanne.

Jeanne Connett: I'm really thrilled that you guys are focusing a lot today on housing. Mayor, please, please let me state that save our vets and 38 houses for veterans is like a spit in their face. I'm sorry. I don't go for your guys' volunteer stuff. I do a lot with the places that I really my heart is, okay, and vets is one of them. I would also like to say i'm paying 60% for housing where I live, and the minute I brought in some up in furniture my neighbors got really jealous to the point where they followed me down to where I was unloading it and once it got in my house and I left there were marks all over my stuff. Deep cuts in the wood and stuff. So I'm glad that you guys are focusing on housing, but some of the house, like my brother said the locks on my door were made in like 1960 and it takes about three seconds to break in. So why is us who are low income having to have more theft from our neighbors and the community because our locks are insufficient? I mean I just have a real lot of questions about y'all are trying to do the best you can, I understand that, but on the same hand when people try to bring up things that are really, really out of hand, I've seen them pushed to the wayside. I'm going to hope that this is going to help at all. I am proud of you guys for addressing the issue. Please, mayor, more than 38. Okay? Because there's a lot of vets out there that are homeless and they feel like they are being like fourth, fourth – what is that like fourth country, you know, when they really -- I can't remember how they say it. Underprivileged community and countries and the vets feel that. I can say that because I see them every day, guys.

Wheeler: Very good.

Connett: Thank you, and thank you for letting me finish.

Wheeler: Sure. Please call the roll.

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

Fritz: Thank you to the mayor and the housing bureau for your ongoing work to address these issues. Aye.

Wheeler: Colleagues, I have some brief closing. As the representative member of the Portland consortium the city has the overall responsibility to carry on all related tasks which are required by hud. The action plan this is actually our fourth annual plan for the five-year consolidated plan. It details the consortium strategies for addressing the community's needs for affordable housing and economic development with federal funding. The action plan shows where the city has invested our federal funds in accordance with community input and it demonstrates how our investments affirmatively further fair housing by making housing both accessible as well as affordable. The city of Portland is also the lead agent for the Portland consortium that it's noteworthy that this also includes both the city of gresham as well as Multnomah county. And as indicated we're required to submit this annual action plan as a condition of receiving four federal formula grants. The community development block grant, home investment partnership grant, emergency solution grant and the housing opportunities for persons with aids. The action plan contains a snapshot of communities' housing and community development needs, it identifies our local priorities and strategies that we're pursuing to address those needs and it makes clear which strategies and projects received federal funding and how those investments affirmatively further fair housing. So I want to respect and thank you both for the hard work that you put into this. It's a little bit pro forma but it is also absolutely critical that we do this in order to continue to receive the federal grants. I vote Aye. The ordinance is adopted. Thank you very much for your hard work. Next item, and this is our last non-second reading. This is item 607. Welcome back.

Item 607

Shannon Callahan, Director, Portland Housing Bureau: Thank you, mayor. Shannon callahan once again. I am here joined by emma deppa of our neighborhood housing program team. The contracts you have before you today are roughly nearly \$4.5 million for

June 19, 2019

housing services to low and moderate income community members. These services include emergency home repair, fair housing advocacy and education, housing homeownership counseling and education, relocation assistance, legal aid services, risk mitigation funds for permanent supportive housing providers and resources for renter education and advocacy. There are a total of 14 contracts contained in this ordinance. All of these contracts are being brought to you following your approval of the council's adopted budget. And with that emma and I are here to answer any specific questions that you might have.

Fish: I have two questions.

Wheeler: Commissioner Fish.

Fish: There are 14 subrecipients. Some organizations are receiving as little as \$110,000. Others two or three times that. How do we ensure, director callahan, that we're getting good value for these investments?

Callahan: Well, Commissioner, we do require regular reporting from each and every one of our contractors in making sure they are according meeting the goals that we have set out in the contracts. So that is one way that we check on whether or not we are getting good value for the money that we're putting out. We also, each of these contracts is a little different for the types of services that are being provided. Some are more easy to quantify exactly the number of homeowners they have helped, et cetera. But we do receive regular reports from all of our providers. At this point I think all our contractors are on monthly reporting to the housing bureau.

Fish: I guess my second question is how do you make the judgment between lots of small bets or different kinds of services and bigger bets in moving the needle on one or two or three? In other words, you're covering a lot of terrain here when you read the activity descriptions it runs the gamut, but you're making small bets on lots of things. So how do you decide, you know, what's the thinking behind whether you support 14 different contracts with trusted nonprofits or you go deep with a handful and really move the needle?

Callahan: You know I think -- thank you Commissioner for the question. I think that we have before you represents a little of both philosophies. So you'll see that there are some contracts as you noted that are larger than others, and it really depends on the nature of work that they are performing. The number of different rfps they may have responded to and won. So a lot of these have gone through recent competitive rounds based on new funding especially as it relates to work around landlord/tenant education. I'll note for instance the urban league was a contract. I think this council just approved a few months ago related specifically to fair housing enforcement. Some are actually collaborative partnerships where the partner agencies work with each other and ourselves on the allocation of funding based on what their different organizations have the capacity to do within the community and then many of these partners are actually working in partnership with other partners as well. So it is -- we're combining both of the premises that you have brought to us but it's something we as a bureau are beginning also to have a dialog about is preparing to over the course of the next couple of years because it is always a change when you move funding from one organization to another, but we are starting to have discussions about re-rfping funds to different partners we can make sure we're serving the community in the best way possible and getting the most bang for the buck.

Fish: Thank you.

Wheeler: I have a question. Emma, could you tell us about -- there was a public engagement process. Could you tell us a little bit about that? How did that shape what the council is seeing today?

Emma Deppa, Portland Housing Bureau: Yeah, so as you can see a lot of the funding sources include cdbg dollars and so you previously heard the annual action plan. The

June 19, 2019

annual action plan includes a robust public involvement process as well as a consolidated plan so a lot of the goals that are a part of these programs are coming from those other public engagement programs as well as all these have been approved by phac, as well, I believe. Which is a, as you know, a community run organization.

Wheeler: Very good. Director callahan, you mentioned risk mitigation funds to permanent supportive housing providers. What does that mean exactly?

Callahan: So we –

Wheeler: Could you explain what that –

Callahan: So the bureau has maintained a risk mitigation pool for some time to offset any cost related to the delivery and provision of supportive housing. There are some times unintended, unexpected costs especially repairs to buildings, things that may not have been foreseen and based on the nature of the individuals and families that we're housing with supportive housing they are very, very low income households and there is a very, very small portion of their income if any contributed to the ongoing operations of the building, so if there is for instance an unexpected fire, plumbing issue that goes outside of the normal wear and tear, we maintain a risk mitigation pool that we can step in and help cover those costs. This year we have maintained the pool in generally the same amount but I think as we -- thank you for previewing this actually, mayor, because I think this is something that you'll see us come back to you in future budget years asking as you look at our budget we will be talking more about this risk mitigation pool as we continue to do more work and increase the supply of supportive housing in our community.

Wheeler: Yeah, it seems like it is going to have to grow. All right, good. Thank you. That's very helpful. Any further questions? Is there public testimony, Karla?

Moore-Love: Charles and maggie had signed up.

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

Fish: Aye. **Eudaly:** Aye. **Fritz:** Thank you for your work. Aye.

Item 608

Wheeler: Aye. Ordinance is adopted. 608 is second reading. Colleagues, this is a second reading. We have already heard a presentation and taken public testimony. Is there further discussion? Please call the roll.

Fish: I have a couple people I want to thank. I want to thank vicente harrison, who was parks security and emergency manager, who is here today but not in uniform and I want to thank linda law from the city attorney's office, who provided excellent legal advice. I want to thank my colleagues for a very robust discussion last week with very thoughtful questions. This is a narrow update which allows us to have some additional tools to deal with folks in our facilities. I appreciate the confidence of the council in giving us this authority and we will not abuse it. Aye.

Eudaly: Well, I would just like to thank commissioner Fish and his office for addressing all of the concerns that I raised. I'm thoroughly satisfied with the answers. I believe this is going to make our facilities safer for everyone. I just appreciate the work that went into this. I vote Aye.

Fish: Mayor, I screwed up.

Wheeler: Commissioner Fish.

Fish: If I could for a second, I needed to offer an amendment to declare that an emergency exists.

Eudaly: Oh.

Wheeler: Very good.

Eudaly: Second.

Wheeler: Is there any objection? Seeing none, we have a motion from commissioner Fish, second from commissioner eudaly. Call the roll.

June 19, 2019

Fritz: The reason being it's in the public interest to get these rules into effect as quickly as possible.

Fish: That's correct.

Wheeler: Sounds good. Call the roll on the amendment, please. We'll suspend --

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

Wheeler: Aye. And why don't we redo the vote, please, on the ordinance now that it's amended, please.

Fish: Thank you for your forbearance, mayor.

Wheeler: No worries.

Fish: I can't even read my own notations. Aye.

Eudaly: Aye.

Fritz: Oh I, you don't -- People get to see the public's business being done in a very open and transparent manner. Thank you very much for that. Aye.

Wheeler: Aye. The ordinance is adopted as amended. To the consent agenda, 587, who pulled it?

Item 587

Moore-Love: Lightning.

Wheeler: Go ahead and read it. Is there any further discussion on this? Is there anybody who wants to testify? Seeing none, call the roll.

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

Wheeler: Aye. The ordinance is adopted. 595 was also pulled. Who pulled it?

Item 595

Moore-Love: Lightning.

Wheeler: Anybody want to testify? Call the roll.

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

Wheeler: Aye. The ordinance is adopted. We're adjourned until 2:00 p.m.

At 12:50 p.m., Council recessed.

June 19, 2019

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.

JUNE 19, 2019

2:00PM

Wheeler: This is the wednesday, june 19, 2019, juneteenth afternoon, meeting of the Portland city. Karla, good afternoon. Could you please call the roll? [roll call taken]

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

Wheeler: Here. And before we begin, we'll have legal counsel read the rules of order and decorum. Good afternoon.

Molly Washington, Deputy City Attorney: Good afternoon. Welcome to Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during 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'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 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 you do not support something, feel free to do a thumbs down. Please remain seated in council chambers unless entering or exiting. If you are filming the proceedings please do not use bright lights or disrupt the meeting. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruptions a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. After being ejected a person who fails to leave the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Very good. I have a question for legal counsel. Do I need four to move item 618 or will a simple majority do?

Washington: Majority.

Wheeler: Very good. Before we get started on the agenda I would like to make a motion to move item 618. This is the assessment property for sidewalk repair for the Portland bureau of transportation on the supplementary four-fifths agenda to be taken up immediately after time certain item 609 on this afternoon's agenda. Can I get a second?

Eudaly: Second.

Wheeler: So we have a motion and second. Karla -- we do nothing here without Karla. [laughter] It's like the enterprise without the captain in the captain's chair.

Eudaly: I thought you were the captain.

Wheeler: A mere steward of the public. Very good. Commissioner Fritz, what we're doing is we have a motion on the floor, and a second, to move item 618, which is the four-fifths agenda item to move it immediately after 609, which is the first item. Karla, please call the roll.

June 19, 2019

Fish: Aye. **Eudaly:** Aye. **Fritz:** Sorry to keep you waiting. I forgot we did this and I didn't have time to do everything I needed to do at lunch. Aye.

Wheeler: Aye. The motion passes. Karla, please read item 609.

Item 609

Wheeler: Colleagues, the original south park blocks urban renewal plan emphasized strengthening this part of our city as an arts and cultural center for Portland and the entire region. The Multnomah county central library and arlene schnitzer concert hall of two of the iconic destinations within the district that serve patrons from not only across the city, but all across the pacific northwest. I'm keenly aware of the financial impact that tax increment financing has on our jurisdictional partners and I know that in recent years staff at prosper Portland has explored a number of options to mitigate these potential impacts. I'm pleased to offer a means to identify financial resources that are not otherwise available to the city and the county to invest in the maintenance and preservation of these cultural gems. With that i'll call up staff. I believe [inaudible] is giving the presentation this afternoon. Good afternoon. Thank you for being here. Hi, lisa.

Lisa Abuaf: Good afternoon, mayor wheeler and council members. Thank you for the opportunity to come present this item before you today. I'm lisa abuaf, I'm the director of development and investment with prosper Portland, and i'm joined by tony barnes, our finance manager with the agency. The action as the mayor referenced before you today, next slide, is that we're seeking approval to amend the south park blocks urban renewal plan to support investments to two key public assets within the district. City council first adopted the south park blocks urban renewal plan in 1985 and the plan has been amended ten times since that approval. Some of the primary goals of the original plan were to increase and improve housing which you see along the south park blocks, to expand public facilities and upgrade the south park blocks, and as the mayor mentioned, this has been accomplished through various improvements and investments that have supported downtown as a significant entertainment and cultural center and more particularly this particular area as an arts and cultural destination and center for the city as well as the region. In addition we wanted to highlight that the plan also supported historic preservation and identifying, preserving and protecting the multiple historic structures, landmarks and locations within downtown of which both these facilities that we're here to talk about today represent similar landmarks. We are here today because state statute ors457085 requires that if an urban renewal plan contains a project that includes a public building it should also have an explanation of how that public building will serve or benefit the community and the area. Furthermore the south park blocks has its own plan that further provides that amendments for projects that include a public building are considered council approved amendments and require approval by both the board of prosper Portland as well as city council. The south park blocks district is actually an expired district so it's last bonds were issued in 2008. We have been making investments since then pursuant to the plan and those priorities that I previously described, and today we're here seeking your support in order to further amend the plan and to include two additional projects that we believe are in direct alignment with the plan's original goals. The Multnomah county central public library and the arlene schnitzer concert hall are both located within the south park blocks urban renewal area and in need of capital investment and we believe we have resources that can support that. With council's authorization we would be able to direct approximately \$3 million of tax increment resources to support these improvements. We would then enter into intergovernmental agreements with the public entities who either own or operate those assets ensuring adherence to our investment guidelines including tif eligibility, our construction work force equity policies, et cetera. So the specific projects that we're bringing before you today what you see on the map are the locations of the two public properties as well as visual images of them. Both projects offer opportunities to

June 19, 2019

financially support two significant cultural assets both of which have been long standing community serving partners and we have actually invited partners who can speak in much greater detail regarding the projects from the county, library, city and metro, who does operate the concert hall on behalf of the city should you have questions regarding the projects. A little bit of background on these assets, the central library opened its doors in 1913 and has since been providing an historic public space for all for to gather, learn, create and access the community's collective knowledge and resources. The library receives approximately 670,000 visitors per year for a variety of purposes, and the building was renovated in 1997 and more recently county staff have identified additional infrastructure improvements necessary to continue to provide quality services, access and a quality experience for the community. The investments that we have been discussing with the county would enable the library to replace an inefficient and aged transformer with two new ones and make some heating improvements that then balance kind of both their energy systems and improve the building's efficiency. Then we would like to make improvements tied to the us Bank room which is the public room that provides ability to host meetings, et cetera, at the library, sometimes with over 100 people attending each of those events at a time. To do this, the library will install a more accessible landing from and path from the exit as well as address longstanding landscaping issues that have created barriers for access. It's estimated those improvements collectively will be about \$1.5 million. The arlene schnitzer concert hall is a hallmark of portland's performing arts venue and it has served the community since 1928. In 1972, it was voted to have landmark status so it's a designated landmark and was placed on the national register of historic places. Today the schnitzer concert hall marquee requires critical electrical, cosmetic and seismic upgrades including updating structural elements to meet current seismic code. The estimated project cost these improvements is approximately \$1.8 million and work is expected to be completed by late 2020. In this instance the city partners with metro to program, operate and maintain the Portland five venues of which schnitzer hall is one of them. An riga would be entered into pursuant to that operating agreement. With that, Tony will share a little bit of the financial background of both where we are with south park blocks and the resources that would be spent on these projects.

