



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **19th DAY OF FEBRUARY, 2020** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding, Commissioners Eudaly and Hardesty, 3. Commissioner Eudaly teleconferenced.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Robert Taylor, Chief Deputy City Attorney; and Cheryl Leon-Guerrero and Tania Kohlman, Sergeants at Arms.

The meeting recessed at 10:01 a.m. and reconvened at 10:09 a.m.

**Due to the absence of a Council member
and Commissioner Position No. 2 being vacant
emergency items were not considered
and items were not heard under a Consent Agenda**

COMMUNICATIONS		
146	Request of Maria Garcia to address Council regarding community participation and civic responsibilities (Communication)	PLACED ON FILE
147	Request of Ryan White to address Council regarding National Court Reporting and Captioning Week (Communication)	PLACED ON FILE
148	Request of Carol Studenmund to address Council regarding National Court Reporting and Captioning Week (Communication)	PLACED ON FILE
149	Request of Robin Nodland to address Council regarding National Court Reporting and Captioning Week (Communication)	PLACED ON FILE
150	Request of Lightning Super Karma to address Council regarding Lightning super city connectome (Communication)	PLACED ON FILE
TIMES CERTAIN		
151	<p>TIME CERTAIN: 9:45 AM – Consider removal of a condition of approval imposed by prior Comprehensive Plan Map and Zoning Map Amendment ordinance at the request of Allison Reynolds of Stoel Rives, LLP and the recommendation from the Hearings Officer for property at 1710 NE Multnomah St (Previous Agenda 110; Findings introduced by Mayor Wheeler; LU 19-223221 CP ZC) 5 minutes requested for items 151 and 152</p> <p>Motion to amend ordinance and findings with the substitute ordinance and findings to reflect the Council’s condition of approval of requiring at least 100 dwelling units: Moved by Wheeler and seconded by Hardesty. (Y-3)</p>	<p>CONTINUED TO FEBRUARY 26, 2020 AT 10:50 AM TIME CERTAIN</p>

February 19, 2020

<p>152</p>	<p>Remove a condition of approval imposed by a prior Comprehensive Plan Map and Zoning Map Amendment ordinance for Property at 1710 NE Multnomah St at the request of Allison Reynolds, Stoel Rives, LLP (Second Reading Agenda 111; Ordinance introduced by Mayor Wheeler; LU 19-223221 CP ZC) Motion to amend ordinance and findings with the substitute ordinance and findings to reflect the Council’s condition of approval of requiring at least 100 dwelling units: Moved by Wheeler and seconded by Hardesty. (Y-3)</p>	<p>PASSED TO SECOND READING FEBRUARY 26, 2020 AT 10:50 AM TIME CERTAIN AS AMENDED</p>
<p>153</p>	<p>TIME CERTAIN: 10:30 AM – Proclaim February 19, 2020 to be Rip City Day (Proclamation introduced by Mayor Wheeler) 30 minutes requested</p>	<p>PLACED ON FILE</p>
<p>REGULAR AGENDA</p>		
<p>Mayor Ted Wheeler</p>		
<p>Bureau of Environmental Services</p>		
<p>154</p>	<p>Authorize a competitive invitation to bid for digester cleaning services to be performed at the Columbia Blvd Wastewater Treatment Plant (Second Reading Agenda 134) (Y-3)</p>	<p>189865</p>
<p>Bureau of Police</p>		
<p>155</p>	<p>Authorize a competitive solicitation and contract award for the replacement of the Regional Automated Pawn and secondhand Information Database system software (Ordinance) 20 minutes requested</p>	<p>PASSED TO SECOND READING FEBRUARY 26, 2020 AT 9:30 AM</p>
<p>Office of Management and Finance</p>		
<p>156</p>	<p>Accept bid of Emery & Sons Construction Group, LLC for the SE Claybourne Street at SE 135th Avenue Sanitary Sewer Extension Project for \$2,419,997 (Procurement Report - Bid No. 00001367) 15 minutes requested Motion to accept report: Moved by Hardesty and seconded by Eudaly. (Y-3)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>Commissioner Amanda Fritz</p>		
<p>Water Bureau</p>		
<p>157</p>	<p>Authorize a contract with the lowest responsible bidder and provide payment for the construction of the Road 10E MP 6.2 – 8.2 Project at an estimated cost of \$2,220,000 (Second Reading Agenda 130) (Y-3)</p>	<p>189866</p>

At 10:52 a.m., Council recessed.

February 19, 2020

2:00 PM, WEDNESDAY/THURSDAY, FEBRUARY 19 – 20, 2020

**DUE TO LACK OF AGENDA THERE WERE
NO WEDNESDAY OR THURSDAY 2:00 PM MEETINGS**

MARY HULL CABALLERO
Auditor of the City of Portland

Karla
Moore-
Love

Digitally signed by
Karla Moore-Love
Date: 2020.07.14
11:30:59 -07'00'

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.**

FEBRUARY 19, 2020 9:30 AM

Wheeler: This is the Wednesday, February 19, 2020, morning session of the Portland city council. We're now in session. Karla, call the roll please, then I'll do the script here. [roll call taken] pursuant to Portland City Code 3.02.025 Commissioner Eudaly is participating by telephone because failure to allow participation of the city council member by electronic communication would jeopardize the public interest, health, safety, or welfare.

Commissioner Fritz is not present. She is also not physically present. She was contacted and given an opportunity to participate by telephone today. Do any council members physically present, that would be me and you, object to having Commissioner Eudaly participate by phone?

Hardesty: No, I don't.

Wheeler: Nor do I. We successfully made it through the script. We'll hear from legal counsel. Good morning, Robert.

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

Wheeler: Thank you very much, Robert.

Wheeler: Karla, please read the first individual's name for communications.

Moore-Love: Item 146; Maria Garcia, she is not able to make it.

