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CITY OF  
**PORTLAND, OREGON**

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**OFFICIAL  
MINUTES**

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A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **29<sup>th</sup> DAY OF JULY, 2020** AT 9:30 A.M.

THOSE PRESENT BY VIDEO AND TELECONFERENCE: Commissioner Fritz, Presiding; Commissioners Eudaly, and Hardesty, 3. Mayor Wheeler arrived at 9:54 a.m. and presided, 4.

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by phone and the City has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the City's YouTube Channel, eGov PDX, [www.portlandoregon.gov/video](http://www.portlandoregon.gov/video) and Channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at [cctestimony@portlandoregon.gov](mailto:cctestimony@portlandoregon.gov).

The Council is taking these steps as a result of the COVID-19 pandemic and the need to limit in-person contact and promote social distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communications. Thank you all for your patience, flexibility and understanding as we manage through this difficult situation to do the City's business.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Karen Moynahan, Chief Deputy City Attorney

Item No. 626 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 9:39 a.m. and reconvened at 9:45 a.m.

<b>COMMUNICATIONS</b>		
<b>618</b>	Request of John Pacheco to address Council regarding injury received by the Portland Police Bureau and federal agents (Communication)	<b>PLACED ON FILE</b>
<b>619</b>	Request of Hyung Nam to address Council regarding crowd control policing (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>620</b>	<b>TIME CERTAIN: 9:45 AM</b> – Proclaim July 26, 2020 to be Americans with Disabilities Act 30th Anniversary Day (Proclamation introduced by Mayor Wheeler) 15 minutes requested	<b>PLACED ON FILE</b>

<p><b>*621 TIME CERTAIN: 10:00 AM</b> – Amend Planning and Zoning Code to extend the expiration date for some land use approvals, maintain inclusionary housing rates outside the Central City and Gateway Plan Districts, and allow for virtual neighborhood contact meetings; and postpone the effective dates of FY20-21 System Development Charges for the Bureaus of Environmental Services and Transportation (Ordinance introduced by Mayor Wheeler; Second Reading Agenda 617; amend Title 33; amend Ordinance Nos. 189972 and 189975) 15 minutes requested</p> <p><b>Motion to add emergency clause because a delay would result in additional land use reviews becoming expired:</b> Moved by Fritz and seconded by Hardesty. (Y-4)</p> <p>(Y-4)</p>	<p style="text-align: center;"><b>190076 AS AMENDED</b></p>
<p><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p><b>Mayor Ted Wheeler</b></p> <p><b>Office of Management and Finance</b></p>	
<p><b>622</b> Provide an exception to Human Resources Administrative Rule 6.03, Vacation, for employees required to furlough allowing for carryover of all vacation accruals earned by the end of the first pay period in January 2021 to the end of the first pay period in January 2022 (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING AUGUST 5, 2020 AT 9:30 AM</b></p>
<p><b>623</b> Provide an exception to Human Resources Administrative Rule 8.03, Hours of Work, Overtime Compensation &amp; Management Leave for Fair Labor Standards Act Exempt Employees allowing for carryover of unused management leave to calendar year 2021 as a result of required furloughs for FLSA exempt employees (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING AUGUST 5, 2020 AT 9:30 AM</b></p>
<p><b>Commissioner Chloe Eudaly</b></p> <p><b>Bureau of Transportation</b></p>	
<p><b>*624</b> Authorize application to National Association of City Transportation Officials for a grant in the amount of \$25,000 to support response to COVID-19 through right-of-way transformation to support businesses in the Albina area in partnership with the Soul District Business Association, Self Enhancement Inc., and the Albina Vision Trust (Ordinance)</p> <p>(Y-4)</p>	<p style="text-align: center;"><b>190075</b></p>
<p><b>625</b> Authorize application to Oregon Department of Transportation for a grant in the amount of \$5 million for the Safe Routes to School Competitive Infrastructure Grant Program (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING AUGUST 5, 2020 AT 9:30 AM</b></p>
<p><b>Commissioner Amanda Fritz</b></p> <p><b>Water Bureau</b></p>	
<p><b>626</b> Authorize a contract with the lowest responsible bidder and provide payment for the construction of the Powell Butte Reservoir 1 Roof Upgrades Project at an estimated cost of \$5,140,000 (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING AUGUST 5, 2020 AT 9:30 AM</b></p>