Tony Barnes, Prosper Portland: Thanks, lisa. The proceeds, \$2 million of the proceeds to fund the projects are coming from council's recent action to refund prior bonds that were issued in south park blocks. Ordinance 189428 approved march 20th authorized refunding of the outstanding 2008-b tax-exempt bonds in the district. The office of management and finance refunded the bonds in april, 2019, providing a net savings to the debt service but also released existing bond debt service reserve for those bonds. \$1.3 million of that reserve was contributed to the refunding leaving approximately \$2 million of the remaining reserves to be available for projects within the south park blocks tif district. As requested by city's bond council and to fulfill irs requirements these proceeds need to be spent within the next, 85% within the next three years. That would be managed these intergovernmental agreements. A little more on the budget summary, some of these points I believe were shared during the budget proposed budget discussion in may. Recent accomplishments in the district include primarily small business development in the west end, the district's west end, adding \$2 million from these proceeds will add proceeds the total budget over the next five years is approximately \$6.5 million. In addition to the infrastructure projects, the \$3 million, the balance right now is programmed towards affordable commercial development primarily related to the joyce hotel but also about a half million dollars for small business grants that we have programmed.

Abuaf: Lastly we just wanted to share prior to bringing the proposed amendments before council we did reach out into the community and we met with the downtown Portland neighborhood association's land use and transportation committee as well as Portland

June 19, 2019

business alliance central city committee to share our thoughts about the two project opportunities and the potential for investments. Both groups were very supportive, both of the projects as well as scale of investment that were before you today with. In particular as they improve the overall performance of the buildings and important role that these buildings play to our central city and to the region and we will continue to keep them apprised as the projects progress with updates regarding the various projects as they move into construction. So with that we will take questions, if there are any.

Wheeler: Very good. Colleagues, any questions? Commissioner Fritz.

Fritz: How did the management of the schnitzer decide that the marquee was the most important way to spend \$1.5 million?

Abuaf: That's a great question and I will defer to their testimony and also share –

Fritz: Oh they're going to come up –

Abuaf: They also just shared with us outside that they realized that it's actually one of the most iconic features of the schnitzer and it's something that routinely is showing up at the Portland farmers market in many kind of elements that are marketed tied to the Portland brand. But beyond that i'll ask them relative – yeah, they are going to be here. They are here and --

Fritz: Thank you.

Abuaf: Can speak to other projects.

Wheeler: Very good. Let's get to public testimony, Karla.

Fritz: When do I get that?

Wheeler: Oh, so is there somebody who's going to testify on this?

Abuaf: Yeah, I think we had people registered to speak, yeah.

Wheeler: Yeah, okay, good.

Moore-Love: Public testimony is vailey oehlke and julie bunker?

Wheeler: Very good. Three minutes each, name for the record. Good to see you.

Vailey Oehlke, Multnomah County Library: Good to see you, mayor. Thank you, mayor Wheeler, and commissioners. I'm vailey oehlke director of Multnomah county library. I'm here today to testify in support of the two infrastructure proposals to improve service and conditions at central library in downtown Portland. As you heard, the library has existed since 1913 as an iconic and historic building in downtown Portland and receives an average of 660,000 people through its doors every year. Though it was renovated in 1997, it has several critical infrastructure needs to ensure that it continues to serve this community well. I'll go into just a tiny bit more detail in terms of what you heard earlier. The two projects, one of which is failing electrical transformer and also to remedy associated hvac problems. This would replace the transformer, add a new hvac unit to eliminate over overheating in the transformer room and fix related over heating of elevator controls which causes recurring elevator malfunctions in the public elevators of that building. The other project would create a safe emergency exit path for patrons on the north side of the building from the u.s. Bank community room increasing safety and addressing long standing landscaping issues. Central library's u.s. Bank room hosts daily public meetings, library programs, and library meetings, the emergency exit opens currently on to a dirt slope that is overcrowded with plantings and a concrete barrier and is not code compliant or ada accessible. In addition, central library's overmatured landscaping is not inviting, provides harbor for rodents and creates visual barriers that encourage illicit behavior. This will create a more accessible landing and path from exit to sidewalk and address landscaping in ways that preserve historic design elements and reduce water consumption. I want to just take a quick moment to thank prosper Portland, especially kimberly branam and amy nagy for serving as the library's partners in presenting this proposal. If approved we will obviously undertake these projects with a steadfast commitment to work with prosper Portland to ensure that the improvements will align with

June 19, 2019

the permitted uses of tax increment funding and adhere to policies and timelines of the city of Portland and Multnomah county. Thank you.

Wheeler: Thank you. Appreciate it. Good afternoon.

Julie Bunker, Portland's 5 Centers for the Arts: Good afternoon. My name is Julie Bunker, I'm director of operations for Portland's 5 centers for the arts. I'm here to talk about the Schnitz Marquee. Portland 5 Center for the Arts manages the Arlene Schnitzer Concert Hall, Keller Auditorium and Antoinette Hatfield Hall through an intergovernmental agreement with Metro through the Metropolitan Exposition and Recreational Commission. That's a mouthful. Of P5's \$20 million operating budget the city of Portland contributes approximately 5% and local government shared revenues such as the TIT covers an additional 5%. 88% of the operating budget must come from our earned income. The majority of that earned income comes from commercial events and while we are very pleased to host or present commercial shows because who doesn't want to see Broadway or Hamilton or Wicked or their favorite singers for that matter, that is not really the goal and really what we're most excited about in terms of an organization. What we're most proud of is what our mission statement which states we're changing the world through the arts and how we change the world is through community engagement, and I would like to do a shout out to our community engagement necks and education department members who are sitting behind me. They do a remarkable job. We do in-house programming that provides opportunities to diversified performances to ensure that we're serving the entire Portland community and just not a small percentage. Our education program focuses exclusively on serving teachers and students in Title 1 schools and in the three years since the department was developed, the P5 education program has introduced a broad spectrum of culturally diverse programming for students, teachers and their families. P5 also provides a variety of performances that are open and free to the public. I highly encourage you if you haven't been to the Wednesday Music on Main events to try those out because they are fantastic fun. And P5 also in our lobbies we showcase local artists. We have a very far reach in regards to who we serve, our P5 hosts presents more than, P5 presents more than 1,000 performances annually and serves almost 1 million people a year. Finally one of the key things that we do is we support local arts organizations with more than 2.3 million of reduced rent and lower fees. These are organizations, large organizations like the Symphony and small organizations like Stumptown. It enables them, it ensures that they remain healthy and can continue operating. So the question was, why the marquee. Well, I have only been with P5 for the past two years. I started almost exactly two years ago. I have to admit when I was looking at the capital plan it wasn't towards the top of my list. But what has changed over the past two years is that the realization that this is one of the most prized assets that the city has. It's a touchstone. I am not exaggerating when I say one of the things I have noticed is the number of people who take pictures of this sign. I see it at least, at least once a day, usually more. In the summer four or five times a day. I think the stag sign is good but the Portland sign is easier to get a good picture of. So, it's probably the most photographed icon of the city. Two, a couple weeks ago I was at the Saturday Market and I counted six local artists who use that sign for tee shirts and for signage. So it's obviously a very important touchstone for them. But I think the most important of all is one of the reasons why our types of groups exist, our public buildings exist, the library exists is to foster a sense of community which I think is really important right now particularly with some of the other divisiveness going on in the world. One of the things that the sign can do is help foster -- help bring in that sense of community. One of the things we're looking at doing is an electronic marquee. We would like an electronic marquee for two reasons. One, it takes us about three hours to change the marquee the old fashioned way. And we change it almost every single day. It puts our custodians at risk, and the reason why is because of the traffic. There's a few more cars than there were

June 19, 2019

in 1928 when this was first designed. This design is still from 1928. Most importantly is just, like I said the sense of community. We frequently bring in as I said, they are educational programs, bring in schools who just had not had an opportunity to come into our buildings and view our performances. Having the marquee, an electronic marquee allows opportunity to more easily welcome these folks. So you can imagine you're a roosevelt student for example and you've never been into the schnitzer, and never particularly felt welcome in that environment. You show up on the buses and there's the marquee saying welcome roosevelt students. That's something that's very important to us is that outreach. I am really thrilled to see that the city and prosper Portland are looking at assisting us with the strategic capital project. It can be a little bit tough to come up with those funds, but we really feel this particular project is well worth doing. Thank you very much.

Wheeler: Thank you. We appreciate it. Commissioner Fritz?

Fritz: Follow-up question. That was a good explanation of why spend a lot of money on a marquee. How will you do the design so it fits in with the historic building?

Bunker: It's actually, we have been to the review on the state level. It actually will look exactly the same. In fact we're reverting back to the original design, so even though it's an electronic marquee, we can replicate exactly the way it looks now without the broken letters and that [laughter]. We'll skip that part. And the marquee originally was solid black with white letters. Right now it's white with black letters. We're actually going to go back to the black with the white letters.

Fritz: That will look good.

Bunker: The look will be as the original, just offers more flexibility.

Fritz: So it won't be changing, revolving --

Bunker: No, it will be a static sign. Yes, no it will not. We will not be showing the super bowl or whatever on it, no.

Fritz: For special occasions [laughter] --

Bunker: For special occasions yeah.

Eudaly: I can personally attest to how hard those signs are to change. I worked at cinema 21 as a teenager. One night trying to put up the announcement for woman on the verge of a nervous breakdown in the rain with the flu, I considered throwing myself off the ladder possibly being preferable to having to continue installing that sign. Someone took mercy on me. I did not throw myself off the ladder, but it is hard and there are dangers involved.

Wheeler: Plus that was a long title. [laughter]

Eudaly: It really was. It was an apt title as well. [laughter]

Bunker: We generally change it at 6:00 a.m. to try and avoid the traffic and to get done before it's too bad.

Wheeler: Thanks a lot. Appreciate it.

Bunker: Thank you.

Wheeler: It's good seeing you again.

Oehlke: Good to see you.

Wheeler: Thank you. Is there other public, does this complete invited testimony?

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

Wheeler: Very good and nobody else wants to testify? Very good. This is a resolution. If there's no further discussion we'll call the roll.

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

Fritz: I serve on the visitor development fund board, so as such, we were always looking for the things that tourists are interested in as well as people who live in Portland, so when I heard that there was some additional revenue available to put to specific buildings in Portland I said have you thought about the schnitz? And so I'm really happy to hear this is going to be put to this use. We know there's still a lot of work to be done, and a lot of as

June 19, 2019

you say, big capital maintenance list that it's better to do something on the list than nothing on the list. So thank you to prosper Portland staff for taking my suggestion. Aye.

Wheeler: You learn something new every day. Today was no exception. Great report. I vote Aye. The resolution is adopted. Thank you. Next item is the four-fifths agenda, per earlier vote. Item 618, please, Karla.

Item 618

Wheeler: This is a proposed assessment hearing for charges to property owners for repair or construction of sidewalks, curbs and/or driveways completed by the Portland bureau of transportation on the listed properties. Sherree matias from the revenue division is here to present this item. Along with others. Good afternoon.

Sherree Matias, Office of Management and Finance Revenue Bureau: Good afternoon.

*****: Good afternoon.

Matias: Thank you, mayor, commissioners. This ordinance is for sidewalk repair on property that is required by the city and any remonstrances have been pulled and are not in this assessment ordinance.

Fish: That's about as clean as you can get.

Wheeler: I know. That's, is that the full presentation?

Matias: That is it.

Wheeler: Very good. Are there any further questions? Is there any public testimony on this item?

Moore-Love: Yes. We have one person signed up.

Wheeler: Let's hear him.

Moore-Love: Kyle bell.

Kyle Bell: Which do I use to go through. [inaudible] Forward? Okay.

Fish: Sir, can I just ask you a procedural question?

Bell: Okay, is it possible to get these handed out? Sorry. Thanks.

Fish: So I just want to make sure I understand something. If there are no remonstrances, and we normally have people testify in favor of the assessment. Are you here to testify against an assessment for some future hearing?

Bell: I'm here to explain how mine isn't finished and isn't actually holding up.

Eudaly: That's not relevant to this item.

Bell: It's purely about my sidewalk. It's not anybody else's sidewalk.

Fish: Well, I just want to make sure, mayor, that we're, we have relevant testimony to this. If all the remonstrances have been removed, then the only testimony that I could imagine that's relevant to this matter is someone supporting the list because the remonstrances have been removed. There is actually no controversy before us.

Wheeler: I believe from a procedural prospective that's correct unless legal counsel has a different interpretation.

Washington: I agree with that.

Wheeler: Okay.

Bell: The situation I'm in is I have a letter from the city though dated less than a month ago that I can come to city council. I can explain that and I have more slides to show in this explanation.

Fish: Do you have an objection to file today?

Bell: Yes.

Fish: So you're filing a remonstrance.

Bell: Yes.

Fish: So isn't the proper procedure here to simply remove your property from the list since we have cleaned all the other remonstrances? Have you deal directly with the lead agency on this rather than engage the council? Could you come back up for a second? It strikes

June 19, 2019

me as, we may not actually be the correct place to begin this conversation, so if this gentleman has a remonstrance, why is he here today?

Matias: He did not file a remonstrance. He did send in a letter stating he would come to council to talk about his sidewalk, however he has appealed before and his property has been removed a couple of times already.

Fritz: Is his property in this list?

Matias: It is. Yes.

Bell: There's a copy of it in the packet that you have.

Fish: What is your, with all the other remonstrances that have been filed, what is your protocol in dealing with the individual remonstrances?

Matias: So any charges that we remove from the assessment is sent back to the sidewalk department and then they review everything and get in contact with the property owner, which Mr. Kyle bell has received from the sidewalk department. His property I believe has been reduced twice by the sidewalk department.

Bell: But my sidewalk is not complete and it's already cracking.

Fish: Okay, I just want to make sure, it doesn't sound like this is the right forum.

Wheeler: I --

Fritz: He's here to tes -- his number, his, on page 22 his assessment is in there. So let's just hear the testimony.

Bell: It has not been removed as a remonstrance and I did everything correctly. I received a letter. You'll see on the second page that I --

Wheeler: Why don't we do this. You have three minutes to testify. Let's hear your three minutes of testimony and then we'll take this up at the end. My suspicion is commissioner Fish is right though, that this is not the right forum.

Bell: It's the only avenue that I --

Wheeler: You're here and we'll hear you out.

Bell: I appreciate that. This is --

Wheeler: You bet.

Bell: First off, as you've already heard, I have been here in the past. This particular thing that i'm showing has nothing to do with anyone here in this room except myself. I received this letter that's before you that you can see on the screen also. I delivered it in hand, I hand delivered it to the address on there. This is the letter that I got stamped while I was there on may 28th. Following the orders of that letter this is what the chart and code and policies of the city are listed as. You can see letter c, i'm not going to read the whole thing, upon receipt of a timely filed remonstrance the revenue division shall remove the property from the filing of the proposed assessment before the council hearing date and shall refer the remonstrance to the responsible bureau for a follow-up and response. I thought I had done everything correctly in turning in that letter. This wasn't necessarily something that I know a lot about. I'm not particularly experienced in this but then I went to the agenda of city hall yesterday and found that at the very bottom, #618, what we're talking about right now. I clicked on it, about 40 pages of addresses comes up, mine was in that, one of those addresses that did not get removed. I have since been told by writing to the head of pbot, chris warner, who responded within a couple hours, which was nice, that he called it an oversight, which is obviously another word for mistake. I've been dealing with a lot of mistakes through this whole process --

Fish: What's the address of your property, sir?

Bell: 2370 southeast 60th. It's on your form. You have it in front of you. It's on that page 22 it's called.

Fish: The form that's in front of me has the address whited out.

Bell: I'm sorry, on the actual piece of paper -- didn't that get handed out.

Fritz: Yeah, it's on page 22 of what was in the docket.

June 19, 2019

Fish: So your testimony is that pbot director said it was an oversight that you were not treated as a remonstrance.

Bell: He told me the day before I was supposed to come here, they've had this for a month that I had this opportunity to come back. I'm kind of losing my time --

Fish: Sir, just listen to my question. Did he tell you that they made a mistake in not treating your objection as a remonstrance?

Bell: It wasn't that specific. It was just, he called it an oversight.

Fish: What was an oversight?