Wheeler: The next three individuals I believe would like to come up together. 147, 148 and 149.

ITEMS 147, 148, and 149

Wheeler: Thanks for being here.

Ryan White: Good morning. I'm Ryan white. I'm a federal court reporter in Portland and president of the Oregon association of court reporters. I'm especially proud to be here in recognition of the national court reporting and captioning week which concluded last Friday. For more than 70 years OCRA has provided professional development action

February 19, 2020

training and support to hundreds of court reporters, stenographers and captioners across the state. Court reporters are the guardians of the official record in trials and legal proceedings. That means an impartial, objective, highly trained professional is capturing every word during legal proceedings. It's critical to have the official record captured, transcribed, and held by an impartial third party during trials and depositions. We use the latest technology, continuously update our skills, and provide each other with support, expertise, and camaraderie. It is a profession that can take you around the world, into the halls of power and give you a front row seat to historic events. When courts use stenographic court reporters the record is accurate and secure. The steno outlines that we create to produce transcripts cannot be manipulated. We also adhere to the highest ethical standards that require confidentiality. Your medical records will not end up on the web and your trade secrets will remain secret. We are grateful to be here today to talk about an under-appreciated, highly important career that pays extremely well yet requires about two years of training. No college degree is necessary. Becoming a qualified stenographer allows you to create your own schedule. It gives you the opportunity to travel, the ability to work in the broadcast industry, provide captions for your Portland city council meetings, work with professional sports teams as a captioner, create the official record for our legal system. It helps the hearing impaired receive vital information from newscasts, attend school and more. Oregon court reporter's association is proud to be here today. It's a noble profession that sets the gold standard for legal records.

Wheeler: Thank you. Good morning.

Carol Studenmund: Good morning. I'm Carol Studenmund, one of the owners of LNS [Latte No Sugar] court reporting and captioning. This is my business partner, robin. I'm past president of OCRA. I want to thank you, the city council, for tremendous support in making Portland accessible to people with hearing disabilities. Our company began captioning for Portland city council meetings 20 years ago last month. The city started slowly and over the years began to add captions when council held budget meetings in the community, briefings, started to expand, and we now caption for five other entities within the city. Thanks to Portland's leadership Multnomah county, metro council, the cities of Beaverton, Eugene, Tacoma, and Seattle also provide captions for their public meetings. Many other cities around the country provide captions, but Portland's leadership influenced this list of cities in our region. I also want to interject that we have been captioning for the trail blazers for 21 years.

Wheeler: That's great.

Studenmund: Go Blazers

Wheeler: Thank you

Studenmund: In December 2015, a Portland ordinance went into effect that requires all tvs in public places in the city to have the captions turned on all the time. Big thanks to Commissioner Fritz for leading this successful effort. Businesses such as McMenemy's have captions on all the time as do most other businesses in town. We have work to do with enforcement, but we'll get there. Word of this ordinance has spread across the country. The following cities have enacted similar ordinances: Seattle, Salem, Tacoma, Albuquerque, Rochester, New York, San Francisco, Pawtucket, Rhode Island, and Ann Arbor, Michigan. The Washington legislature is now considering a state-wide law requiring captions to be turned on all the time in all public places in the state. At the end of the day we hope our work has impact on our communities. With regard to access for people with disabilities, the city of Portland has made an impact that is felt beyond our city limits and across the country. I am one of many people who are grateful for your leadership.

Robin Nodland: Good morning. I'm Robin Nodland. We opened our doors in 1987 and have been a proud member of the Portland business community since that time. I'm here to talk about jobs. We are an eager employer. We need court reporters and captioners,

February 19, 2020

and these are well-paying jobs. These are the coolest jobs you've never heard of. Stenographic court reporting and captioning are technology careers using a Bluetooth connection from a computerized steno writer to a laptop and software creating the gold standard of instantaneous speech to text, known in our industry as Realtime, as well as being the most accurate method of making a legal record. We're known for our precision. Currently there's a shortage of available talent, and it's made more difficult because the one court reporting school in Oregon closed a few years ago. The closest program is green river community college in auburn, Washington. That's a great program, but we need one here locally. Leaders from the Oregon Court Reporters Association, OCRA, have been doing outreach to students such as with the classroom law project and career fairs around Oregon. We are now in contact with educators at Portland community college to discuss starting a training program. There is great interest and there has been a small wave of programs opening at community colleges across the country to address this shortage of court reporters and captioners. Until that Portland City Code program comes to fruition, representatives of OCRA have taken the lead in finding court reporting and captioning candidates by partnering with the NCRA National Court Reporters Association and launching a program locally, a six- to eight-week introduction to steno machine shorthand. They learn how to write the alphabet and numbers in steno. Participants use loner machines donated by our members during these training sessions and for at-home practice. The idea is to expose these candidates to steno and get them interested in and excited about a career in court reporting or captioning. In addition to offering schools direct assistance, NCRA is pursuing passage of the training for Realtime writers act. The legislation, which was introduced to the senate and passed by the senate commercial, science and transportation committee earlier this year, authorizes \$80 million in federal spending over four years. The bill s268 has 27 co-sponsors and is expected to be approved by the full senate shortly. A house version of the bill is pending. If the act passes the federal funding for real time writer student training would benefit not only current students and programs looking to enhance their real time training capacity but also to veteran reporters as some schools use the funds for real time training. I ask that you support an education program at Portland City Code. Thank you.

Wheeler: Thank you. Could I ask you a couple of questions? First, I'm always incredibly impressed with the closed captioning here at city council and I have never understood how they can write so quickly. Is part of what you're learning the shorthand that is used and how is that actually done? How do you learn that?

White: It's phonetic. Different combinations of different keys make different sounds. It's kind of like a piano when you play chords, the left hand first part of the word, right hand is the ending part of the word. Each reporter learns a basic theory and then they kind of evolve it over time, and you train your computer system to understand your writing, so this is this word today and it will come up in English on my screen.