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<b>Auditor Mary Hull Caballero</b>		
<b>627</b>	Approve Council Minutes for January - April 2020 (Report) (Y-4)	<b>APPROVED</b>
<b>REGULAR AGENDA</b>		
<b>Commissioner Chloe Eudaly</b>		
<b>Bureau of Transportation</b>		
<b>*628</b>	Authorize Intergovernmental Agreement for Right of Way Services with Oregon Department of Transportation to define roles and responsibilities regarding the use of real property for construction of public improvements related to the Central Systemic Signals & Illuminations project (Ordinance) 15 minutes requested (Y-4)	<b>190077</b>
<b>629</b>	Vacate a portion of SW 3rd Ave south of SW Arthur St subject to certain conditions and reservations (Hearing; Ordinance; VAC-10126) 15 minutes requested	<b>PASSED TO SECOND READING AUGUST 5, 2020 AT 9:30 AM</b>
<b>*630</b>	Authorize contract with Lyft, Inc. to operate, procure and install system components of a bike share system in an amount not to exceed \$11,300,000 (Previous Agenda 590) 15 minutes requested for items 630-631 (Y-4)	<b>190078</b>
<b>*631</b>	Authorize agreement with Nike, Inc. to extend its sponsorship of Portland's bike share system (Previous Agenda 591) (Y-4)	<b>190079</b>

At 11:07 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **29<sup>th</sup> DAY OF JULY, 2020** AT 2:00 P.M.

THOSE PRESENT BY VIDEO AND TELECONFERENCE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fritz, and Hardesty, 4. Mayor Wheeler left at 4:39 p.m. and Commissioner Fritz presided until 6:30 p.m., 3. Mayor Wheeler returned at 6:31 p.m. and presided, 4.

Commissioner Eudaly arrived at 2:02 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Naomi Sheffield, Deputy City Attorney

The meeting recessed at 2:53 p.m. and reconvened at 3:30 p.m.

<p><b>632</b>    <b>TIME CERTAIN: 2:00 PM</b> – Replace Title 13 Animals with Bees and Livestock to update the regulations for keeping bees and livestock (Ordinance introduced by Mayor Wheeler; replace Code Title 13) 90 minutes requested</p> <p><b>Motion to add new section 13.30.010.D:</b> Moved by Fritz and seconded by Wheeler. (Y-3; Hardesty absent)</p>	<p><b>PASSED TO SECOND READING AUGUST 5, 2020 AT 9:30 AM AS AMENDED</b></p>
<p><b>633</b>    <b>TIME CERTAIN: 3:30 PM</b> – Refer a Charter Amendment to voters at the November 3, 2020 General Election to authorize a new police oversight system (Resolution introduced by Commissioner Hardesty) 90 minutes requested</p> <p><b>Motion to amend Resolution to add “and those who have experienced mental illness, addiction, or alcoholism”;</b> amend <b>Exhibit A</b> to add “from diverse communities and with diverse lived experiences”, and add “mental illness, addiction, or alcoholism”; amend <b>Question in Exhibit B</b> to replace “policy oversight board” with “police oversight board”, and remove the word “agents”: Moved by Hardesty and seconded by Fritz. (Y-4)</p> <p>(Y-4)</p>	<p><b>37499 AS AMENDED</b></p>

At 6:57 p.m., Council adjourned.