Bell: That I received the letter to be able to come here and talk to you. This has been seen before. It's my sidewalks. This is where after the work was done, this is today. The reason I'm here is because it's not finished and it's cracking and I understand there's a three-year warranty. Everybody talks about a three-year warranty. I don't know where that begins. I have not received any sort of paperwork on it. Nobody really expresses how that works. The company sidewalks solutions that does the work, courtesy and integrity are more than just words. They define our personnel and company and at the very bottom, customers receive quality work with urgency and are treated with utmost respect. This was put on a facebook page by kgw, by a person named christopher Collins. It was basically a copy of what a pbot letter looks like and next to it you see that little dot up to the left says hello, I am accountable. You go to that and I'm accountable is the owner of sidewalk solutions. As innocuous as this might seem, it's frustrating to have somebody -- it's not clear about receiving your notice. I don't know about him coming back and finishing my sidewalks. The questions I have are I want to know what the three year warranty, when it starts. I haven't been billed yet. I haven't received anything. How do I get my new sidewalk's cracks fixed by somebody other than this company would be great because they are already kind of harassing me on social media. And 5 months ago, Commissioner hardesty requested that the pbot manager tara wasiac look at my property, send somebody out specifically to inspect my property and I'd like to know when that happens and who's doing that.

Wheeler: Okay. Thank you. Good. So I'd like. Thank you for your testimony. I appreciate it. I would like to hear from staff and from legal counsel what our options are with regard to this individual's request.

Fish: Sir, go ahead and take your seat.

Wheeler: Thank you.

Bell: Okay.

Fish: We can have staff come back. So, let me ask the first question if I could. This gentleman has presented us with a written objection, which apparently was received by pbot that he is calling a remonstrance. Do you acknowledge receipt of that letter and does it qualify as a remonstrance?

Matias: Yes. And it was forwarded to pbot.

Fish: So was it a timely filed remonstrance?

Matias: It was, yes.

Fish: So just help us understand because you began the presentation by telling us that all the remonstrances had been removed.

Matias: Mmhm, that's correct

Fish: Why has this remonstrance not been removed?

Matias: This one was not removed because mr. Bell did remonstrate two other times prior. His property was put back into this assessment because pbot did come to a conclusion of what the reductions would be for his property and it was put back in this assessment.

Fish: With respect to the questions -- so if he's not eligible to file a remonstrance to the final assessment, what is his recourse with respect to the quality of the workmanship and the questions that he's posed about a warranty and whether the work can be redone and whether he can hire someone else to do the work? Where does he go for those questions?

June 19, 2019

Mike Zeller: We do warranty the work.

Fish: Could you get closer to the mic so we can hear?

Zeller: I'm mike zeller. I work with the contractors that do the work and sidewalk solutions. Yeah, we'll warranty the work. I'm looking at that crack and it just looks like a crack that from my experience with concrete looks like a crack that would -- concrete just cracks. So, that'll happen. That's what that -- is it just one crack?

Bell: So far. There's one crack.

Zeller: So far. So yeah, if you want I can have sidewalk solutions go back and make the repair on that.

Eudaly: But he said that he doesn't want that contractor to come back because of his dissatisfaction --

Zeller: I can assign -- we have another --

Eudaly: Okay.

Zeller: Contractor I can assign that if that would please him. It's up to you guys.

Fish: Well, I think that resolves the issue.

Wheeler: I think it does.

Fish: If you could assign another contractor to go make the repair --

Zeller: Sure.

Fish: I think that addresses the concern that he's raised. It's not technically a remonstrance but I think that it gives us a path to move forward, mayor.

Wheeler: Okay. Good. So do we need to make any formal notification on that, legal counsel?

Washington: No, you know, my understanding looking back at some of the records here is that there's an ordinance where the city engineer's findings were adopted regarding the initial remonstrance that mr. Bell filed on the repairs, and so my understanding is the ability to do another remonstrance was just an error in that letter so I think that's where there's a little bit of confusion here. The procedural mechanism for mr. Bell after that ordinance would have been a writ of review which he had 60 days to file, my understanding that was due in May and that was not filed.

Wheeler: Okay, well --

Fish: So --

Wheeler: Sorry Commissioner Fish. Go ahead.

Fish: Just to be clear we're not dealing with that issue right now. We're simply dealing with a request that a citizen has made about repairing some work that was done. Pbot has said they will send another contractor out. This is an ordinance. Can we treat that as a friendly amendment?

Washington: Yes.

Wheeler: Well, I don't even see it as an amendment.

Washington: I don't know the --

Wheeler: I think we did two things here simultaneously. We're completing a first reading on an ordinance that's somewhat unrelated except for the fact that the letter was sent to mr. Bell which I agree implies you should be here to testify. He's testified and commissioner Fish has problem solved his constituent services issue so a different contractor will be going back to fix the work is what we heard. Is that what you heard?

Fritz: Yeah, and in the meantime the bill still needs to be paid.

Fish: Okay, I think we're done.

Wheeler: Very good. So this, is there any further discussion on this time? That completes public testimony, Karla?

Moore-Love: Yes, that's all who signed up.

Wheeler: This is the first reading of a non-emergency ordinance. It moves to second reading. Thank you.

Item 615

Item 616

Item 617

Wheeler: Next item, please –

Fritz: So these I think commissioner Eudaly asked to move that.

Wheeler: Yeah. Commissioner Eudaly, why don't we do that? Why don't we go ahead and read 615, 16 and 17, because commissioner Eudaly is going to move those, and that will get us to 2:45 for a time certain.

Wheeler: And this has been moved, Commissioner Eudaly, is that correct?

Eudaly: Yes, mayor. We moved this and 616 and 617 back to my office just in the interests of lightning up our agenda which was very lengthy today.

Wheeler: Indeed. All right and item 616. Could you please read that, Karla?

Moore-Love: And for clarification, I show these are rescheduled to next week. Has that changed?

Eudaly: No, yes.

Moore-Love: That scheduled to next week at 2:00 p.m. Because it's an emergency.

Wheeler: Okay, so 615 is rescheduled to next week, next wednesday, time certain 2:00 p.m.

Moore-Love: Just regular agenda.

Wheeler: Regular agenda. Thank you. It's at 2:00 p.m. Thank you. 616. Commissioner Eudaly, this has also been scheduled, is that -- rescheduled?

Eudaly: Correct, yes.

Wheeler: Okay, and that will also be the afternoon schedule, Karla?

Moore-Love: This will be in the 9:30 session.

Wheeler: In the morning session, okay, very good.

Moore-Love: Yes, it's a nonemergency.

Wheeler: And 617.

Fish: Can I just ask a question of the sponsor. If 617 is the second reading is there any reason we don't take it up now?

Eudaly: Just to keep it moving along. Yeah. We just decided to move all of them back.

Fritz: We could vote it.

Fish: We can vote on it now and just pass it. We have actually –

Eudaly: I had multiple communications with my office. They just want to move it to next week. Thank you.

Wheeler: Not a problem. Very good. So can you read 617, please. And when has this been rescheduled, Karla.

Moore-Love: This is to the 9:30 a.m. session next week.

Wheeler: All right. That is done, and we now have stalled long enough. We can now go back to item number item 610. Thank you, Karla. We're here today to discuss the role of the city of Portland in ensuring that we are good data stewards on behalf of the public. The bureau of planning and sustainability smart city pdx program has partnered with my office and the office of equity and human rights to develop a set of privacy and information protection principles to guide the collection and use of data by the city. Director of planning and sustainability Andrea Durbin and director of the office of equity and human rights Dr. Markisha Smith and bureau staff are here to present the privacy and information protection principal's resolution. Good afternoon.

Kevin Martin, Bureau of Planning and Sustainability: Good afternoon.

Andrea Durbin, Director, Bureau of Planning and Sustainability: Good afternoon.

Markisha Smith, Director, Office of Equity and Human Rights: Good afternoon.

Martin: Thank you, mayor. Thank you the rest of city council. I'm Kevin Martin, I lead the smart city pdx program out of the bureau of planning and sustainability. I'll be acting as the

June 19, 2019

mc for today's short presentation. The resolution is really the result of a wonderful partnership between the mayor's office, the bureau of planning and sustainability and the office of equity and human rights. I would like to kick things off by inviting director durbin and director smith to say a few words about the resolution.

Durbin: Thank you. For the record i'm andrea durbin, the director of bureau of planning and sustainability. Thank you mayor and city council, and thank you all for your support for this initiative. As we plan for the future of Portland we must consider that cities are increasingly digital. To have a digital data driven city that is democratic, safe and accountable we must protect the basic right to privacy. The smart city pdx program at the bureau of planning and sustainability has partnered with the office of equity and human rights to draft the privacy and information protection principles resolution in front of you today. The resolution is the product of more than six months of internal and external conversations with feedback and support from community members, over 30 agencies, multiple outside partners and other cities. These initial principles are just a first step. They solidify city council support to develop policies and processes to make the city of Portland a better, and more trusted steward of the public's data and direct bps and the office of equity and human rights to lead that citywide policy effort. The bureau of planning and sustainability has a history of working across multiple city agencies and with the community to address some of Portland's biggest problems. We look forward to offering our expertise to inform one the most significant challenges facing the cities of the digital future, how to maximize the benefits of more data and technology driven city, while minimizing the negative impacts being especially mindful of those Portlanders who are directly the most marginalized. The successful city of the digitality future will not be an accident. We must be diligent in leveraging opportunities data and technology bring on behalf of all Portlanders in a way that addresses our collective goals for a better Portland. With that i'll turn to my colleague, director smith.

Smith: Good afternoon, everybody. Mayor wheeler, commissioners, I want to first thank you for your collective sponsorship of this resolution. From the government surveillance of black civil rights leaders in the 1960s to the surveillance of black lives matters protesters on social media today there are myriad examples of communities of color enduring disproportionate level of scrutiny when compared with white americans engaged in the same kinds of social activist activities. Undocumented immigrants, day laborers, houseless community and those with criminal convictions suffer from data extreme. Living beyond the reach of the data collection systems needed to thrive in society they gain so much privacy that they become increasingly invisible. Living in this, what is now known as surveillance gap can be as damaging as living under constant surveillance and is often a reaction to it. Residents of the surveillance gap may not have a permanent address, a social security number or immigration papers. This means they can't access resources that could help them, they often can't access legal employment or vote and are invisible to policy makers. The proactive application of an equity lens to how the city collects, reports and interacts with data and technology readily highlights the vulnerability of historically marginalized communities. Adoption of these principles is a strong first step in being intentional about equity, questioning how policy, procedure or program may impact the multiple communities we serve in different ways and result in different outcomes. The office of equity and human rights collaborated with bps and smart cities initiative in development of the smart cities equity framework and this important work proactively addresses privacy issues. We look forward to our continued participation as we all move forward into the quickly evolving digital age. Thank you.

Martin: Thank you both. With that I would like to bring up staff from my smart city pdx team, hector dominguez and Christine kendrick to dive into the details of the resolution. We do have a presentation.

June 19, 2019

Wheeler: Oh, Karla has left the building, we're in trouble.

Martin: Karla has left the building.

Hector Dominguez Aguirre, Bureau of Planning and Sustainability: We can move with our presentation.

Martin: You think so?

Dominguez: Yeah.

Martin: I have it in my pocket if we can just [inaudible] -

Wheeler: Is she here? She's coming right now.

Martin: Okay.

Wheeler: Karla, could we get a little help with the, they have a presentation. Thank you.

Martin: Actually, while Karla is working on that I did want to thank some other folks who are not at the table. Especially recognize the contributions of hector and christine, who have really led this work. Judith mowry from the office of equity and human rights.

Elisabeth perez from the mayor's office and now the office for community technology, and as well as many community participants and to our partners from the digital inclusion network.

Wheeler: Technology, huh? [laughter]

Martin: Here we go.

Fritz: Well done.

Dominguez: All right.

Martin: Great. Hector, you want to kick things off?

Dominguez: Yes. Good afternoon, Mayor, ted wheeler, commissioners, audience present and online, my name is hector dominguez, I am the city-wide open data coordinator with the bureau of planning and sustainability. These privacy principles and information protection principles we bring today aim to support our city efforts to become a better steward of information through the use and promotion of best practices and technology in an equitable way. The city collects, processes, exchanges and publishes data in a multitude of ways. Such actions may put communities or individuals at risk when that data exposes personal or sensitive information about their lives and could be misused or exploit people's vulnerabilities. The city has a responsibility for protecting all information entrusted by all individuals who interact with it and needs to build a responsible connection with those who have become invisible in the digital world, as mentioned by director smith. This commitment to protect private and sensitive information must extend to all those partners that work with, or on behalf of the city and include the right due diligence to comply with the trusted relationship required for the [inaudible] and city services. It is important to mention that these principles include measures that look into emerging technologies that may be used for automated decision systems like big data and artificial intelligence by promoting equity, fairness, transparency and accountability on them. We also are encouraging the minimal collection of personal information to fulfill a well-defined purpose to bring value to our city services. It took a full year of patient work one to one conversations and group meetings to highlight the importance of that stewardship in the city as well as responsibilities that we all share to be trustees of information and resources to the public. 30-plus agencies and 150-plus staff members have been briefed around these principles and the next steps that this work is asking from all of us. By accepting all responsible use of technology, promoting proper due diligence and inclusive and open processing data management our city is building a solid cornerstone for a new generation of services that promote community engagement, accountability and effective action.

Christine Kendrick, Bureau of Planning and Sustainability: Good afternoon mayor Wheeler and commissioners. My name is christine kendrick. I'm the smart city pdx coordinator with the bureau of planning and sustainability. As both director durbin and director smith mentioned in their opening remarks, this resolution is only a first step to

June 19, 2019

prioritizing privacy and information protection. Staff through planning and sustainability in smart pdx and office of equity and human rights will convene a privacy workgroup that would be focused on the implementation of the principles. This workgroup is going to include staff from archives, auditor's office, bureau of technology services, city attorney's office, community and civic life, office for community technology, office of management and finance, Portland bureau of transportation, Portland police bureau and Portland water bureau. The privacy workgroup kicks off next week on June 25th and will serve in an advisory role to the overall city's data governance efforts. Over the next year we'll work with this group to identify both short term and long term policies and procedures to uphold the privacy principles. Some specific objectives that the workgroup will focus on are identifying long term policies and procedures that are needed for implementation, assessing the city staff needs and resource budget needs for implementation. This group will also work on creating some initial privacy risk assessment tools. These types of tools will be able to guide staff in how to apply the principles to their work in the near term as we're working on more long term policies and procedures. This privacy workgroup will also need to efficiently develop responses to critical and short term issues that could develop quite rapidly over the next year. An example of a type of issue like this is facial recognition and the use of video analytics. So this is one of the first topics that we would like to focus on with the privacy work group with the goal of bringing – of creating a council work session on facial recognition and video analytics in coming months. The last objective I'll talk about for the privacy workgroup is to recommend a privacy governance structure. This structure needs to include levels of decision making and accountability and also needs to link back to the city's overall governance strategy. As part of the structure we also need to identify pathways for community involvement. During implementation of these principles there are going to be a lot of different types of decisions that are going to need to be made so we really want to make sure we're extending our efforts during this implementation to make sure we're creating avenues for community involvement in that decision making. Technology advancements and data collection efforts are occurring at a rapid pace, and they're growing quite quickly as well. This also means that then the risk and benefits and burdens that affect communities are going to evolve quickly and also affect communities differently. So identifying these needs and these concerns collaboratively with communities will be a key aspect to effective implementation of the principles we're presenting today. Thank you.

Martin: Thank you both. Next I would like to bring up one of our --

Fritz: Can I just ask a question before you dismiss the panel. In the privacy work group I missed the entire list. Is the police bureau a part of that?

Kendrick: Yes.

Fritz: Thank you.

Martin: I would like to bring up one of our favorite community partners, Nandini from make, think, code.

Nandini Ranganathan, Make+Think+Code: Hello, everybody. Thank you for including me -- am I talking into something that? Okay, I'm Nandini Ranganathan, I'm the executive director of make think code. It's an art technology data society lab with the Pacific Northwest College of Art and we're also --

Fish: Can you hold one second, ma'am. Karla, we've got the power point on our screen.

Moore-Love: Are you still using it, Kevin?

Martin: No.

Fish: Let's see if we can pick up our guest.

Wheeler: There it is.