Wheeler: When you're reporting in court, you have to get it right.

White: Yes, you do.

Wheeler: How stressful is that?

White: It just becomes automatic. I kind of check out sometimes because it just becomes so automatic. It can be stressful, but it's so important, and having a live person there we're able to control the record too, so if people are talking on top of each other or too fast, you know, we can say, hey, slow it down, we want to make sure everyone is understanding we're creating a proper record, so we help in that sense as well.

Wheeler: You're here obviously trying to recruit potentially young people who might be interested in pursuing a career. Where could they get plugged in if they are listening to this or they hear about this? Where should we tell them to plug in?

February 19, 2020

White: They can contact anyone through the Oregon Court Reporters Association website, OCRA.com.

Studenmund: Orcra.org.

White: Oh, my goodness. There's also NCRA's website. They host an A to Z Program, programs that help people -- they are introductory programs to get people to sit down and go, hey, do I really like this, can I get into it? Then as robin said, unfortunately our one local school here closed down. We hope Portland City Code can pull one together. Our closest is green river college in auburn. They offer not only a certificate program; they offer an associate's and now offer a bachelors.

Studenmund: Many of the schools offer online training around the country.

Wheeler: Very good.

Studenmund: Good to be here. One of the differences between what I do as a captioner for you and the blazers, compared to what robin and Ryan do, they can control the record and I can't yell at you over the phone to say slow down or one at a time, so that's where my skills are just slightly off in the sense that I have to control what's going up on the screen so it's readable to people. Somebody says, you know what I mean at the end of every sentence, I'll start cutting that out. [laughter]

Wheeler: We don't always have the opportunity to connect the face with the work, so I'm really glad you're here today, and I appreciate you giving us more information on your industry. Really important one.

White: We are typically the flies on the wall that nobody knows about, but now in our industry with the technology advancing and all of the advancements we make, it's important we get young people into this career. It's a great career. You can make a great living at it and you don't have to be riddled with four years of school debt. It's so important for the hard of hearing. I read a report that 25% of our state's population experiences some sort of hearing impairment. That's a huge, a huge percentage for someone to be able to read captions on the screen on news events or even just entertainment. It seems like a basic American right that everyone should be afforded.

Wheeler: Certainly, opens a lot of opportunities for a lot of people.

White: Right.

Wheeler: Thank you. We appreciate your coming in and sharing with us. Thank you very much. Item 150, please.

ITEM 150

Moore-Love: Lightning.

Wheeler: Good morning, Lightning.

Lightning: Yes, my name is Lightning. I represent Lightning superkarma. As you know the coronavirus is something we need to be concerned about. I would like all the health facilities to give out free masks at this time to prevent the coronavirus, having them optional if you can pick them up or not. We know what's going on in china. Let's be at the forefront, provide free masks to anyone that wants to wear them. Pick them up at the health facilities. Thank you. Issue number 2 on the local election, I think we're going to see new faces up here besides Commissioner Hardesty all the way across the board. What I'm proposing also to really kick this game up is I'm proposing that we pay every Commissioner and the Mayor \$250,000 a year. I think they deserve it. I think they are worth it. I think it's the best investment anyone can make in this city. Again, I will be pushing to have \$250,000 per year for the Commissioners and the Mayor across the board. We will have a level of participation, they will show up, and they will be here. They will not be voice on the phone that we don't even know it's them. The way that computer automation has advanced so much. To me it's illegal but moving on to the next issue, we're not about billionaires who decide who the next president is going to be. It's about someone who has a trillion dollar company. He will decide who the next president will be.

February 19, 2020

President trump is nervous at this time and this person will be viewed on this video who will determine who the next president of the united states will be. Video, please. [laughter]

Wheeler: Thank you very much. Karla, have any items been pulled off the consent agenda system?

Moore-Love: We don't have a consent today.

Wheeler: Good point. Nor could we, we don't have enough people. Time Certain, 151, please.

ITEM 151 & 152

Moore-Love: Do you also want me to read 152?

Wheeler: Yes, I do, please. Thank you for noting.

Moore-Love: Items 151 and 152.

Wheeler: Colleagues, this is a zone map change which must be done by ordinance. Staff have amended the findings and ordinance to reflect council's direction to require at least 100 dwelling units when the site is redeveloped. Today we'll vote on the amended findings and ordinance and roll it into one final reading. There any further discussion? I would make a motion to amend the ordinance and the findings.

Hardesty: Second.

Wheeler: With the substitute ordinance and findings to reflect the council's conditional approval requiring at least 100 dwelling units. I have a motion and we have a second from Commissioner Hardesty.

Wheeler: Please, Karla, call the roll to adopt the amended findings and ordinance.
[roll call taken]

Hardesty: It really made it possible for me to support this because of the commitment to 100 housing units. I was very concerned being in a very condensed urban area that something else could have gone into this area. I'm very appreciative of the parties making that commitment on the record and because of that I'm very happy to vote aye.

Eudaly: Colleagues, I want to assure you it is in fact me. I'm not a robot. [laughter] anyone who saw me at last night's forum knows that I'm quite ill and that is why I'm calling in today. I am happy to support this. Aye.

Wheeler: I'm pleased to see the council be able to add this condition of approval. I want to thank Alison Reynolds and her client, bds staff and my colleagues, particularly Commissioner Fritz, for quickly working on a final edition we can agree on. This was a good consensus based opportunity. I appreciate it and I'm happy to vote aye. Thank you.

Wheeler: Karla can you roll over the council's decision for a final vote at a later date?

Moore-Love: Yes, we have set on February 26, 10:50 a.m. Time Certain.

Wheeler: February 16 Time Certain 10:50 AM.

Moore-Love: Yes.