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**THURSDAY, 2:00 PM, JULY 30, 2020**

**DUE TO LACK OF AGENDA THERE WAS  
NO THURSDAY 2:00 PM MEETING**

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**MARY HULL CABALLERO**  
Auditor of the City of Portland

Karla  
Moore-Love



Digitally signed by  
Karla Moore-Love  
Date: 2021.02.09  
22:26:21 -08'00'

By Karla Moore-Love  
Clerk of the Council

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

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**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.

**JULY 29, 2020 9:30 a.m.**

**Fritz:** Morning meeting of July 29, 2020, Karla please call the roll.

[Roll Taken]

**Fritz:** Thank you. We will first hear on the rules and decorum, please.

**Karen Moynahan, Chief Deputy City Attorney:** Thank you. Good morning, commissioners. You may sign up in advance with the council clerk's office. Contains information about how and when you may find testimony while the city council is holding electronic meetings. Your testimony should address the matter that's being considered at the time. When testifying please state your name for the record, your address is not necessary. Please disclose if you are a lobbyist, if you are representing an organization please identify it. The presiding officer determines the length of testimony, individuals can only have three minutes to testify unless otherwise stated. When your time is up the presiding officer will ask you to conclude. Disruptive conduct such as shouting, refusing to end your testimony when time is up or disrupting council deliberations will not be allowed. A warning will be placed on the person being placed on hold or ejected from the meeting. Please be aware that all council meetings are recorded, thank you.

**Fritz:** Thank you so much. And mayor wheeler is at the press conference and will join us in a little while. Could we please start with communications the first item.

**ITEM 618**

**Moore-Love:** Item 618

**Fritz:** Good Morning, you have three minutes. We just need your name, we don't need your address. Appreciate you taking the time to join us today.

**Moore-Love:** Commissioner, I see he did get registered, but I don't see him on the line right now. Gayla is taking Keelan's place this morning. Gayla, is that what you've got?

**Gayla:** Yes, that's what I see too.

**Moore-Love:** Okay, thank you.

**Fritz:** All right, if the person joins us later we can go back. Otherwise next item.

**ITEM 619**

**Moore-Love:** Item 619

**Hyung Nam:** Good morning my name is hyun g nam and i'm here to say that we issued this letter addressed to mayor wheeler cc'ed to the entire city council and the title of it is stop cop riots. It has now been signed by 66 community organizations, 86 clergy, and over 1300 individuals. And we still have not received any response while mayor wheeler is going on national media complaining about the feds who are doing the exact same thing his lawful cops have been doing to us for several years now. In fact there is a settlement that's going to be happening from august 4th where his cops shot one of the anti-fascist protesters in the head with a flash bang grenade and we're going to have to spend general funds settling that settlement. I believe the millionaire mayor should be paying for this himself personally when he's not taking responsibility of the commissioner of police and allowing this to happen repeatedly. In fact our police have been protecting far right fascists and attacking everyone else including journalists, medics, and so on. So I want to just highlight a few things from this letter. We demand an end to falsely declaring gatherings to be civil disturbances or unlawful assemblies or riots and using these kinds of indiscriminate

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attacks endangering public health. We want to end the false narrative that the protesters are being violent. We want the end of all of these crowd control munitions that we know have been harmful for many years now. We demand compliance with all court orders on the use of tear gas and so on. We demand an end to targeting aclu and national lawyers, skilled legal observers, medics, and journalists. We demand the elimination of the rapid response team and s.w.a.t. Team and all associated units that work on crowd control. These units did not exist before the dhs before 9/11. It's under a false pretext that we have these kinds of militarized units, we need to end them. There's several more things I want to point out there. But with the remaining time I would say we need to put sergeant pete simpson of the criminal intelligence unit to testify on record about his communication with the feds because trump has been tracking us since back during our days during the i.c.e. Protest and we need to know exactly what's going on. As a member of the budget advisory committee I can't even find out exactly how they're funded. The police budget document is completely misleading and we can't even get transparency on that yet. So we need to move ahead with reviewing these specialty units and defund the police. Seattle is calling for 50% defunding the police --

**Moore-Love:** That's three minutes --

**Nam:** City councilors supporting this and using participatory budgeting to reinvest. We need to do the same thing. Thank you.