Ranganathan: Okay. And we're also community members of the digital inclusion network. I'm here because the issues of digital privacy are of utmost relevance to our work at make

June 19, 2019

think code and to the broader make think code community. First, I would like to express strong support for city council adoption of the privacy and information protection resolution and I would like to commend the efforts of the office of equity and human rights and smart city pdx to develop a set of privacy principles that ensure that the use of data by the city of Portland and its partners serve and empower the community. This resolution and the attached privacy principles are an essential and important first step in the city's commitment to becoming a trusted data and information steward. As the gathering of data becomes more and more ubiquitous and constant in this ultra-connected world, the city needs to juggle a complex set of responsibilities. It's essential to understand the potential and implications of the data project and to ensure that the use of data should empower every community member to have voice, agency and a sense of belonging in the city. We need strong safeguards, tools, strategies and policies to ensure privacy and to mitigate the impacts of previous bias and exclusion, especially as we move to include automated decision systems in civic processes. These policies and strategies need to be sort of operationalized in a way that there can evolve as technology and data evolve so that they don't become obsolete. We must ensure the safety and not harming of vulnerable and previously marginalized populations. We also need transparency in our processes to know how the data will be used, who has access and who and what tools are involved. To use data equitably and impactfully, we need to under the data, the stakeholders, the technology and tools throughout the life cycle and we need to ensure that a diverse set of stakeholders have access to this, some version of this data to support research advocacy and civic innovation. Civic data is a community resource. In partnership with smart city pdx we held a civic data and digital privacy and conference and forum in January with significant participation from portland's communities. The diversity of stakeholders that attended this event and the variety of concerns and recommendations that arose demonstrates the urgency of this issue to the community. There will be several issues that arise in operationalizing this set of principles and in creating and implementing policies. Data is not a neutral objective and the people and tools involved in every step of the lifecycle influence the narrative. It's essential to include all the stakeholders in this conversation as we move towards operationalizing the data. The commitment of smart city pdx and the office of equity and human rights to include a diversity of community voices and stakeholders in developing these principles and to emphasize community focused outcomes has been exemplary so far, and the strong interest from the community in continuing these conversations and many have offered their expertise, suggestions, feedback and energy towards creating a more comprehensive and inclusive data privacy policy and I urge the city to take advantage of this community engagement. In conclusion, we're excited to support and engage with this process. It's been transparent, equitable and inclusive and I strongly recommend that the city approve this resolution. Thank you.

Fish: Mayor, I have a question.

Wheeler: Commissioner Fish.

Fish: You know, so far we have had this discussion at a very high level and policy level. But let's bring it down to concrete examples. On the private side, I think we all have our own anecdotes about how the surveillance economy impacts us. We know from personal experience that when you google something it normally leads to a torrent of unsolicited advertising. If you google something that's a highly sensitive subject the advertising will follow around sensitive subjects. We know that we get phone calls almost daily from scammers that have some but not all our information are trying to fill out the chart by getting a missing piece, a social security number, something they don't have that they haven't stolen or received from some other source. We're inundated at the city and at home with emails seeing if we'll click onto something which then brings a virus into our system or has some bad outcome. So we are in a constant struggle on the private side

June 19, 2019

with this surveillance economy where our personal information, where people are trying to collect our personal information and monetize it. What are the examples of government -- what are examples in the public side around government and privacy that are of a comparable nature that you would point to in your work and say these are the kinds of things we should be remedying?

Ranganathan: I think especially as we're moving towards more ai imaging learning in these systems, one thing I worry about that could -- and one that has existed is, we've often used data to profile and exclude, and maybe sort of make decisions based on past behavior or past -- but done the right way, we could use data to sort of support more of the community. I think the idea is more -- data is often -- often has been used to, in allocating resources but when it's not collected properly or when it hasn't been sort of effectively studied and all the stakeholders aren't involved in sort of designing the collection, designing how it's used, when we don't empower enough of our community to be able to use the data to advocate -- data -- we use data in resource allocation and that often, if we exclude people, if they're missing data sets, if they're people who aren't counted, ends up sort of impacting them negatively because they don't get the resources and we privilege people with. We -- ensuring that civic data is sort of rigorous, is collected in an inclusive way and often that just means in what we can do and I think what I've seen sort of an intention to do, is to be inclusive. To design a sort of data collection. To design analysis, policies, tools with all of the community stakeholders involved so that they can be also -- they can have ownership of the data and use it for advocacy for resources and for other things. So I think there's potential here to set an example that we all have, both in private and public sectors, constantly have data gathered about us. I think in the past the emphasis has often been on gathering as much data as possible. I think we should also think about how this data serves the community and use it really effectively to make decisions in things like it could be transportation safety, to see environmental impacts, or sort of development on communities. So I think we now have technology and tools that, done the right way and designed correctly, can be really powerful in supporting communities.

Fish: That's very helpful. Thank you very much.

Ranganathan: Yep.

Martin: With that, I'm going to bring Christine and Hector back up so that we can answer any additional questions, and Christine will also be reading a prepared statement from Commissioner Hardesty who could not be here today.

Kendrick: Thank you all. And we wanted to thank Commissioner Hardesty and her staff for preparing these remarks on the privacy principles ahead of time, so I'm going to read them now. "The need to make a coherent data management policy within the city is apparent to me, and while I applaud the work that has gone into crafting these goals and principles around how the city manages data, moving forward I wanted to highlight some concerns I have with this new approach. There is a natural tension between privacy and transparency, and I am concerned that those who stand to profit from access to city data will fight for a sacrifice of privacy to gain more access to city data. Furthermore, centralizing large amounts of sensitive data makes for an appealing target to those who wish to profit from the theft of personal information. Additionally, I'm concerned that approving this shift in policy without having a more flushed out plan, could result in investments in new data management systems that ultimately fail to properly integrate with another or do not manage to adhere to the values of this council. I realize that this item is merely the first step in creating a new data management system in the city and that many questions will be addressed as bureaus work to craft more specific policies around these principles. But it is important that we begin recognizing and discussing the challenges the plan that we approving today creates. It is my hope that everyone on this council and the

June 19, 2019

bureau staff working on these principles will appreciate the challenges and risks inherent with this type of overhaul and that we are cautious and deliberative with every change we make during this process.”

Martin: And hector had follow up to those remarks.

Dominguez: Yeah, definitely the tension between privacy and transparency is very real and we appreciate Commissioner Hardesty’s remarks and concerns on how data and information can be misused and create harm and put people at risk. Something that just Commissioner Fish has also mentioned. This is an issue with clear intentions and we will require ongoing exploration as we move forward with our privacy workgroup. These concerns have been a clear motivation from the very beginning of this work. We looked at information management through the lens of equity and human rights, which is one of the values of smart city pdx as demonstrated in our priorities framework. We also recognize that technological solutions have no silver bullets by themselves but their implementation needs to be centered in real people’s needs. All staff and city involved in any stage of data workflow becomes a trustee of information. Furthermore, those impacted by technology need to engage in how it is implemented and become recipients of the benefits as well. These values are included in these principles that we are being today. These new challenges are not trivial and this is the main reason of putting together a city-wide team of experts and stakeholders to explore and decide in the best way in which these privacy principles can be implemented. The goal for the initial privacy workgroup that Christine just mentioned in her final comments, is to provide with a clear strategy and recommendation on the way we can become better data stewards for all Portlanders and people who interact with the city, especially for those who have been left behind. With that we will open up to questions and testimony.

Wheeler: Very good. Is there any public testimony on this item, Karla?

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

Fish: Actually I have one question if I could and we’re a little ahead of schedule.

Wheeler: Commissioner Fish.

Fish: So we start by articulating principles and that’s all we’re doing today. We’ve set forth some principles. We’re not etching them in stone so that we can come back and we can tweak them. It seems to me you have to start somewhere and this is as good a place as any to articulate principles, and there’s now going to be a series of steps taken, workgroup, policies, other kinds of things to come back to council. I’m going to go back to this tension between privacy and transparency because we’re going to have to be candid throughout this process about the limitations on the protections that we can put on data. And I’ll give you just the most obvious example. We get public records requests all the time that seek information that our attorney’s determine is not disclosable for any number of reasons including privacy issues. But, we don’t get the final say as to whether that information is disclosable. It typically rests with the district attorney’s office in deciding whether it has to be turned over, so what ultimately is our backstop if lets say the public records process can be used to challenge almost any privacy protection we put into place and we don’t get the final say?

Dominguez: That’s definitely one of the priorities that we have for the workgroup and we have heard that from our attorneys from public records, exactly how you described. And the history behind that is really towards transparency, promoting more transparency in the city rather than protecting or enclosing data that government has access. So that creates a number of challenges mostly because right now, third parties outside the domain of the city can actually aggregate data and do a lot more than we can actually control. It’s out of our control basically so finding the right strategies, that’s going to be one of the priorities for this workgroup. Finding the right strategies for how to protect data better in the city and it’s an ongoing exploration and conversation.

June 19, 2019

Martin: And I might add to that as well. I think going forward as we've become a more data driven organization, really a data driven city, I think the city is going to have to be more strategic about what data we do collect in making sure that that's information that we need, because it is subject of public records.

Fish: So more disaggregated data, less –

Martin: Exactly.

Fish: Specific to a person.

Dominguez: Yeah, more aggregated data, rather than –

Kendrick: I think there's also an element that we are not just talking about policies but the procedures too. Are we training our city staff across bureaus about this. Are there things that we can put into more methodologies about what to collect before building a survey or working on a project, so there's a lot of different avenues that we can look at.

Dominguez: If you allow me to include something around equity, so one of the discussions that also we have on equity, particularly capturing the specific demographics as the city wants to provide better services to those who have been also behind, so very, very specific demographics. The question is open whether or not we're putting at risk those communities that we are disaggregating them, separating for specific services in the city. How we can actually protect them better and that's going to be an ongoing exploration, conversation and that's why we are very, actually, very excited about this group of people that we are pulling together.

Fish: Who is the city attorney that's assisting you in the workgroup?

Dominguez: We have several city attorneys –

Fish: A bunch of those.

Dominguez: Yes.

Fish: Because it strikes me that the legal issues here are very, very complicated.

Dominguez: Yes, exactly. There could be different perspectives on the same problem and issue, yeah.

Martin: An also recognizing that the legal landscape has not necessarily kept up with the technology landscape and so we really need that legal representation as we go forward with this work.

Fish: Thank you very much.

Wheeler: Very good. Is there any other public testimony on this, Karla?

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

Wheeler: Very good.

Moore-Love: Please come on up, brian king, chris bushick and alan Hipolito.

Wheeler: Good afternoon.

Brian King, Portland Democratic Socials of America: Good afternoon.

Wheeler: Thanks for being here.

King: Good afternoon. My name is brian king. I'm the chair of the information technology working group of the Portland democratic socials of america. So i'm speaking for that group today. Privacy is a human right. Information privacy protects us from theft, harassment and abuses of private and government power. We welcome the Portland city council's approval of the privacy and information protection principles resolution. Implementing these principles will require following ordinances and new policy to ensure transparency, accountability and public control of data collection. In 2015, Portland police captain mark kruger acknowledged that Portland police have access to a stingray, a device that mimics a cell phone tower so they can gather data, location data on phone users in a wide area. In 2017, the dc court of appeals ruled that warrantless use of stingray violates 4th amendment privacy rights. In 2017, the Willamette Week reported that Portland police failed to delete photos of protestors ids despite having committed to do so pursuant to ppb policy. However, an independent Portland – an independent police review found that ppb

June 19, 2019

had no such policy for digital images. No disciplinary actions were reported or the policy violations -- over the privacy violations. Vigilant solutions runs a national database of automated license plate reader data collected by law enforcement agencies. Vigilant solutions has a data sharing agreement with ice, immigration and customs enforcement and the aclu obtained ice search records and found that the agents used license plate data to track the daily movements of suspects and that they also conduct searches on the families of suspects, on u.s. Citizens and conduct searches which the aclu called vague and arbitrary. Ppb has license plate readers on some control cars. If ppb are sharing it's license plate data with vigilant solutions or other data bases that supply ice, this would contribute to ice's violations of privacy and could violate oregon's antiprofiling laws. President trump has issued orders which condition federal funding on cooperation with investigations of Idhs and ice. Local governments are asked to share information about undocumented immigrants so that they can be targeted for deportation. Our federally funded data fusion center in salem violated antiprofiling laws by tracking black lives matter protests. Our local law enforcement database region shares data through a network of regional and national law enforcement databases that ice has access to. The executive order may put Portland in a dilemma. Do we accept federal money and share data that may violate antiprofiling laws or do we protect our residents by refusing funding and disengaging from abusive federal agencies. These examples show how much there is that needs to be done. Two endorsers of this resolution, the sunlight foundation and oakland's privacy advisory commission show the way forward. Oakland's privacy advisory commission is responsible for oversight for oakland's new surveillance and community safety ordinance. That ordinance provides visible protections, accountability measures for privacy violations and covers technologies like stingrays, facial recognition and social media surveillance. We believe it should be a model for Portland's privacy ordinances. The rest of my testimony is written.

Wheeler: Thank you. Appreciate it.

Eudaly: Thank you.

Wheeler: Good afternoon.

Chris Bushick: Hello, mayor, and members of city council. My name is chris bushick, and i'm a member of pdx privacy which is a local group, a group of local residents that advocates for privacy, transparency and digital rights in the Portland metro area. As such, we deeply care about issues that are related to the collection, use and potential misuse of personal information, and i'm here today to offer our support of this privacy and information protection resolution. Data collected from residents may potentially yield valuable information to the city. Perhaps it can tell us the most popular transit routes or ways that the city can improve services, but without thorough planning, the information can be misused or stolen, harming the city's residents and the city's future as an open, transparent and equitable place to live. Current technology offers considerable opportunities to accumulate a wide variety of personal data. When combined, this information can provide a detailed picture of a person's life. Gender, health, sexual preferences, religious affiliations, travel habits and a whole host of other aspects. Misuse can lead to a person being manipulated or surveilled or otherwise mistreated and marginalized communities are especially at risk because they have many less choices than affluent persons. Having guidelines and policies in place related to the collection of data will help the city to be a good steward of both resident and visitor data. Pdx privacy commends the city for being proactive in trying to protect privacy and data. We would like to see actual rights as this gentleman mentioned like that oakland privacy has but we feel this resolution is a good start, a good step towards that protection. Therefore we endorse it and thank you for the opportunity to speak to you today.

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

June 19, 2019

Alan : Good afternoon, mayor, members of the council. I'm alan hipolito. I work for northeast Portland based nonprofit, named verde. In the words of your friend and mine, ryan espana, it's a blessing to be with you today. The privacy principles before you today are an opportunity to highlight fundamental connections between technology, racism and inequality and the need to build new connections between technology and justice. Per it's mission statement, verde serves community by building environmental wealth through social enterprise, outreach and advocacy by and of front line communities verde was founded for two reasons. First sustainability despite foundational commitments to equity and not engaged and was not directly benefiting low income people of color and secondly these frontline communities lacked capacity, including public info and philanthropic investments to plan their own environmental futures. Since then you know about the good work we have done together to reinterpret sustainability as an anti-poverty strategy, green jobs, contracts for diverse businesses, cully park, sugar shack, les adelitas, Portland clean energy fund. We did this by building capacity in community and by that capacity drove environmental investments into low income people of color communities in response to community priorities. Today in parallel with this resolution we find ourselves with a new but not too different divide between the priorities of our technology stakeholders and the daily lives of Portland's low income people and people of color. Our front line communities are technologically marginalized, left out of a larger data rich society not just by poverty, not just because they can't afford it but by technology stakeholders who often either exploit our communities or treat them as afterthoughts, a box to be checked after early adopters, business models and other policy priorities have been realized and by public and private funders who too often fail to incent or resource our frontline community facing organization to create just technology futures for and with the communities they serve. So as a result our frontline communities suffer from low technology capacity, a lag that's heightened by real privacy concerns about exposing personal information, personal data to service providers including providers of just transition services like renewability energy and clean mobility and meanwhile these providers increasingly demand such information as a cost of accessing their vital services. We shouldn't be surprised tech folks often talk about early adopters, those who are the first to see opportunity in new technology, where racism and inequality are the original early adopters. They take the first seats at the table any time we create something new, turning technology into a tool that increases systemic disparities. We believe instead that data is a community resource, a disperse disorganized resource but an important resource nonetheless, important enough that powerful institutions build business and political models based on extracting it at minimum cost. I'm going to go over. I apologize. This is nothing new just like a gentrifying real estate developer who uses the process of an easy cash payment to buy property for less than it's worth and extract a digital economy exploits an unequal relationship to get something from community for less than its true value. But it doesn't have to be this way. Moving forward we'll need new tools and new resources. We have a choice about how to invest to close this divide. You can invest in the gentrifier in the same tech stakeholders who have ignored and exploited our communities but now are beginning to seek public subsidy to close the equity gap or you can invest resources in our frontline communities who not only have unique digital privacy and security concerns but also a disproportionately high demand to learn about tools and strategies to address their concerns. We know the answer. That you can't build community by investing outside of community. You can only build community by investing in community so they can imagine their own inclusive, just technology future. Thank you.