151 Continued to February 26, 2020 at 10:50 TC

152 Passed to 2nd reading Feb 26, 2020 at 10:50 TC

Wheeler: Here, city council, be here. Very good. And then the next item is a time Certain at 10:30. Is there anything we can do on a second? Why don't we take up 154, please?

ITEM 154

Moore-Love: Item 154.

Wheeler: This is a second reading. We have heard presentation and taken testimony. Is there any further discussion? Karla, please call the roll.

[roll call taken]

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

Wheeler: Aye.

Wheeler: The ordinance is adopted.

ITEM 157

Wheeler: We also have item 157 is a second reading. Karla, can you read that item, please.

Moore-Love: Item 157

Wheeler: Colleagues, this is also a second reading. Any further discussion? Hearing none, Karla, please call the roll.

[roll call taken]

Hardesty: Aye.

Eudaly: Aye.

Wheeler: Aye.

Wheeler: The ordinance is adopted and before we take a recess for the 10:30 item do we have anyone here for 155 or 156 for the presentations? I would doubt it. Can you do 156? Why don't we do 156, please. Karla, can you read 156.

ITEM 156

Moore-Love: Item 156.

Wheeler: Good morning.

Kathleen Brenes-Morua, Procurement Manager for Design and Services at

Procurement Services: Good morning, Mayor, Commissioners. I'm Kathleen Brenes-Morua, Procurement Manager for Design and Services. I'm here to recommend a contract with Emery and Sons Construction Group at Southeast 135th Avenue Sanitary Sewer Extension Project. The authorizing ordinance was passed by Council on September 4, 2019. The engineer's estimate at that time was \$3,148,000. We issued an invitation to bid on November 8, 2019 and mandatory pre-bid conference was held. Eight prime contractors attended. Bids were due on December 17, 2019, and five responsive bids were received. The responsive low bid is from Emery and Sons Construction Group in the amount of \$2,419,997, approximately 23% under the engineer's estimate. The city's aspirational 20% subcontractor and supplier utilization goal applied. Emery and Sons have committed to subcontract 16.63% to minority firms for business inclusion and diversity as identified in the report before you. They are self-performing 77.84% of the work. Emery and Sons is in full compliance with city contracting requirements and I here recommend you authorize this contract.

Wheeler: Very good. Commissioner Hardesty.

Hardesty: Thank you, Mayor. I have a question. So, this contract is at 16.62.

Brenes-Morua: Correct.

Hardesty: Of the aspirational goal of 20%. What would it have taken to get the other 4%?

Brenes-Morua: So, from the information that Emery and Sons provided they did intend to meet the 20% goal. They did outreach to over 42 certified firms. They only received six responses. Six quotes back. We are working with them to try to get them up to the 20%. They are so close. We feel there are other opportunities where we can reach that, but at this time for the contract award they were only able to achieve the 16%.

Hardesty: I figure if you get to 16.6 it shouldn't be that hard to get the other three points.

Brenes-Morua: Correct. We're working with them and looking at other opportunities for asphalt paving, landscaping, and other work on the project and they are agreeable to that.

Hardesty: Excellent.

Wheeler: It's your anticipation that they will meet those targets, is that correct? Those goal aspirations?

Brenes-Morua: We're working and helping them find those opportunities and subcontract that work out as feasible.

Wheeler: They are within spitting distance. Great to see them make the target.

Hardesty: Is this a firm we have worked with quite a bit in the past?

Brenes-Morua: We have worked with them, yes.

Hardesty: Like I asked previously, I think if we have a relationship with them, even though these are aspirational goals, you know, we should be able to achieve the very minimal aspirational goals that we have. If this is a company that gets contracts from the city on a regular basis there's no reason why we should be accepting less than what our goals are.

February 19, 2020

Not putting this on you, but just saying that I'm marking the territory that if people consistently get contracts from the city and don't meet the goals, they should no longer get contracts from the city. That's my bottom line.

Brenes-Morua: Well, thank you for that. I'll be sure to let them know.

Hardesty: I tell Lester every time he comes. Probably why he's not here today.

Brenes-Morua: I'll pass that message on to him.

Hardesty: Thank you for being here.

Wheeler: Commissioner Eudaly, do you have any questions?

Eudaly: I don't.

Wheeler: I'll entertain a motion.

Hardesty: So, moved.

Eudaly: Second.

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

[roll call taken]

Hardesty: This is really good. We're so close, we can almost taste it. But I want us to be successful. I'm voting yes, but I'm going to be watching. Thank you.

Brenes-Morua: Thank you.

Eudaly: Aye.

Wheeler: Aye.

Wheeler: Report is accepted. Thank you for being here. I couldn't hear, were you saying -- do you know how long? [audio not understandable between Mayor Wheeler and Mayor Staff Member Tia Williams] why don't we take a recess for five minutes and then the police bureau will be here for 155. We're in recess.

Recessed at 10:01

Reconvened at 10:09

Wheeler: 155.

ITEM 155

Moore-Love: Item 155

Wheeler: The Portland police bureau detective's division special property investigations monitors pawn shops and secondhand dealer transactions throughout the city in order to recover stolen property. Approximately 132 pawn shops and secondhand dealers are required to report each day on Certain regulated transactions to the Portland police data system, otherwise known as PPDS. Currently this is being done through the regional automated pawn and secondhand information database, otherwise known as the RAPID system. The vendor providing and maintaining the current system was selected more than ten years ago. There's interest in completing a solicitation of requests for proposals to ensure the city and the police bureau have the latest technologies available to them to continue their tracking and investigation of pawn related information. The Police Bureau's interested in completing the vendor proposal solicitation process and initiating the rapid replacement project in the last half of fiscal year 2019/20. This will allow the Portland police bureau to better investigate theft and potentially return property to property crime victims. Property crime disproportionately affects low income and indigent people who cannot necessarily afford to reacquire or replace their stolen property. The police bureau would like to use the RFP procurement process to purchase a system to better track pawn transactions nationally and regionally in order to scale up their investigations of pawn-related information. The RFP will allow ppb to find a system that can better track items, many of which are often stolen, in and out of pawn shops so the property can be returned to its rightful owner. Detective bell is here regarding this request. If you could in your comments explain for me and for others what is currently required. I didn't even know that pawn shops are required to report this information, so if you could educate those of us who don't know that much about it that would be appreciated.