Wheeler: Thank you. Thanks all three of you. Appreciate it. Karla, was there more public testimony on this item?

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

Wheeler: Very good. Colleagues, any further questions or discussion?

June 19, 2019

Eudaly: Is this a -- are we going to vote or is it --

Wheeler: Yeah, it's a resolution.

Eudaly: Oh great. Okay.

Wheeler: Very good. With that, Karla, please call the roll.

Fish: Well, this has been a very thoughtful hearing. I appreciate everyone who took the time to share a perspective, and i'm pleased that the entire council is supporting this resolution. We don't do that very often but it is obviously a clear sign that it is an issue of sufficient concern that we're all sort of joined together to try to get this right. I am on a daily basis shocked by how little privacy I have on the commercial side of the ledger. And as someone who is living with a serious illness, who sometimes uses the internet to seek information and gather information, i'm shocked at how even that process results in people harvesting information and then trying to market to me or, or communicate with me based on my browsing history. We have precious little privacy in our private lives, and the surveillance economy is only going to get worse. One of my concerns with the whole smart planning efforts at the city around technology is that some of the same people on the private side that have been so unscrupulous in breaking down the wall of privacy that we used to enjoy are now seeking to partner with government and offer the lure of technology that is brokered for access to data and information and other kinds of things. And I think we have to be very, very careful about protecting people's privacy, how we use people's data, how we collect it. So, this is a first step. This is a baby step. We have set some principles and we're going to do some hard work at the committee level. We're up against powerful forces that are in some instances more powerful than we are and certainly attention between transparency and the public records process and whatever our countervailing goals are at the city in terms of protecting people's privacy are going to play out regularly, probably in the courts, but i'm proud to be on a council that is identifying this as an issue of concern and is trying to do something about it. I look forward to the next piece of work product that comments back that we can debate and I thank everyone who has brought us to this point. Aye.

Eudaly: First I want to thank the invited testimony and public testimony. If only all the testimony we got to hear was so informed and useful. I'm looking forward to following up with each of you and I really appreciate the input. I also share commissioner Fish's concern with the intrusion on our lives through the internet and social media, facebook recently suggested that I should -- that I through advertising that it was time for me to get my body bikini ready and I also perhaps needed adult diapers, neither of which is true so I guess I should take comfort in the fact that facebook has no idea who I am or what I care about, but I didn't really appreciate either of those suggestions. Now for my official closing remarks. I want to thank bps staff for tackling this important issue. I take this issue really seriously and i'm pleased to say that pbot has been proactively working to address privacy and information protection issues as well. The increasingly sophisticated data we have access to allows us to work more efficiently, make smart investments and implement regulations that serve the public interest. But this new data comes with real responsibilities to be good stewards and protect privacy. Pbot's e-scooter pilot is an example of how we can use data to better execute our responsibilities in managing the public right of way. The collection of e-scooter data which is something we negotiated up front when, before our first pilot or for our first pilot, has given us better ability to manage scooter companies' compliance with city rules such as where e-scooters may be operated and parked and whether companies are providing equitable access as well as understand where new bike and pedestrian infrastructure could improve safety. Please note that I said better manage, not perfectly manage because as we know there are still violations happening, and bugs to work out, so everybody stay off the sidewalks, wear your helmets, and scooters, e-scooters are not allowed in public parks. To protect privacy, pbot has worked with e-

June 19, 2019

scooter companies to minimize what information the city collects and to aggregate data so that no personal information is revealed. I switched back and forth between data and data. I can't stop. We should just stick with data, my favorite star trek character. And finally, pbot recognizes there is more work to be done and we'll be working to expand it's data privacy practices in alignment with these council-adopted privacy principles so thank you once again. I vote Aye.

Fritz: It's really reassuring to me that people who are not as old as I am are worried about this, too, and so I appreciate all the work that's being done. This resolution is an example of community centered governing. The world of data and technology is quickly transforming the ways in which we all work, travel, shop, receive medical care, and basically, everything in our communal lives, and that's why it's important for all of us to be involved in this. As local government, it's particularly our civic duty to strike a balance between granting community members easier access to key city services while insuring that the information that we collect in that process is not misused in any way. As we have seen in san Francisco's recent ban on facial recognition technology, there is great concern about misuse of the data to harm -- I can't say that word any more without thinking of you [laughter] and worrying about whether I have said it --

Eudaly: Sorry.

Fritz: Correctly or not, but I get to say a lot of things differently anyway. There is great use, concern about misuse of the data to harm populations already disproportionately targeted by surveillance efforts. And it's essential that we assess the impacts on vulnerable communities by including vulnerable communities as we design policy and program approaches and ongoing as we implement them. There's been a controversy about Portland maps and as to whether searching by owner was switched off, and I brought that to the mayor's attention and he informed me that was because domestic violence survivors are being targeted through that search operation, so I wrote back to the constituents who had written into me about this concern, and a couple of them said oh that makes sense, thank you very much. And the third one, john loo, said, "Ah, but, it's relatively simple to turn off. Wait a minute, let me tell what you exactly what he said. It's --you couldn't code to suppress a research, if it returns only one or two addresses. Or suppress the portion of any owner search result that returns an owner occupied address where the owner's address could match the property's address, either would address the legitimate concerns of domestic violence survivors. So, it gets more interest -- I think that was very interesting, and then john went on to tell me about some of the things that they have been able to find out by using the data on the public record as we work to stop the demolition and displacement threatened by the residential infill project, we are collecting data showing the impact of infill redevelopment on the housing prices. In the past we were able to identify all projects done by one developer and show that in five years, this one developer demolished 172 low-priced homes and raised housing prices on those properties by nearly 200%." So, that's an example of the good use of aggregated data, or in this case, particularly looking at the commercial person doing it, that was, is then, I would say, generally in the public good. But, these lines are not simple, and so I think that it's really important. We had a good discussion last week when commissioner hardesty was able to be here about speed cameras and whether collecting the demographic data from them is either possible or desirable, and it's going to take all of us to make those decisions. I don't know that there are bright lines, probably some bright lines at either end of the spectrum that we could agree are right and all agree are wrong, but as you get more and more into the policies, we're going to have to make judgment calls, and those may change over time. We do recognize the opportunities for wealth development and community improvements that data and technology offers, and we acknowledge the disparities that must be addressed in order to make those opportunities successful to all. And I am very pleased the office of

June 19, 2019

equity and human rights has been a crucial partner at the table from the very early development to this policy, and will continue to be involved in further developments and implementation, keeping this city's accountability to communities of color and communities with disabilities at the forefront. Thanks in particular to Judith Mowry and the director Markisha Smith in the office of equity and human rights, as well as Claire Adamsick on my staff and also to the bureau of planning and sustainability for your leadership on this work. I look forward to being continued -- to be involved in these discussions. I think that they are really interesting, and important, and we need to institutionalize them with urgency and with care and involvement. Aye.

Wheeler: Data is increasingly a valuable resource to improve and evaluate city decisions. Through improved use of information, we believe that we can deliver better city services to the people of this community. But as you've heard, if we do not place privacy protections front and center, as we transition to a more data driven city, we risk impacting Portlanders in negative ways, particularly our most marginalized communities. The values expressed in these principles cut across all city agencies and across the entire city council. I am extremely pleased to bring this resolution forward with every member of this council as cosponsors. I want to thank my colleagues for their strong support of this important work. The city of Portland is the first city in the United States to prioritize data privacy and equity in our smart city work. Through the passage of this resolution and through the passage of the smart city PDX priorities framework resolution in June of 2018. These principles, as you heard today through testimony, are a first step. They direct smart city PDX to work in partnership with the office of equity and human rights. The bureau of technology services, and others to draft specific processes and policies to uphold these principles and to engage the community in their development. The city of Portland is committed to becoming a trusted data and information steward for the communities that we serve. We cannot become a more driven, a data driven organization without the community's trust, and we will do so responsibly, equitably and with transparency. I particularly would like to thank Hector Dominguez, Judith Mowry, and the smart city's PDX team for their diligent and thoughtful work on this resolution and the work that they will be doing going forward to ensure success. I would also like to thank Elisabeth Perez for taking the lead. This is a great first step, terrific testimony. Thank you, everybody, who came forward today to provide their feedback. I vote Aye. The resolution is adopted. And the timing on that turned out to be perfect. We can now go right into 611.

Item 611

Wheeler: Commissioner Fritz.

Fritz: Thank you, Mayor, and if I can invite our presenters to come forward, thank you. You know, I've, as you all know, I've been on the council -- this is my 11th year, and periodically we have had ordinances like this come forward, particularly when I was in park, for using the crews from the community justice program, or the corrections programs to do the tasks for different bureaus, and so when this one came forward for the water bureau, I pulled it back because I wanted to find out more about what the program is, who does it, and how does it work, and why is it that the city is investing taxpayer or rate payer dollars in these work crews. Is it equitable and, in fact, restorative justice? And so I'm really pleased to introduce this presentation. Chris Warner of the Portland water bureau and Daryn Peters of the department of community justice, and one more person --

Stu Walker, Department of Community Justice: Slight change, commissioner. My name is Stu Walker, I'm a senior manager with the department of community justice.

Fritz: You obviously know, are fully prepared to take it away. Please do so. Thank you.

Lisa Lewis, Department of Community Justice: Hello, thank you for having us. My name is Lisa Lewis, senior manager with the department of community justice and I am here just to talk about the IGA and how we -- our partnership with the city of Portland, the water

June 19, 2019

bureau for many years now with community service with both our adult and our juvenile divisions so we have had -- my understanding is that we are -- the contract that --the iga that's up for renewal right now is with our adult services division, in which we worked two days a week for the water bureau with community service. The water bureau is one of the many jobs that community service through the department of community justice goes to every week. We, normally we work seven days a week. We have crew leaders who are employed by Multnomah county, highly trained crew leaders who take our crews out to a variety of sites, water bureau being one of them, and work on whatever jobs they might have at the water bureau, but in a safe manner, teaching, teaching job skills, and having a pseudo-type of job environment. It is an alternatives to incarceration, so it's used on both the front end from the courts in sentencing, and it's used for us in community justice as a sanction, a sanction for behavior.

Fritz: So these are people who have been found guilty of a crime, instead of going to prison, they get sent to the community services?

Lewis: That would be -- that is one option of how it works instead of going to jail. You would have community service. Sometimes it is a small amount of jail and some community service. There are formal probations. Bench probations that also -- we also serve bench probations, community court, and then our own department of community justice clients.

Fritz: And this is scheduled so that people who have other jobs can do the job, and then do their community service another time?

Lewis: Absolutely. We run crews seven days a week. We ask that -- for people if possible to commit to one day a week to enable to start and be able to get hours done. However, we are very accommodating. We have a variety of different types of work sites, so because, not -- not everyone can work at every work site, so we make it a point to be accommodating.

Walker: I think it's worth noting that this is part of a larger case planning that we do with our clients, probably, specifically to get to some of the concerns that you have. We want people that come to the community supervision to exit the program with pro social skills that are going to allow them to make the decisions when nobody is watching, that are going to take them out of the system and not lead them back into the system. So, to that end, we're going to encourage folks to develop good employment, both the skills and the actual employment during supervision with us, so this is a piece of that puzzle. We will also have fairly large contracts with employment services to really start at the ground level and look at education, look at prior experience, to work and develop the skills and put the person in the place to get, you know, more than just a basic entry level job. We want to set goals for above minimum wage with preferably benefits that are going to come with that job and the skills to advance in a position, not just a minimum wage entry level job, so this is a piece of that puzzle, which is really our focus in restorative justice, is a whole comprehensive wrap around service package that the officers and other classifications within the agency are going to develop so we can get to that goal. It's not always the easiest goal. The population that we serve comes with a lot of previous history and often times a lot of barriers, and we know that if we continue to put barriers in front of them by only making something available on a limited basis, we're just going to be able to get them what they need to be successful, and it's not a big surprise, the more barriers we put in place, probably the more people we put in custody, and that's, that's really, as a tentative behavior change, it's not a very good practice to really change behavior. We, as an agency, use jail for two reasons. Very, very short periods of jail for behavioral change and longer periods to promote public safety when we really have concerns about folks in the community. This is one of the range of sanctions that we can use outside of the jail to get

June 19, 2019

people in the right place at the right time with the right services so we have the best chance of long-term behavior change, which is our ultimate goal.

Fritz: Thank you. And my understanding is people get paid minimum wage, and that money goes to the victim, to where they have reparations to be made to the victim. Can you talk about that?

Lewis: So community service by statute is not paid. So there is two types. We run two types of services through our community service so the community service piece is not paid. What we do have, and it's been -- we have had it on the juvenile side for some time and we've recently started on the adult side, is a restitution crew, which would not be community service. It's not used as a sanction. It's not something that is sentenced. It is the ability to come and work on a crew and then what the county will do is pay directly to the court for restitution.

Fritz: And the folks who are employed through the water bureau, are they eligible to participate in that program?

Lewis: Absolutely, although many times who we have that comes -- will go and work at the water bureau, is -- are often times people that are sentenced or sanctioned. It ends up being to where it is one pot of money, but it's generally not a restitution crew as the water bureau.

Fritz: Okay. Thank you. And Chris Warner, what's your experience been with the crews that have done this over the years?

Chris Wanner, Director, Portland Water Bureau: So we've been working with the county, community justice folks for, actually, a couple of decades now, if my recollection is correct, and it's been a very successful program not only in what they do, you know, for the folks that they are representing, but from the bureau's perspective, it's a very cost effective way, if you're just looking at the efficiencies of getting the work done out there so we become very well coordinated with the county and their crews, and it is a very effective method of getting some of the work done that we would not be capable of doing otherwise.

Fritz: So it's not taking city jobs?

Wanner: Pardon me?

Fritz: It's not taking jobs from city workers?

Wanner: Oh, no. Not at all. This -- this is recognized by the unions and others as being an effective method of getting work done that we don't have the crews to do necessarily, so it's a -- it's been a -- promoted not only by you know, management, but by the union, as well.

Fritz: Thank you. Colleagues, do you have any questions?

Wheeler: Not off the top of my head, no.

Fritz: Thank you very much for being here. I appreciate it so much.

Lewis: Thank you.

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

Moore-Love: No one signed up.

Wheeler: Would any of you like to testify? Very good. Anything else before we move this on?

Fritz: Thank you very much.

Wheeler: Yeah. Very good. Great presentation. This is a first reading of a non-emergency ordinance. It moves to second reading. [gavel pounded]

Item 612

Wheeler: Next item, and we are right on schedule. Item number 612, please. Colleagues, we are here today to authorize a grant agreement with Portland community media, otherwise known as open signal. The grant amount as outlined in this ordinance is included as part of the proposed budget through the office of community technology, so I'll turn it over to otc for the presentation. Good afternoon.

June 19, 2019

Elisabeth Perez, Director, Office of Community Technology: Good afternoon. Thank you, mayor and commissioners. I am Elisabeth Perez. I am the acting director for the office for community technology, and as many of you know, Portland community media has been a pillar in the community for 40 years. It has transformed through the years, being nimble and responsive to our community's multi-media access and training needs. In the recent past under new leadership and the organization -- the organization underwent rebranding and is now best known in the community as Open Signal. This agreement for operational funding is a companion to a grant agreement between Open Signal and the Mt. Hood Cable Regulatory Commission that provides funds derived from cable services franchises -- franchise agreements for capital funding. For these reasons, we are really excited to bring forward this agreement for your consideration. I'll now turn it over to Justen Harn, executive director of Open Signal for the rest of the presentation.