Commander Jeff Bell, Portland Police Bureau Detective Division: I would be glad to, Mr. Mayor. So, as you said, -- oh, I'm sorry, Jeff bell, commander of the detective division.

February 19, 2020

Wheeler: Thanks, commander.

Commander Bell: As you said, the theft of property does negatively affect both sides and businesses here in the city of Portland and it does disproportionately affect those who are unable to afford to replace items that are stolen. I think back to my days taking calls on the streets and taking calls from folks who have had for instance tools stolen and those tools are their only means to earn additional money to replace the tools that are at that point stolen. So, we currently have a system according to city ordinance, and it's 14 b90, that requires that all secondhand dealers, this includes pawn shops but also includes secondhand, other secondhand retailers such as folks that buy and sell used video games and things of that nature. They are required to provide the information including the identity of the people who sell it, the items in particular, any serial numbers. They take pictures and they hold those items for a certain amount of time in order to allow the police bureau to determine whether or not they have been involved in any sort of theft. We currently use the database that you mentioned, rapid, and there are a number of other agencies across the northwest that use this, so although Portland secondhand and pawn shops are required to put information in this, they are not the only ones. There's folks all over the region. There are other systems out there that we would like to take a look at so that's the purpose behind the request for proposal. This system is our only way of being able to track these items and being able to determine whether or not a pawned item is stolen. Oftentimes this is our only way to recover stolen items when folks have their items go missing. Like I said, the requirement is required in city code, and the current contract for our current system expired last year. There were some issues with the hosting of computer hardware which was part of the contract when we originally got the contract in 2009. Those issues were finally resolved last year. If we had dropped out of the contract at that point without getting an extension, we would have left other agencies kind of in the lurch who were getting their access through our equipment. So that has now been resolved, the current company now has all of its computerized record keeping in the cloud, so we are now able to seek alternates. We would like to see if there's better systems out there.

Wheeler: Commissioner Hardesty.

Hardesty: My understanding is there are less agencies using the rapid system today, they are using a new data system. I understand Portland uses rapid; Gresham uses the other system.

Commander Bell: That's correct.

Hardesty: So, if my item is stolen in Portland and somebody who stole it takes it to Gresham and pawns it then Portland would not know that my item is in Gresham today. Is that correct?

Commander Bell: That's correct.

Hardesty: How many agencies in the state of Oregon currently use RAPID?

Commander Bell: That's been in flux. I can say your impression of this is absolutely correct. The folks have declined and the system that the city of Gresham uses is one they have gone to. The balance has shifted towards another product.

Wheeler: Is it your intention to go towards the other product then?

Commander Bell: Well, we would like to do the request for proposal to see what else may be out there.

Wheeler: To Commissioner Hardesty's good point, we want to try to be standardized or have systems that communicate with other jurisdictions locally for obvious reasons.

Commander Bell: Absolutely. Right now, our property crimes detectives communicate with Gresham detectives in order to try to track some of that stuff down, but unfortunately, we don't have direct access to that system. As a matter of fact, there are pawn shops who have multiple locations and if it's pawned in Portland, they put it in one system. So that's one of the things we want something that provides us with the most ability to communicate

February 19, 2020

with other agencies. These things sometimes we see them they get pawned across the country. Yes, that is one of our biggest goals.

Hardesty: My biggest concern now is the timeline, right? So, you're here today asking for us to support going out with an RFP. You have done a one-year extension, but that extension ends in June.

Commander Bell: That's correct.

Hardesty: There's no way you'll have a new contract by June. What happens between now and when you are able to actually negotiate a new contract?

Commander Bell: So, the plan is obviously like you said, we don't anticipate even if the RFP is approved immediately that we'll have a new system in place. Our plan is to negotiate another extension with rapid. Like I said, when the contract was up almost a year ago there were some issues where our having a new contractor backing out of the contract involved some equipment issues, so we have resolved those. Had we backed out last year when -- had we done this RFP earlier and backed out earlier we would have potentially cut off access to a lot of other systems. I have idea why the contract was set up that way where we were hosting computer services for the system. I believe we got some monetary discount for that, but those issues were resolved, and I can assure you that we have no desire of entering into any sort of agreement that binds us with other agencies.

Hardesty: I was going to ask about that because I think the police bureau has had a couple of these computer things that were connected to other agencies that have exploded in our face. Are we using the technology oversight committee to actually monitor the equipment purchases? Because again, I share this concern that people who are buying technology who are not technology experts sometimes buy things that just aren't exactly what they need. So, I don't know if you have been connected with the technology oversight committee, but I would highly recommend that this process go through them because there are volunteers. They don't work for the city, but they are technology experts and the advice they have provided to us has saved us tens of millions of dollars.

Wheeler: I'll second that. It's an old saw for me. But Commissioner Hardesty and I have spoken with one voice on this and consistently I'm very concerned about the way we purchase software package and apps and customer service programs because we don't really have a standardized check and balance system internally. We all know from region what the experience can be and how bad it can get if the technology is flawed as region is. If we don't negotiate a good contract it gives us a clear opt-out opportunity in the event that the program doesn't work the way, we expect it to work. Commissioner Hardesty is right, we should go through some stage gate planning prior to actually signing anything with any product and I want to make sure that that happens as well. So, I would really encourage that, commander. I know you're not responsible for the previous issues, but we all have the opportunity to learn from some of those previous issues as well. Do is that something you can commit to?

Commander Bell: Yes. There's a lot of folks who had nothing to do with region or this contract who are now well aware and learning from those lessons. Commissioner Hardesty, any advice you have on that regard, you said it's the technology --

Hardesty: Oversight committee. I think we could get Tom Rinehart connected with you and figure out how we could get their assistance in this effort. But I'm happy to help with that.

Wheeler: Robert, obviously, legal counsel is well primed for some of these contract negotiations. As I have said, we need an opt-out. We didn't have that with region unbelievably. Good. Commissioner Eudaly, did you have any questions on this item before public testimony?

Eudaly: I don't.

Hardesty: I have one more question.

February 19, 2020

Wheeler: Yes, Commissioner Hardesty.

Hardesty: On the impact statement I asked the lieutenant yesterday what this sentence meant, and he couldn't tell me, and I told him to prep whoever was coming here to answer this question. So, the question was under community impact and community involvement. The sentence reads, while no community members were involved in a development of this amendment the services in and of themselves establishes a means for Portland police bureau to carry out part of its mission to protect property and promote individual responsibility and community commitment. I was unaware the police bureau was in the business of promoting individual responsibility and community commitment. What does that mean?

Commander Bell: So, in my mind, the piece about promoting individual responsibility, we have a system that basically holds folks accountable when they buy and sell used goods. So I think it's entirely possible that a lot of people that sell stolen goods to secondhand stores may not know of their origin but having a system in place where we track the items, we are able to track them down later if people record their serial numbers, we're holding people accountable and making them responsible for their choices in terms of what they want to do with this property. It also makes the secondhand dealers responsible for the property they receive. Without programs like this in place there is less of an incentive for the stores to make sure that the items they are purchasing are legitimately owned and not purchasing stolen items. So, in terms of individual responsibility, that's how I look at that.

Hardesty: I find it problematic that the police would say it's part of their mission to promote individual responsibility. I just don't think that's the police's job. The police's job is to solve and prevent crime, not about -- the courts hold people responsible once they go through a judicial process. So, I read that and just really struck me as a very odd statement to be putting on a request for a new system to track stolen stuff. I'm told that Katherine is a little creative in her writing, so you might want to have a conversation and just stick with the facts, not embellish what the role of this particular project is. Thank you.

Wheeler: One last question. Could you just quickly explain what is required -- first of all, what is the difference between a pawnshop and secondhand dealer? Is there a legal distinction between the two?

Commander Bell: You know, I would have to look at -- the city code does have definitions for all stuff. Essentially in layman's terms anything that -- any business that buys used goods falls into this so it's not like goodwill that takes donations but a pawnshop or like I said a video game store that buys and sells used games will fall under this.

Wheeler: I wasn't aware of this, but in order to get licensure it's the state that requires them to have a tracking system for all goods coming in and going out. Is that correct?

Commander Bell: That sounds correct. Yes.

Wheeler: That's what causes us to need this system at the local level?

Commander Bell: Yes.

Wheeler: How long does that data have to be kept?

Commander Bell: That actually I don't know. As far as I know it's kept until the item -- I apologize. I don't know how long that data is kept.

Wheeler: I was just curious. Thank you. Any further questions? Karla, do we have public testimony?

Moore-Love: Yes, three people signed up.

Wheeler: Good morning. Would you like to start, please?

Diana Gutman: Please. Good morning, Mayor, Commissioners. I'm Diana Gutman. I'm in support of this specific item 1552, support coming up with a software that would allow investigations for people to receive the things that have been taken from them. I think that this has a major impact on so many people in our city, especially people in communities where theft is a lot higher. That is something that we really need to be taking seriously and

February 19, 2020

look to. I do have a couple of questions in regards to what I have heard under this presentation. I wanted to find out how this would be regulated. This is the first time that I have actually heard about this since I have been attending Portland city council in the last couple of years that I have been here, and so I'm curious as this is something that's already been in place by the city of Portland, a mandate by the state of Oregon for the police bureaus to work together with our constituents. So, I want to know how is this regulated. This is the first time this is being talked about. The second question that I have is when we are looking for a new contract, my question is what is the cost going to be? What is that going -- how much is that going to cost the city? Who the vendors are going to be whether or not we even have a vendor list going, if we have reached out to appropriate vendors that could provide this kind of a contract for the city, and then lastly, is this going to be an inclusive database because there's been discrepancy already with people with other bureaus using different databases, and then even going beyond that you have secondhand shops that are using different databases that can be a change. How can we make this more inclusive so we can actually do these investigations more quickly and help people who have Lost something? Thank you.

Wheeler: Thank you. Appreciate it.

Maggie: Hi. Maggie, Portland homeless town hall. Okay, so daily there are thefts of people's phones and in all the shelters, and when you have people who are -- you've got a couple of different kinds of people. You've got people who are nonpredatory and victims and you have people who are predatory and victims, and you have people who are just out there and just plain predatory. These shelters need to have a requirement where they are required to provide a lock-up space for people to put their phones at night and then they can get them when they leave.

Wheeler: This is a good idea, but this is related to pawn shops.

Maggie: Yes, I know, but this is about prevention. This is an area that where are all these phones that get stolen in the shelters going?

Wheeler: Stick to the point or I'm going to move on. Thank you. You're done. Thank you. I appreciate it.

Wheeler: Good morning.