Justen Harn, Open Signal: Hey, folks. Wonderful to be here today. I want to welcome some of my colleagues up here right now. Rebecca Burrell, director of strategy and development at Open Signal, and Karim Hassanein, vice president of the board of directors of Open Signal.

Wheeler: Excellent. Welcome.

Harn: Thank you. Good morning, folks, thank you very much for providing the opportunity to present. We, as you all know, are located on Northeast Martin Luther King Jr. Boulevard where we have had for 30 years with a commitment to creativity, technology, and social change. Open Signal makes media production possible for everyone. Nationally, we are becoming known within our field for rethinking what a community media center can be and how we can leverage public resources for the greatest possible community benefit. Open Signal provides to Portland cable broadcast on five channels, airing locally and independently, produce content reaching 400,000 homes in the Portland metro area, a 10,000 square foot media facility, including two media production studios, an immersive media lab, editing rooms and more. Affordable media education for adults and youth covering camera and production studio operation, editing, animation and much more. Open Signal also provides world class community engagement and artist support in the form of exhibitions, screenings, public events, in-house artist residencies, community meetups and skill shares. Our Black Film-Maker Fellowship is the first program of its kind in the Pacific Northwest. We recently shared the fellows works in progress to a sellout audience at the Hollywood Theater. Supporters of the program include Kamal Sinclair at the Sundance Institute, and Emmy nominated actor David Oyelowo, star of the movie "Selma" pictured here with our fellows. Of course, Open Signal also provides professional production services. We film and broadcast every city council session as a means of facilitating access to information, enhancing transparency and accountability, and service to a more civically engaged citizenry. In addition to the high quality programming that takes place on site at Open Signal, we also partner with dozens of schools and nonprofits that serve historically marginalized communities, including the MacLaren Youth Correctional Facility, Outside the Frame and Vanport Mosaic, offering media production and story-telling trainings. This year marks the end of a five-year collaboration with middle school students at Open School, a nonprofit for students who need an alternative to a traditional public school. This is a program that I initiated at the Hollywood Theater in 2014 and brought over to Open Signal in 2016. It was one of only 18 arts learning programs across the state funded through a five-year Oregon Community Foundation Studio to School grant. The partnership included the installation of a media lab on Open Schools campus, seven artist residencies connecting media arts to math, science, and other curriculum, ten teacher trainings, 284 total participating youth, and 800 community members engaged at public events. Tab Waterman, one of the Open School's founding teachers had this to say about the partnership with Open Signal, "Open School is forever grateful for the amazing

June 19, 2019

experiences you provided our students. The chance to collaborate with such talented and caring people is a career highlight for me and life changing for my students. Thank you.” Now it's my pleasure to turn it over to rebecca burrell to provide further data about our work last year.

Rebecca Burrell, Open Signal: Good afternoon. My name is Rebecca burrell, director of strategy and development at open signal. I am here to share some incredible signs of our growth since the Portland community media became open signal in 2017. Last year open signal engaged nearly 4,000 community members through classes, studio and equipment rentals and public programs. We provided media education to 804 students through 116 classes. We broadcast more than 10,000 new hours of cable programming in english, romanian, russian, Chinese, farsi and spanish. We provided record-breaking access to open signal's equipment library and production studios with more than 90,000 hours of access to cameras and nearly 130,000 hours of access to laptops. Overall, 41% more people checked out our equipment last year than the previous year. We also received local recognition for our work. Last summer executive director Justen harn won a forty under 40 award from the Portland business journal. In november we received the light of fire award from the Portland monthly magazine given to outstanding nonprofits across the city. You can see the board and staff here at the celebration. For our black film-maker fellowship, we received cover stories in the scanner and the Portland observer, and more press through the Oregonian, willamette week, KBOO, opb and more. Open signal has long survived through major support from the mt. Hood cable regulatory commission and the city of Portland. Thank you so much. But we know that our capital fund is declining every year and will continue to do so as cable subscriptions drop. In order to sustain and grow our programs, leveraging our public dollars to fund additional revenue is a priority. In may 2018 we launched a radically inclusive membership program, with a pay what you can annual fee. The program now includes well over 600 active members who have paid anywhere from zero to hundreds of dollars depending upon their ability to give. In fiscal year 2018, we received competitive grants from the collins foundation, Oregon cultural trust, Oregon community foundation, and many others, as well as the mhcr community capital grant program from our black film-maker fellowship. Overall, between fiscal year 2016 and 2018, despite substantial cuts to our capital budget, we grew our overall budget by 7% and operating budget by 36%. Since last summer we have also received major grants from the equity focused mayor memorial trust and the city of Portland special appropriations, both to support our black film-maker fellowship. We have also just received our first federal funding from the national endowment for the arts for our new media fellowship, which will help four artists explore virtual reality and other immersive media in the coming year. It is only because of the city of Portland's support that we have been able to leverage additional dollars to bring film-making and new digital media to the members of our community. Thank you for providing us with the vital funds that we can build upon to grow and to ultimately make our organization an excellent, national model for an arts technology and truly equity-based community media space. We depend upon your support now more than ever. Thank you.

Wheeler: Thank you.

Karim Hassanein, Open Signal: Thank you. I would like to take the opportunity first to thank the commissioners and the mayor for your time and attention this afternoon. As was stated previously, my name is karim hassanein and I am the vice president of the board at open signal. This is the first time I have ever spoken directly to representatives of my government. It's a particularly meaningful moment for me, especially because I am doing so on behalf of an organization whose function I believe is essential to a democratic society, which I say without hyperbole. I spent much of my life in egypt, which is a county where there is neither freedom of speech or of assembly and certainly not of the press. All

June 19, 2019

media is heavily censored, and a center like open signal where people have access to professional training, state of the art technology and most importantly the ability to document and share their own stories would not be allowed to exist in my hometown. That is because open signal is a powerful asset for self-expression and civic engagement. Under ifanyi bell's exemplary direction, we just held the first screening of our black film-makers fellowship program, which was a shining success, moving, motivating and optimistic, and in april we held a sold out design week event focused on democratizing vr as a tool for equitable place-making. I worked closely with open signal staff to organize this cross sector collaboration with bora architects, zgf vanport mosaic, city repair, psu center for public interest design, and artists matt Henderson, sharita towne and alex chiu, where we invited the public to visit the city of vanport, and in a v.r. experience, have a highlight of the stories of its residents. We then offered them a chance to explore imagine futures for the central eastside industrial district and a mixed reality model on the bleeding edge of architectural practice. The event concluded with a panel discussing how urban design processes have been historically inaccessible to key communities and how immersive technology can help citizens engage more fully. We are here to serve the people of Portland, prioritizing service to those who have been historically underserved and under-represented. Simply put, access to the means of 21st century communication and collaboration is access to democratic participation. It is imperative that these resources should not be at the exclusive disposal of large, wealthy private corporations. And open signal is the only place in Portland offering needs blind access to these tools and facilities. With the rapid development of immersive media, the internet of things and the smart cities movement, we cannot afford to silently witness the exclusion of black and brown folks in yet another paradigm shifting technological revolution. Self-representation at every level of media production is critical from the global entertainment industry to the resurgence of community journalism. We cannot wait for newsrooms and studios to find enlightenment via their revenue reports and write us in. We must write ourselves in to pop culture, place-making, technology, and governance. The decision to sustain civic media access is in our hands. It's my hands and it's in your hands. That is why I contribute to this organization and why I am asking the city to continue its partnership with us. Thank you for ensuring that conversations like this one remain possible, and that open signal can continue to foster dialogue, creativity, and democracy in Portland.

Wheeler: Thank you, and thanks for your comments up front. That's --

Fritz: That's very inspiring.

Wheeler: It's an honor that you are here and you are doing your first exercise in front of a government body with us. We really appreciate it and appreciate your comments today.

Hassanein: Thank you. It's my privilege.

Wheeler: Thank you.

Harn: Thank you, Karim and thank you, Rebecca. I am now going to invite Ifanyi Bell, the executive producer of open signal labs to join me as well as Jenelle Neill, our director of production services.

Wheeler: Thank you. Welcome. Thanks for being here.

Jenelle Neill: Good afternoon, mayor and commissioners. My name is Jenelle Neill, and you may have seen me behind the scenes at some of your community events. I am the director of production services for open signal. I've been working in community media for 13 years. I started out at Willamette falls in Oregon city, and arrived at Portland community media, now open signal in 2013. I became the director of production services at open signal in 2018, which means that I am not only documenting and broadcasting your city council meetings, I also work with local clients to cover events, including nonprofits like the Oregon robotics tournament, regional arts and council, and the bus project. Other government entities like regional Multnomah county, metro, and tri-met, and private

June 19, 2019

companies like the winterhawks and brand live. So far in the fiscal year my teams have completed 367 productions, that includes 129 city council meetings and regular sessions, work sessions, community budget events which we broadcast on xfinity channel 30, and high definition channel 330 and online on the city's website. This year we have provided 238 productions for other clients, our outside clients, our outside client work provides necessary earned income that we use to fund and direct services to our citizens of Portland. Under my leadership, the production services department is constantly reconsidering possible technology as it evolves. We are deeply responsive to our clients' needs and a service, excuse me, and services allowed them to be more progressive in a way that they engage community through media. Increasingly our production work also creates an opportunity for Portlanders to enter professional broadcast media. We hire crews, crew members every year to help us document and broadcast events through cable broadcast, online streaming and facebook live. My department also provides work workforce training and networking do emerging media-makers through our longstanding partnerships and at the winterhawks hockey team this year, we piloted a program for preprofessionals who wanted to enter sports broadcasting. After receiving training at open signal, and additional education on-site at the memorial coliseum, our trainees then get field experience reporting live broadcast for winterhawks' games in seattle. The trainees are paid regular on-call wages for customized on the job training and travel expenses are covered. They are eligible for – they are eligible to work with us on an ongoing basis when training is over. They also gained track work experience that they can put on a job application and other media production positions. We expect to provide more training programs like this in the next fiscal year. Earlier this year, we were also hired by a private video production company called brand live to be a subcontractor for a major 12-team job for nike. By the end of the production, one of our producers performed so well on this project he was hired by brand lives to take a full-time production job. Open signal is helping to connect members of our community to new educational and economic opportunities to family wage jobs. Speaking personally, I had been working in a career towards the medical field, but after experiencing an accident, I used photography as a mode of therapy. Learning to make media and be part of the open signal community has made a difference for me. I believe that open signal makes Portland a better place to live, and as a long-time staffer I can say that I am excited by our recent growth and increased focus on equity. I feel confident that we are stronger than ever, we are headed in the right direction. Please help us to continue doing this work and grow to provide better services to the community each and every year. Thank you.

Wheeler: Thank you. Appreciate it.

Ifanyi Bell: Good afternoon, mr. Mayor and commissioners. My name is ifanyi bell, and I am the executive producer of open signal labs, and a couple of us talked about an event we had last friday, and I am not sure if you got an invitation, but it would have been amazing for you guys to have been there, it was really a transforming experience for I think all the people who showed up, and for myself, indeed, as well. We also have a bit of a video that we played at that event that will give you a taste of what I will talk about thereafter.

[video]: Bell: The black stories are finally emerging as valuable to audiences. These are not stories that are translated by white people or any people outside of the aspro or the culture. The stories are finally being told about black people by black people and are being seen by everyone the world over. What if we had a group of creative black people sitting in a room trying to figure out how to tell stories? What are the results of that? And that was kind of the seed around which this program developed. I wanted to tell stories with and about, for the black people and black culture and black identity, and I wanted to do it here

June 19, 2019

in Portland of all places. I have a desire to tell stories about this place that haven't been told before.

Sika Stanton: I mean as far as like telling more interesting stories about black women, I mean I think it's happening already, like there is so many exciting film-makers coming out and they're doing amazing work and I think that the difference is having black women in positions of power to make decisions about what who gets green-lighted and what stories get told and what gets aired. I mean, it's that simple. If you don't have to ask for permission or if you don't have to work as hard to just be heard.

RaShaunda Brooks: People just talk about how white Portland is, and that's not my current experience. That's not the experience that I want to have, so I intentionally work with a lot of black and brown people to have a different life and show that there is culture here and is important and representation matters.

Tamera Lyn: I guess when I was a kid I used to watch tv shows, and I would see actors doing something, and I would be curious about like if I was the director telling them to do something and how I would tell them, so having that opportunity to write a script and then direct it and get a group of actors to do -- to act out your work and act out your vision in your head. I think that's a pretty awesome experience.

Noah Thomas: We all have visions and dreams, but we still got to pay bills, and so just managing time is really important. I really didn't get into film too heavy until I moved to Portland. This particular program is providing access to industry, quality equipment and resources, and that's something that, you know, traditionally as black and brown people, we just did not have access to.

Dustin Tolman: I think it's important for people to have a space, especially black people, people of color. I think it's important for them to have a space, and I think a lot of the fellowship isn't really just about film-making or being creative. It's just about being in a space with people that you can relate to.

Kamryn Fall: Right now my creative focus is in telling stories for people who don't have the resources or the skills to do it justice. They have, you know, the resources that they've scraped out from their hard, hard passionate work and so I want to do that justice so that we all benefit in the future.

Elijah Hasan: I mean, be it teaching or doing workshops at the library or whatever, working with youth is what I do. And you know, it's something -- if there is a community issue and it's keeping me up or whatever, you know one of the multiple [inaudible] that I do or the ways that I get at that. You know, it's what we do, especially open signal, it's all about community for the producers there that I know and myself. For me, I've always been a one-man band, you know, and having an opportunity as far as working with people you can trust to do things and actually being around people who are better at things than me has really helped me out a lot and allows me to move much faster. That is satisfaction, that is success for me is to create these forms of art on my own terms and finish them and hopefully keep growing.

Bell: There is a lot of obstacles that are, that stand in the way of this fellowship and of programs like this, which I don't think that there are. I mean, this is the first of its kind. I want this fellowship to last as long as it can. I want it to be a sign post in the road for other organizations that are looking to support story-telling and people of color and in communities where their voices aren't heard, and so I think that growing the number of people who are [inaudible] in these technologies, and with these tools, will enable us to tell the stories to tell the truth about our communities not just here in Portland but all over the country and all over the world, and I would like to think -- I would like to hope that fellowship programs like this will inspire that growth. **[video end]**

Wheeler: That's great.