Charles BridgcrAne Johnson: Good morning, madam president Hardesty and Mayor Wheeler. [laughter] there's a lot of talk about socialism and we have a lot of corporate socialism. I'm worried this is small scale corporate socialism. What is the individual responsibility crap? It's a little promising in that it was rephrased as business owners being responsible for their costs to society. But when we look at this proposal, we don't have very much clarity about this. Pawn shops exist to make their owners financially secure. I think we really need to engage with attorney general Ellen Rosenblum, presuming she's reelected, unopposed this year, make sure that the state and the city through its police bureau, even though the police bureau has the hugest budget of any bureau, hugest, so that we make sure that 100% of the costs even though there's social benefits to crime victims for this program there's no reason why all the costs should not be part of operating businesses for pawn shops. So I hope that as we put out the RFP, when you vote and probably approve this process, I hope that in addition to engaging the technology oversight committee and maybe there's a role for the chief technology officer, that we will look at what do pawn shops pay to private insurance companies and why is the pawn industry not able to 100% cover the cost of this program. Again, I'm not anti-socialist. There's a benefit I think the Mayor in his opening remarks mentioned that oftentimes lower economic status people are the victims of these theft. But it's not the best thing when all the taxpayers collectively cover that when really the cost and the duty is there for those pawnshop owners who are making the money. I hope that in the process and development of this we

February 19, 2020

discuss more about not giving welfare to pawnshop owners just because some EBT cardholder had their PlayStation 4 stolen.

Hardesty: This -- the pawn shops have to buy their own equipment. We're not buying equipment for pawn shops. This is equipment for the police to be able to track stolen items. Right? This is state law, so this is not new. This is something we have been doing since the state law was passed. The only difference is we're looking to see if there's a better contractor that could provide the service and that the service that they provide would be utilized by lots of our neighboring counties and cities. The system we have we have had for ten years. What we learn is less and less governmental entities are using it which is why we're looking for new stuff.

Wheeler: So, this is interesting. I think you're on to something. We are spending money on a proprietary system in order to prevent pawn shops from basically dealing in stolen goods. Why aren't we -- I'll ask staff. Thank you for this.

Johnson: As you both talked there's a jurisdictional issue. I think I'm pretty sure Commissioner Hardesty is familiar that the state operated a surveillance database of all Oregonians. That was crap. That should not have been done with taxpayer money, but some of that infrastructure maybe should be repurposed so statewide we could have one pawnshop financed stolen property tracking system. I know we have a lot on the agenda we want this year and next but maybe there's more than one line we could add in.

Maggie: Why can't we register phones like we do bicycles with the police. Especially for aging and disabled people.

Wheeler: Appreciate it. Commander, could you come back for one moment just so I can ask you a question? I'm sorry. Thank you. The lights are often blinding up here. Everybody looks good from up here, by the way. Want you all to know that. [laughter] the question since we are buying a proprietary system that is used to regulate and industry that unfortunately has a reputation for dealing in stolen goods, and I'm not saying everybody in that industry engages, this is a bad apples type situation, sometimes it's unintentional and I understand that. But why isn't the industry bearing the cost? An analogous example here is the real estate industry is bearing the cost of our rental registration system. So, we're doing it, but they are paying for it. Why isn't there an analogous example here to this industry?

Commander Bell: I don't know the history. What I do know is that it's probably a result of the fact that our current budget for the program that we have now is only \$9,000 a year approximately. That's about how much we spend. So.

Wheeler: For the software?

Commander Bell: For the software. Yes.

Hardesty: 9,000 a year?

Wheeler: That does not give me a great deal of confidence:

Commander Bell: I don't know what a new system will cost. We believe that's probably on the low end. Obviously. Again, I don't know what the history was, but I think it was viewed as a minor cost, so they didn't necessarily think to defer that.

Wheeler: If that's true I find that astounding and I'll look forward to the RFP when it comes back. **Hardesty:** It won't come back if its only \$9,000

Commander Bell: I don't think it will come back at 9,000. The bureau would be opposed to deferring those to the businesses that force us to need this software.

Wheeler: Thanks for your service and the good work you do. We appreciate it. Anything else? This is a first reading of a nonemergency ordinance. It moves to second reading.

ITEM 153

Wheeler: Next item is 153 time Certain, please.

Moore-Love: Item 153

February 19, 2020

Wheeler: The city council would like to take some time to officially recognize a milestone birthday in our community. 50 years ago, in 1970, one of the most beloved national basketball association franchises was born right here in Portland, Oregon. Since then, the Portland trail blazers have stolen the hearts of fans both near and far, making 35 playoff appearances, three trips to the NBA finals, and of course an NBA championship in 1977. With heated rivalries with both Los Angeles teams and our former pacific northwest rivalry with the Seattle sonics, the trail blazers have been a source of tremendous pride in our community. The pride extends throughout the city of Portland. The blazers organization makes it a point to give back and invest in our community. Their make it better foundation work and their commitment to youth through the blazers' boys and girls club, it's very clear through all of these efforts and others that this franchise embodies the true spirit of Portland and it's woven into the fabric of our great community. The trail blazers have maintained that strong commitment, engendering a spirit of service and sustainability, and we as a city are better off for it. So today we want to honor the trail blazers' rich history, recognize the team's many accomplishments and contributions to the community as we celebrate the 50th year anniversary. We would also like to memorialize the beloved moniker we all know and love, rip city, founded by the original Mayor of rip city himself, the amazing, legendary bill Schonely, who is with us here today. Thanks to bill, rip city has grown from a nickname to an entire community. We're honored to have as guests here today team president and CEO Chris McGowan, announcer bill Schonely, and a superfan we have all seen at blazers' home games, Rolia Manyongai-Jones, better known as the dancing lady. She's been a season ticket holder for 29 years. But before they share their remarks and before I read our proclamation declaring this day to be rip city day in Portland, we would like to share a look back at the team's first 50 years. So, if you direct your attention to the screens, we'll show a brief video.