June 19, 2019

Bell: So that's -- that video was produced in partnership with travel Portland, and it was the result of a collaborative work between six fellows who we worked with during a pilot year that really kicked off an experiment for us. It was -- this project had been and still is somewhat of a hypothesis, and the question being what are the results of a program that specifically targets a group of people that is responsive to a movement that is happening all around us, not just here in Portland, but nation-wide and globally, and that is to include voices of marginalized people in larger conversation, not just about media, arts and culture, but about politics, our environment, and other issues through which we can tell our stories through the media of film and television. One thing that's particularly important about this program is that I think it stands out in our ambition. I think that there are a lot of programs here that I think are designed to help create content and media that helps people understand who they are as people. I think there are some diversionary programs around film-making, and I think those are critically important to our community. I think this program has that goal, but I think it also has the goal of making a mark or setting an example, I think, in terms of what -- how we are able to participate both from a technical standpoint, but how to, actually, break into the larger industry of hollywood and film-making on a serious level. And I think that being in the hollywood theater where we sold out the main theater, I think that we beat godzilla, king of the monsters that night, was a strong testament to what the community, how the community responds to that, so in terms of the hypothesis, is this something that is needed? I think the success of that event and some of the work that was on display there really signaled to this community that we are serious, not just in creating works that we want our friends to see or we want people here in Portland to see, but for the world to see, and I work very closely with the Oregon film office, the Portland film office, travel Portland, and also several producers who were here, actually, bringing projects to the city, and the signal from those folks were both here in Portland and who are in los angeles and who are in new york city who are coming to work here is that they are looking for talent from people of color and I think that, that pressure that they are feeling to have black people on their sets, to have women and people of color working on their projects for months at a time or longer, this is what we are being responsive to. If people are going to come here and looking for people of color, we want to be able to say they exist and they're here and they have the skills and they're prepared and they're ready to work, and they're ready to be involved in these projects. I think rebecca mentioned that we had a good conversation with dave oyelowo and his project, and one of the first things that he said when he -- before he was bringing his oprah-produced project the waterman here to town, was he was looking for african-american talent to serve as production assistants, camera assistants, and whoever -- whomever he could sort of identify with this community. We were able to sort of make connections in that way. But that won't be the -- that's not the -- that won't be the last time that happens if it is any indication of where hollywood and where industry is going, I think that the inclusive nature of what we want to do is going to sort of fill that niche. It is going to -- it's going to be there to support these -- this participation, this kind of participation. The other important thing to note is that these stories, I think, that the fellows are producing, and this is the first cohort -- like I said, there was six of them -- will be developing -- we'll be moving into our second year sometime towards the end of the fall and into the winter. We're going to bring in six more and I think that kind of growth, I think, is going to be critically important. That film-making is not a single person sport, and to be able to have a growing cohort of people in order to sort of support individual productions is very, very important. We have also had, I think, someone mentioned that we've had some critical support from the folks at the sundance institute, which has been -- which have been advising us in terms of how we structure our program and has completely sort of given us -- I don't want to say the green light, so the best word that I can think of at this point, but have signaled that this is exactly

June 19, 2019

what they are looking for. There are opportunities to develop film-makers in order to send them into pipelines that, such as, you know, fire light media, pov, sundance, so the stories that we are creating here that tell different stories about Portland and about this community and about the pacific northwest filter up into a national sort of distribution network of content so when I am talking about having global impact, I think that, I really am serious about the opportunity for the work that gets created in this particular project to be seen by millions of people and to help redefine and to correct the stories about the history of Portland and the pacific northwest. So, this is an extremely critical program. I think that in sort of working in this equitable space, the goal is to support the entire community. I think everyone will benefit from the stories that come out of this program. I think that everyone knows that hollywood and film-making is an expensive proposition, and we need your support in order to help continue this program and to add more evidence if we need be to this hypothesis that black stories are important to our community, so thank you very much for your time today. We really appreciate all the support you guys have given to open signal over the years, and we are hoping that can continue for as long as it can.

Wheeler: Thanks infanyi. I appreciate it very much.

Bell: Thank you.

Wheeler: Thank you for being here.

Harn: That is the end of our presentation.

Wheeler: Very good. Thank you. Appreciate it. Karla, do we have public testimony on this item?

Moore-Love: No one else signed up.

Wheeler: Very good. Colleagues, any further questions? Commissioner eudaly.

Eudaly: Well I would just like to say that I regret I was not able to attend your event on friday. Friday night is my parenting night, so unless it's something my kid is really excited about doing, you will probably not see me anywhere. But, my arts and culture policy director, pollyanne birge attended, and she said it was fantastic, so congratulations and I hope it's the first of many.

Harn: Thank you.

Wheeler: Well done. Thank you. Karla, please call the roll.

Fish: Thank you for the presentation. I am a big fan and will continue to do what I can to support your work. I think film is -- has become important in Portland, and I think that film has a tremendous future in Portland. The fact that we are a film-friendly environment, the fact that we have a Portland film office helping companies navigate regulations and other things here, the fact that tim williams is doing such is a great job at the state level and the fact that Portland community media does such outstanding work locally, are three of the pieces that fit together that give us an advantage. I was, I just spent four days in l.a. The entire city is blanketed with ads for tv shows that end with the acronym, "fyc." I kept asking my kids, what the hell does fyc stand for? Well, it turns out it's for your consideration. Apparently the only people who vote on these awards live in los angeles. So all the signs are there, and everyone is -- everything is up there for their consideration. Literally every bus was blanketed, every signpost, every billboard. It was quite astonishing. But, I am a fan, I appreciate what you are doing, and I am very pleased to support this item. Aye.

Eudaly: Well, I just want to quickly say that I love open signal and of course, I am a big fan of diy media. I devoted most of the 22 years of my life before coming here to it. I love the way that you have both supported and expanded the original mission of Portland community media. I am probably going to offend someone by saying that I think in the past, the public has associated rather controversial, notorious characters with cable access, and it didn't necessarily seem like a welcoming, inclusive place for everybody, but now it truly does, and my only regret is I don't have time to come and take classes from

June 19, 2019

you. Maybe I will have a podcast when I am retired, so just thank you for your work for the capital C city and the lower case city and the community. I am a big fan. I vote Aye.

Fritz: Thank you very much for your work. I will not have a podcast when I retire. I will however watch a lot more Portland community media than I see now. It's been a pleasure to co-sponsor this ordinance, and became a fan when I was in charge of the office of cable communication and franchise management in my first term with Portland community media. As always in this presentation, I honor you, Justen Harn, for what you've done at Portland community -- at open signal, following on from the good work of Cece Hughley Noel, who I think really started to turn the ship, and thank you very much for your work on the board, as well. It's always interesting in this presentation how the work of staff and of the work of volunteers melds together so well, and you have done a really great job of embracing the need to do that, to bring together the under-represented and to make the youth the representatives of the community, so thank you very much for doing that. I particularly, appreciate the way you step up and broadcast all of our council meetings. It's just like you've been to all of them, we have been to all of them, as well. So it's a little tiring just to think about it, and it's not always easy, especially when we go into other areas of the city outside of city hall, and yet you make it work because you share our commitment to trying to be more open and transparent to everybody in the community. Thank you, Elisabeth Perez. You lead the office of community technology and just everybody who has been involved in this. It's, it's a wonderful thing that you do with a relatively small amount of money. I was really pleased to see the pie chart, with diversifying the income sources, and you must feel very good about that, so keep up the good work. Aye.

Wheeler: Well, today is, in today's digital world more than ever, underserved community members need access to multi-media technology training and tools. I think that it's interesting the way this issue and the previous discussion we were having are blending together, I think in important ways. Through the digital equity action plan, which has previously been adopted by the council, the office for community technology continues to lead a path forward for public agencies, businesses, and community nonprofits to work together in a more efficient way to address digital inequities in our community so I want to thank the OCT staff for their hard work on this grant agreement and insuring the ongoing partnership between open signal and the city of Portland. Open signal remains a very important partner to us. I look at all the exciting things that you are doing in the new ways that you're engaging community members and utilizing new technologies in really positive ways and then I think about the 129 city council sessions that you had to help orchestrate. That must be something of a letdown, but it's critically important in terms of transparency, and there's a lot of people in the community who can't come to the city council for a variety of reasons, and you bring the city council to them, in essence, you help them to exercise their democratic rights through the technologies that you provide, as well. To summarize, this particular proposal, city funds under this grant with open signal, specifically focus on supporting people of color, English language learners, and people with disabilities to use media and broadband technologies, and these are of course, the same communities that are the most impacted by the digital divide that we are trying to overcome. So, your engagement is critically important in closing that digital divide. This grant agreement also ensures that we are able to broadcast our city council meetings and budget forums to increase the transparency in public engagement and local government. I want to acknowledge having just sort of watched as a casual observer of the work you do, when we go out into the community, we go into the unique spaces and you have to recreate everything from scratch, and it's almost magical the way you go about it, the way you have, the way you troubleshoot potential problems in the field, you do it quickly, you do it gracefully, and it always seems to work out for the best in the end. I appreciate that. I want to thank Justen Harn, of course, the director of open signal. I want to thank your team entire

June 19, 2019

team who worked so hard with both the community and the city of Portland to reach our digital equity goals. I also want to thank Lisa Faust and Phoebe Ebright for their services on the Open Signal Board as the city of Portland's appointees. It goes without saying that they are volunteer citizens, they are dedicating their time and their talent and their energy, and we are really grateful for that, and of course, Elisabeth Perez for all the great work you are already doing and the work that you will continue to do with the Office of Community Technology. Thank you for an A+ presentation. Thanks, everybody, for your testimony. I vote Aye. The ordinance is adopted. Thank you very much.

Harn: Thank you.

Wheeler: We appreciate it. We will see you soon.

Bell: Yes.

Item 613

Item 614

Wheeler: Colleagues, both of these are second readings. They've already -- there have already been presentations on both of these ordinances. There has already been substantial public and amendments to these ordinances. Is there any further discussion before we call the roll first on item number 613.

Eudaly: Mayor.

Wheeler: Commissioner Eudaly.

Eudaly: Thank you, Mayor. No further discussion. I just want to read Commissioner Hardesty's statement on fair into the record before we take the vote.

Wheeler: Commissioner Eudaly, go for it.

Eudaly: Thank you. Once again this is Commissioner Hardesty. "While I am unable to be at council to cast my vote I wanted to provide comments highlighting my support for both fair ordinances being voted on today by city council. As the city of Portland changes more and more, people are finding it challenging to rent housing. This problem is particularly felt by immigrants, people with criminal backgrounds, and people with limited income, and communities of color. I applaud the hard work and deliberative process Commissioner Eudaly and her staff went through this preparing these proposals. While no one thing will solve the housing challenges everyday Portlanders face, these proposals are an important step forward to insuring access to housing in the city as a goal that can be achieved by anyone. The protections provided to rental applicants and the limitations on screening fees and security deposit deductions will make renting more just and fair. That being said, I appreciate the concerns many small and mid-sized landlords have, having to change how you have conducted business for years can be a challenge. I also recognize that many landlords do not discriminate in their business practices. But the fact remains that many do, and many Portlanders are impacted by these practices on a regular basis. These ordinances will provide protection from these discriminatory practices. I am happy that the city will work to educate landlords on the new requirements and thankful for all the input I have received from residents, landlords and community groups on this important subject. If I were present this would be the place where I would emphatically vote Aye.

Wheeler: Very good. Thank you. Any further discussion? Karla, please call the roll on item 613.

Fish: I would like to begin by thanking my colleague, Commissioner Chloe Eudaly and her director of policy, Jamey Duhamel for bringing this policy forward. In particular I would like to thank them for taking the time to get it right. Sometimes the hardest thing to do with big and meaningful policies like this is to wait, but the additional time has given the community and the council the opportunity to weigh in, to make suggestions, and to improve this policy. I would like to thank many of our key community stakeholders for the hundreds of hours they volunteered to helping us to strengthen this policy. Special thanks to Katrina Holland at the Community Alliance of Tenants, and Allan Lazo with the Fair Housing Council of

June 19, 2019

Oregon, Hannah Holloway with the urban league, as well as the folks from legal aid, the Oregon law center, and the coalition of communities of color, seiu local 49, members of Portland for everyone, the new Portlanders' policy commission, dozens of housing providers, elected officials, and the hundreds of community members who came out to testify over the past few months. In my ten years on council, I have been focused on removing barriers. In the workplace, in housing, and in our economy. From helping individuals with intellectual and developmental disabilities find meaningful work at the city, to the creation of our first fair housing action plan, to banning the box removing the question of criminal history on job applications, to creating harper's playground, the most inclusive and accessible playground in Portland, if not the nation, to removing gender designations and creating all user restrooms across the city. They all reflect a simple truth that when you remove arbitrary barriers, everybody wins. This proposal has a lot of individual components that I deeply support. Security deposit reforms, standardized applications for tenants, tools for more fully implementing and supporting the fair housing act, education for landlords and tenants, and clear rules for the entire community to abide by. Now, we continue to hear concerns from critics. Some say they need more time. Others that these regulations may be burdensome, and that new regulations will drive up the cost of housing or decrease the supply. I appreciate that commissioner eudaly has delayed the rollout until next year. This will give us time to do an intensive education campaign to landlords and tenants. That's why I also proposed an amendment to require annual audits. As we draft regulations and work with the community, we will have the flexibility to make changes as necessary to ensure that our goals are met without unduly burdening anyone. In my role as a policy-maker, constructive criticism is welcome if it leads to better policy, but I reject the efforts by some in this debate to mischaracterize the law and to target and demonize classes of people like those exiting the criminal justice system who clearly deserve a second chance. During my service we have made big investments in combating homelessness and increasing the supply of affordable housing. Since commissioner eudaly joined this council, we have sharpened our focus on the rights of renters, building in protections for the 47% of people in our community who rent, many who are rent burdened. Chloe, I deeply appreciate your leadership in this area. Finally, I want to thank my jamie, Jamie dunphy, for all of his work in tracking this issue and briefing me, and helping me to understand the dynamics of this debate. Jaime, you've been a great partner, and I have appreciated all the time and energy you've put into this. Today, I vote Aye.

Eudaly: Colleagues and community members, I want to apologize in advance for what is very well my lengthiest closing remarks, but considering it took us two years to get to this point, I think that I deserve a little extra airtime. We live in the wealthiest country in the world. Yet, we learned this week that there is not a state left in our union for a full-time worker earning federal minimum wage can afford a modest two-bedroom apartment. In Portland, where our minimum wage is significantly higher than the federal minimum, a full-time minimum wage worker cannot afford the average rent on a one bedroom apartment. They can't afford the average rent on a studio apartment, and they cannot even afford the average rent for a room in a shared house. We are experiencing a national housing crisis driven by our federal government's divestment in affordable housing by state and local governments who have failed to meet the growing need for affordable housing to adequately regular their rental markets or to protect and stabilize tenants by wall street who is not only responsible for a housing crash, but is snapping up thousands upon thousands of multi-family and signal family residents in our region while showing rampant disregard for the health, wellbeing, and very lives of the people who reside in them, and finally, by multiple industries, not the least of which is the landlord lobby, with a vested financial interest in extracting every penny from renters with no regard for the impact on

June 19, 2019

their renters, our communities, or our local economy. We know that half of the renters in Portland are cost burdened by housing expenses. We know that housing discrimination, both intentional and unintentional is still prevalent. We know there is an overwhelming correlation between affordability and homelessness. The challenges and needs are overwhelming. We need 24,000 additional deeply affordable units just to house our extremely low income residents. It's going to take many years, possibly, decades to fill that gap. But something that we can achieve much more rapidly is protecting and stabilizing tenants and decreasing the barriers to securing housing which is critical to our housing strategy. This policy package is a significant contribution to that effort. I think that I have talked enough about our housing crisis, our failures and the devastating outcomes of this crisis over the course of the three public hearings this item has had. Today I want to focus the rest of my remarks on the lessons I've learned while developing this policy with my team and our many community stakeholders. When we began the challenge of changing tenant protections in Portland, we knew we would face intense scrutiny and resistance, as mostly tenants, ourselves, in my office, we had our own experiences of obstacles and challenges that informed our perspectives and our priorities. But what we did not fully realize and what we had to learn was that extrapolating from our own limited experience was not enough. It took some courageous partners to look us in the eye and tell us we were not centering the right people. Those who faced the most disproportionate impacts of our housing policies. What we learned was that racism and discrimination are so deeply embedded in everything that we do, that despite our busy intentions, even our own policy-making processes, were flawed and without genuinely confronting that reality, we stood to perpetuate harm to many of the people we were setting up to serve. It's no secret that the Portland has a long history of overtly racist housing laws, the effects of which still shape our city today. What we failed to acknowledge more readily is that many of our current laws continue to uphold the discriminatory practices. While the language may be less explicit now, the effect is just as clear. We continue to see communities of color and especially black residents pushed to the margins of our city and beyond at an alarming rate. The heart of the fair access and renting policies is about addressing the criteria that continue to be used as a proxy for race, which includes criminal records, income requirements, and credit scores, which leads to discrimination and disparate outcomes. We would have never come to these policy solutions if we did not consider the unique experiences, needs and barriers faced by black renters in Portland. The policies before us today would not have been as strong if they were not developed in partnership with our community allies. I believe that as policy-makers, we are most effective when we listen to and champion the solutions put forth by impacted communities. When we recognize individuals not just as stakeholders, but as the best experts on their own lives. We must take the time to develop authentic relationships, listen with an open mind and heart, and have the faith and courage to advance the community developed solutions. Believe me when I tell you that we also turned to the industry experts. While we did receive input and support from some housing providers, what we received most of was opposition to any change at all. My staff spent untold hours with landlords, big and small, imploring them to provide some meaningful suggestions that would get us to the outcomes that we all agreed on. What we heard from most landlords is that while everyone agrees that the discrimination is wrong, no one wants to be compelled to do anything about it. We heard from small landlords that they are not professional enough to implement our policies and from large landlords and property management companies that they are too professional. What substantive suggestions we did get from them, that did not compromise the outcomes of increased access, were incorporated into the final policy, including the two track system that gives landlords a choice about how they screen applicants. I do not claim that the fair access and renting package solves all our problems, nor do I believe the

June 19, 2019

communities themselves are happy and satisfied with everything in it. But together, we built the most comprehensive screening criteria reform policy in the country, and I am proud of how we did it and why. I want to thank everyone who worked with us to make this happen because -- and because we worked with a lot of people, this is going to take a few more minutes. First, fair housing council of Oregon, especially yoni and allan. You held our feet to the fire on fair housing guidance and got us to abandon a different version of the policy that went too far astray of what the government says is best practice. Because of that, our policies defensible and it's foundation is strong. Thank you. Community alliance of tenants. Especially katrina and pam. You were the ones who first alerted us to the ways in which our policies could cause more harm than good. If we did not center the lived experiences of people of color, first and foremost in the work we were doing. You were with us every step of the way to make sure that we stayed focused on the most impacted communities, and you were not afraid to push back when we didn't. Thank you. Urban league of Portland, who has turned out in force where every one of these hearings, everyone in red, is with urban league. Could he just give them a round of applause? [applause] Especially hannah. Much like cat, you were steadfast in your stance that this policy must make actual change for impacted communities. You openly refused to endorse until you were confident that they were strong enough to do good for black communities. You pushed us continually to be brave and to imagine what was possible. Your official endorsement is one of our proudest achievements. Thank you. Oregon law center and legal aid services of Oregon, especially christina and becky. Your constant vigilance and your expertise pertaining to what tenants really face in the rental housing market was invaluable. You also steered us towards some of the most profound research available and guided us on what other cities and states are moving towards to make sure that we are in alignment with recognized best practices. Thank you. One app Oregon, especially tyrone. While we may still disagree about the potential outcomes of the policy, I know you worked closely with my office on your own time and took some real risks with your business to help us get the data we needed to make sure we were moving in the right direction. Your platform gave us the informational foundation we needed to ensure that we remained centered on the communities we intended to serve. Thank you, wherever you are today, Tyrone. Central city concern, especially Mercedes. While you came a little later into the policy development, the work you did to support these changes as well as the immense amount of experience and policy brilliance you brought to the table was invaluable. We got over the finish line and in no small part thanks to your efforts to build bridges where we still had chasms. Thank you. Dr. Lisa bates, without your expertise in data and housing research, we would have never been able to demonstrate the potential outcomes of increased housing access for the tenants we centered. We are forever grateful you made time to work with us and use your award-winning skills to strengthen what the community has always known needed to happen to open doors for renters facing extraordinary barriers. Thank you. I would also like to thank the many people and organizations that spent untold hours with us developing this policy and pushed us to understand the broad complexities and the impacts on everyone in the system. So big thank you's to new Portlanders policy commission, margot black and the members of Portland tenants united, southeast works, northwest pilot project, Portland commission on disability, home forward, human solutions, and reach cdc, transition projects, pcri, the rental services commission, the human rights commission, southwest corridor tenant leadership group, the fair housing commission, pacific screening, national association of professional background screeners, cascade property management, arc transitions, irco and tim pitts with think real estate. I want to thank the people and organizations who gave testimony or sent in letters of support, including unite Oregon, members of the Portland for everyone coalition, the coalition for communities of color, Portland african-american leadership forum, Oregon

June 19, 2019

public health institute, join, cully housing action team, bridge housing, catholic charities of Oregon, rental providers for positive change, hacienda cdc, housing development center, madeline kovacs, rose cdc, and small landlords like henry kramer and others who stuck their neck out within their own industry to support tenants. I want to thank the external parties and elected officials that lent their endorsements of our work, including policy link, congressman earl blumenauer, county chair deborah kafoury, county commissioners jessica vega pederson, sharon meieren, and susheela Jayapal, and metro councilors bob Stacey, sam chase, and Shirley craddick. I want to thank my colleagues for their time, their advice, their support, and right now, their patience on this complex issue we ask them to face head-on. I know it was not easy to absorb and understand what took -- and to understand what took us a couple years to create. In particular, I want to thank commissioner hardesty and commissioner Fish, I am grateful for the trust that they put in the community and in us. Thank you to the mayor for allowing keep it alexander and the Portland housing bureau to attend many development meetings and for lending input into the final draft. I am almost done, everyone, and I am really not trying to be obnoxious. All of these individuals and organizations deserve to be recognized, and I think it's really important for the public to know the lengths we went to, to engage and collaborate and to listen in the development of this policy. Finally, I want to thank my director of policy, jamey duhamel [applause] for spending the better part of the last two years developing these policies and weaving her way through the organizations, housing providers, advocates and lawyers to arrive at where we are today. And to my entire team for fielding calls, directing traffic, and pushing out our message and for always upholding our values with everyone who engaged with our office. I am proud of the policy our office helped create with the community, and I am excited to see how it changes the way that the tenants access housing over time. We know it will take time for tenants to understand and for the industry to adjust. We know some fine tuning will be necessary. But we also know that research and data have laid a solid foundation for the decisions we made. We know that doing nothing is not working for people who have long been neglected by those of us who have the power to change it. Whatever challenges we may face, we can feel confident that in the end, we are doing the right thing for the right reasons. Jamey is making me say this, it's true. This is a moment I will cherish for the rest of my life. I vote Aye. [applause] *****: Thank you, we love you!

Fritz: Commissioner, that was a beautiful speech, and I hope you'll post it to your website. It was not a single word too long. It was really good. Thank you for explaining how you came about your decision and all the partnerships, and thank you to all the partners who are here today who have been part of making this product. When I moved to the united states, I lived in a salvation army single room occupancy residence for two months before subletting an attic room in an apartment close to the hospital where I trained. I was just thinking about that, I could only stand upright in the middle of the attic, so if I stoop that's because I did that for quite some time. I lived below the poverty level for seven years moving apartments four times. I've also been a landlord, when we rented out our first home in Portland after five years, for five years, between our family growing up to large for it, and my parents-in-law retiring to it, so I have lived experience on both sides of this issue. First, thanks to all my staff for their input and advice onto these issues, and thanks, also, as was mentioned to the community alliance of tenants and the urban league, in particular, to all the community members who advocated on all sides of this issue. This has been a solid discussion, and I have -- I appreciated being part of it. I share commissioner eudaly's commitment to seeking policy solutions intended to provide renters housing choice in a market that priced people out, particularly, african-americans and other communities of colors and where discriminatory practices persist, despite fair housing laws. When I first heard about this project, I was really excited because over and over we

June 19, 2019

have had the audit showing that housing discrimination continues to happen, and I am hoping this will change that. Thank you for the time that you took on this proposal, on this process, Commissioner Eudaly. I recognize the hours that you and your staff, especially Jamey Duhamel, have put into the development of the fair housing policy over the past couple of years, and I appreciate your responsiveness to a number of concerns from our colleagues on the council. I have read through countless emails in addition to hearing hours of testimony. Thank you to everyone who took the time to share your experiences, concerns, praises, expertise and questions. There are elements in the fair housing policy that are great, such as improving the process for people experiencing disabilities and making sure that applications fees are returned if not used in processing the application. I would support these changes by themselves. I can't support the screening criteria as a whole. One of the fundamental flaws of the ordinance is the 72-hour waiting period followed by first come first serve. I applaud the intent of this provision to allow people who are in need – who need assistance, time to gather application materials, including translation services and to remove bias by the first in approach. The problem is, it doesn't remove bias, it increases it. Simply posting the vacancy, then requiring first in would be more equitable. Giving the notice allows people who can take time off work or family to camp outside or who have 5g internet service a head start. I am also concerned about the added expense of requiring owners to invest in systems to allow the 72-hour wait and track the orders received. I would not have been able to do that myself when I was renting out the first home. Back then I was the ideal landlord, according to this ordinance. I put a notice in the Oregonian, and I accepted the first family that applied. I did a credit check. I didn't know what the results meant. I didn't ask about the criminal history. I didn't ask or verify the family's income because I figured it was their business whether they could afford the rent or not. As a result, three months later they moved out realizing that they couldn't afford the rent after all. It was all very amicable but then I had to start over, and so did they. Many people can no longer afford rent in Portland. This policy not only doesn't solve for this problem, it may exacerbate it. One way is through loss of rental housing stock. Landlords are not just threatening to sell their rental properties because of this policy. They already have. I've heard from them. They have told me. They told us all in emails. I have heard this directly from landlords as well as from realtors who cited the fair housing policy as a reason that an increasing number of landlords are coming to them to put their rentals on the market. Many of the single family homes and duplexes will be purchased by new own occupants, losing units from the rental market. I have heard testimony from the developer who's put an affordable housing project on hold here in Portland and is planning instead to develop in clackamas county. Here's what another one said. "We have delayed starting three projects, one for 39 micro-units, all inclusionary, another one for 48 in low income situations, and a third one on northeast 102nd close to max and grocery stores in the gateway corridor, potentially bigger than the first two. We have asked for no subsidies, but Portland's deciders are making it too difficult for developers, owners and managers. The word in investor meetings is that other cities are more attractive for investing." I think that's really sad because I think what we need as well as fair housing and rental policies is more supply. Another way the new rules will drive up housing cost is by more of the small owners who currently own 60% of Portland's rental users -- units changing from managing their own units to hiring property management companies and lawyers. A constituent informed me already over the past four years, over \$6 billion in multi-family housing in Portland has been purchased by large corporations. Owners with a small number of units know their tenants by name and develop relationships with them. Multi-state corporations maximize profits for their investors. Perhaps the most troubling in this policy is the lack of an exception for people convicted of violent crimes, and even rape and murder, in the low barrier screening process. On the day of release from prison from a seven or more year

June 19, 2019

sentence, every landlord in Portland would be required to accept that application if they used the low barrier screening criteria. Will any landlords choose to use the low barrier process with that in mind? I am concerned that the actions the city and state have taken collectively will have an adverse impact on the supply of affordable housing. I expect that those landlords who do choose to keep their rental properties will increase rent significantly on vacant units, pricing out those very people we are trying to help with our actions. What this means is the population we intend and need to support the most, communities of color and lower income renters, will not be better off as a result. I know that the housing -- Portland housing bureau is up to the task to lead implementation, and I want to acknowledge the amount of work that still lies ahead in developing the administrative rules, education, and ongoing monitoring of policy impacts. The housing bureau will need more staff to implement this policy. Thank you to the director Shannon Callahan and her team for taking this on and Mayor Wheeler for being willing to do so also. Not all landlords are bad actors and very few are sitting on bags of money, as Tyrone Poole of One Up and others testified. Rather than pass a complex policy that is administratively burdensome and costly to catch a few problematic owners, I believe there are proven methods that we should have focused on such as increased education and training for both landlords and tenants, and increased enforcement of fair -- of existing fair housing laws. Of course, that's not mutually exclusive. I hope that we do that anyway. In closing, I have to say I very much hope that I am wrong. This is one policy that I would be more than happy to see work brilliantly and increase the supply of rental housing for those who need it the most. No.

Wheeler: Well, I would like to start off expressing my thanks to Commissioner Eudaly, to Jamey and the entire Eudaly team. There's probably been no one more frustrating to work with on this policy than myself, and I want to acknowledge that. I want to acknowledge the hard work that Commissioner Eudaly has done in the community, and I also want to acknowledge that the policies that we're voting on today have gone through literally dozens of drafts. And I want to thank you, Commissioner Eudaly. Many of those revisions came at the request of the housing bureau, of which I am the commissioner in charge. Many of those came at the request of my team. And I am grateful to you for thoughtfully considering those revisions. I also want to thank my colleagues for agreeing to several amendments that I put on the table two weeks ago that addressed a number of my specific concerns. I also want to note that many of the concerns that were originally stated to me by landlords early in this process, ie many drafts ago, many of those concerns have already been addressed through revisions and through amendments. I want to be very clear there is no question in my mind that these policies are rooted in important values and they're based on real issues that exist in this community. In particular, there is still far too much discrimination in access to rental units for people of color, for people of lower income, and for people who experience disabilities in our community. That is not to say that all landlords are bad actors. I personally believe that the vast majority of landlords are playing by the rules. They are already playing by many of the rules that are established in these policies, and we heard what I thought was very valuable testimony from them. We also heard heart-rending testimony from people about the very real need for change in this community. The coalition supporting these proposals is large and diverse, as Commissioner Eudaly pointed out. The values underlying these proposals, the screening proposal, in particular, are vital to the community. That said, I want to offer a reality check. The work is most certainly not done with the passage of these ordinances. We can't ignore that the reality is that we have much work to do in the months ahead. We have to align our values with sound policy and measurable deliverables that are associated with these policies. As housing commissioner, it's of particular importance to me that we be able to measure who is being helped by these policies and to what degree. Much of the actual implementation of this policy going to be left to rule-making by the Portland housing

June 19, 2019

bureau, and as the commissioner I look forward to working with my colleagues and I look forward to working with the coalition that helped to shape these policies to ensure that they are implemented as successfully as possible. It's my goal to have an intentional effort to center the affected communities and to make policy changes and suggestions in hopes of clarifying how these proposals can best help the community. I also want you to know that I weighed out the requested changes to determine how our housing operators, owners, and management companies would implement these policies, and I have asked hard questions of commissioner eudaly and her team about potential unintended consequences from this policy that would contribute to our city's biggest housing issue, which is the availability of affordable housing supply. We also have to acknowledge that as of this moment there is no ongoing budget associated with the implementation of these policies. The council is going to have to engage in some very difficult conversations going forward about funding priorities, and I want to, again, state my belief, in fact, I will just say this as a fact, I will not support the funding of these proposals coming at the expense either of the public safety or from affordable housing productions, so we will have to find alternative means to fund these proposals. There are, of course, also legal, administrative, and cost uncertainties that will have to be ironed out in the months ahead. Commissioner Fish offered an amendment, which I supported, which will give us the opportunity to periodically assess the results of this program to monitor access, to monitor administrative burdens and costs, and the impact on the housing market, if any, and to make any adjustments to the policy as necessary. From my team, I want to thank cupid alexander, who has spent two years working on this proposal and advising me and helping me to frame questions and to seek answers to those questions. I want to thank the housing bureau director shannon callahan for doing likewise, but I want to end where I started, which is with commissioner eudaly. It is my belief that you could have passed this proposal some time ago without the revisions that I request, requested and without any of the amendments that I proposed. I appreciate the fact that you slowed down to give me the time to process how these potential policies could impact the affordable housing market in our community, and I appreciate your graciousness in accepting both the revisions that were proposed as well as supporting many of the amendments that I put on the table. That is what I would describe as the spirit of collaboration. We talked about it earlier this morning that nobody gets everything they want, but at the end of the day, a five-person council is based on pragmatic compromise with all of us hoping to move the interests of the community to the forefront. I believe that every member of this council has worked hard to find that space. I vote Aye. The ordinances is adopted. [gavel pounded] please call the roll on 614.

Item 614

Fish: Aye.

Eudaly: Aye.

Fritz: This is the security deposit regulations.

Wheeler: That's correct.

Fritz: And it's really unfortunate this measure has received far less public input than the screening criteria. It's been said the two work together but regrettably I believe the two put together compound the problems of both owners and renters. The security deposit rules also add huge administrative burdens for both owners and renters. A reputable housing -- affordable housing provider told me there are multiple issues concerning the practical application of this policy. For instance, there's lack of clarity on who bears the burden of repair costs. Given the amount of paperwork required, even well-intended landlords may miss things and be subject to steep penalties. As I can attest the cost of repairs often exceeds the security deposit, and as was the case when we were renting out my ex- home. What happens if an owner bought a home not new construction or just recently acquired it? How do they then provide proof the original cost and depreciation of items

June 19, 2019

they didn't buy? Like the screening policy, I wonder whether the proposed solution is in proportion to the scale of the problem, and so again I hope I'm wrong. I vote no.

Wheeler: So, I almost hope to never see another depreciation schedule for the rest of my life and I'm sure you feel the same way, commissioner eudaly. I want to thank you for working with cupid and working with other members of my team in the housing bureau to refine this policy. I vote Aye. The ordinance is adopted. [gavel pounded] and with that, we are adjourned. Thank you, everyone.

At 5:01 pm, Council adjourned.