[video] The Portland trail blazers are number one:

[video] The Portland trail blazers will play for the championship of the world:

[video] Go, blazers: [cheers and applause] [screaming]

[video] The Portland trail blazers select Damian Lillard of weaver state university: Damian Lillard Damian Lillard. [applause]

Wheeler: Thank you for being here. We appreciate it, Mr. McGowan,

Chris McGowan, Trailblazers President and CEO: Thanks for having us. On behalf of the trail blazers organization I would like to thank Mayor Wheeler and city Commissioners for their continued support of the trail blazers. We're honored by the 50th anniversary and excited to have today proclaimed rip city day, February 19. Today is one of celebration. We would like to take a moment to offer our condolences on the passing of Commissioner nick Fish. He was a passionate supporter of all things Portland including the trail blazers, and he's dearly missed here today. We're fortunate to have a fan base who tirelessly supports us through the highs and lows of each season, and we're excited to see the rip city community honored here today. They are part of our legacy. We thank you for all you do to support the citizens of rip city and we look forward to continuing to work together to advance diversity, equity and inclusion, environmental stewardship and make a positive impact on and off the court. After all, we're all citizens of rip city. Thank you.

Wheeler: Thank you. We appreciate it.

Bill Schonely: From one Mayor to another -- [laughter] Mayor of rip city and to you, sir, we want to thank you and the council for this wonderful opportunity that you have designated rip city day. I'm overwhelmed by the entire affair because I had no idea back in 1970 that rip city was going to come out of my mouth. It just did, and it took a little while. Some baby steps but look what's happened. The organization is rip city, and wherever you go, not only in Portland, around the state, the northwest, for that matter all over the world. It's all my fault. [laughter] but thank you very, very much. I'm honored and the organization is too.

February 19, 2020

Wheeler: The honor is all ours. Thank you.

Rolia Manyongai-Jones: Hi. I do have a name. Rolia, but known as the dancing lady. I'm very honored to be here. I'm from originally from Liberia, from a small village. I never knew one day I would ever be dancing in an arena that everybody begins to know me. But I am a true die-hard blazer fan to the max. I just started one day in the coliseum dancing and the camera got on me and they haven't left me since, so I will always, always be proud to be a blazer fan, and we are very honored, I'm very honored to be a part of this rip city day. This is history and the legacy lives on, and I will always dance until I'm 95 years old.

[laughter] [applause]

Wheeler: And you are an important part of that legacy and we thank you for that. I don't know if my colleagues would like to make some comments before I read the proclamation.

Schonely: One more thing, please.

Wheeler: Mr. Schonely.

Schonely: I can't get up there.

Wheeler: Bill. I think we're going to do that out there.

Hardesty: Hang on to that thought. I just want to say what an honor it is to be on the city council to honor the trail blazers. I'll tell you a story about the year I moved here. January 1, 1990. I moved here as a die-hard Chicago Bulls' fan. Right? I had the audacity to go out in public in my Chicago Bulls equipment while the blazers and the Bulls were fighting for the championship, right? Now, that takes a brave person, right, to do that. Since then, however, I want you to know that I have also become a die-hard blazer fan. Here's why. It's because of the incredible men who have had the privilege of playing on the blazers team, but more importantly who have had the ability to give to the community. I think of folks like Jerome Kersey, I think of -- there's a whole list from back in that era of men who understood that they had an obligation to give back to the community that they were in, and they were very humble with how they did that. So that has always stayed in my heart. Jerome in fact did a public service announcement with me way back when, when I had another job, and so that's what I remember, right? I like basketball because I like watching men run up and down in those little shorts, right? But more importantly I really value the maturity, the respect, the kindness that trail blazers have shown this community and so I am very honored to be here to help with this 50-year celebration.

Wheeler: Thank you.

Wheeler: Thank you. Commissioner Eudaly?

Eudaly: Thank you, Mayor. I will just quickly say I'm very sorry I'm not there to share in the festivities today. Mr. Schonely, it's always a treat to hear your voice. I didn't realize I was born the same year as rip city, but it makes sense because while I'm not the world's biggest sports fan, the blazers will always have a place in my heart. Thank you and [audio not understandable]

Wheeler: It's my honor to read the proclamation on behalf of the city council and by extension the city of Portland. Whereas, the city of Portland is honored to recognize our men's professional basketball franchise as the 2019/'20 season marks the trail blazers' 50th anniversary season. Whereas, as we take time to honor the rich history of the franchise, we would like to memorialize a beloved moniker of the city of Portland that was born out of an electrifying moment during a trail blazers game against the Los Angeles Lakers on February 18, 1971. And whereas, Portland became known as rip city during that game, a phrase founded by the legendary Bill Schonely, the voice of the trail blazers from 1970 to 1998, who was inducted into the Oregon sports hall of fame in 1999 and received the Kurt Gowdy media award from the basketball hall of fame in 2012. Whereas, the term rip city has come to represent a die-hard pride and passion for the trail blazers and the entire city of Portland. And whereas, we honor the trail blazers fans who have transformed rip city from a nickname into a community and who contribute to the success of the team

February 19, 2020

and create an incredible atmosphere for the trail blazers' home games. And whereas, we commend the trail blazers for the organization's dedication to positively impacting the community of rip city through the work of the trail blazers foundation advancing diversity, equity and inclusion work and environmental stewardship. And whereas, rip city brings people together to create lasting memories through the power of sport. And now, therefore, I, ted Wheeler, Mayor of the city of Portland, the city of roses, rip city, do hereby proclaim February 19, 2020 to be rip city day in Portland and encourage all residents to observe this day. [applause] if you could come up here. **Schonely:** Now?

Wheeler: Now is the time. The exchange.

Schonely: -- basketball, my name is on there and Jim Barnett who started it all with that shot back in 1971, 1970, and that in essence was the birth of rip city. Thank you again for this day.

Wheeler: Thank you, Mr. Schonely.

Schonely No. Mr. Mayor. [laughter]

Hardesty: I guess he told you:

Wheeler: That is a fantastic way to end our meeting. We are adjourned.

Council adjourned at 10:52 a.m.