**Fritz:** Thank you for your testimony. And hopefully with the federal government leaving we can start taking care of business here as we were in the process of doing and as you know we do have a nice council agenda this afternoon that I imagine we'll hear from you again. Thank you for being here. We cannot do the consent agenda because there's several emergency items on it and it's too soon to do the 9:45 time certain. The only item on the regular agenda that we could do is 629. Are you ready, commissioner eudaly?

**Eudaly:** I'm sorry, no. I didn't get that communication early enough to get staff prepared.

**Fritz:** It looks like we have a Gerry Caruso, okay in that case unfortunately we need to take a short recess because the mayor has asked that we don't do the time certain until he gets back.

**Eudaly:** Okay.

**Hardesty:** Sounds good.

**Fritz:** It's 9:45. So let's come back in session and have a discussion as to whether there's anything we can do.

**Eudaly:** Madame president, I believe I have pbot staff ready to present on the street vacation.

**Fritz:** Brilliant, thank you so much. Please read item 629.

## **ITEM 629**

**Moore-Love:** Item 629

**Eudaly:** The building plan as designed does not support an exit only driveway on southwest arthur street as required. Here to provide details and answer any questions is pbot right of way agent gerry caruso.

**Gerry Caruson, Right of Way Agent, Portland Bureau of Transportation:** Good morning, mayor, and commissioners. This petition was initiated by the petitioners benjamin eder. It's an ordinance to vacate a strip on the southwest 3rd avenue. The vacated portion of this street area will revert back to the petitioners parcel. The original, if I could have the slides presented up on the screen, thank you. And if you could just move to the next screen, please. If we could get to the next screen or move the slide, thank you. So that is a depiction of the street area that is going to be vacated. And next slide, please. That is an overall view of the surrounding area. Please move to the next slide, please. Another aerial view. Next slide, please. And then next slide. That is an assessor's map. So the original site plan depicted an exit onto southwest arthur street and the development review was not

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supportive of access on to southwest arthur and suggested that the petitioners present a new site plan and pursue a street vacation where they can move the building 20 feet to the east, provide two-way access from southwest 3rd and provide the desired onsite parking. Next slide, please. And here is a depiction of the current site plan that was revised showing the access and the parking and the building moved to the northwest corner of the parcel. Next slide, please. And again another depiction highlighting the street area that is being vacated. The notifications were sent out to various bureaus, agencies, utilities, neighborhood and business associations. Only one objection was received from active transportation that cited that the loss of a public on street parking on southwest 3rd is a hindrance to the city's ability to manage city transportation system. However in response to active transportation's objection, the city's goals need to be appropriately applied on a city wide scale and need to be considered as they relate to site specific conditions and in this particular case the proposed two-way traffic driveway would be required with or without the street vacation as it's the standard width of two access. In addition the parking on southwest 3rd avenue is being replaced or the closure of the access on southwest arthur street, one additional parking space that would be added to southwest arthur so the loss on southwest 3rd is really negated. The possibility also to extend southwest arthur further to, if I could go to the next slide, i'm sorry. This is another depiction showing the width of the existing width which is 85 feet. And the proposed right-of-way after the vacation of a 65 width right-of-way. Here are some photos. And next slide, please. This is looking north up southwest 3rd. This is a closer view of the actual area being vacated. Next slide, please. Another one looking south. And the next slide, please. And this shows the end of the cul-de-sac and if the cul-de-sac was to be continued it would go to southwest meade. But this is one more example of how it would be economically and someone physically impossible to extend southwest 3rd up to southwest meade because of the existing topography. A sidewalk and a street area would not meet city standards for slope. And next slide, please. The planning and sustainability commission held a hearing on march 24th and recommended approval. Next slide, please. And this is a depiction of the proposed new office building to be constructed. This street vacation benefits the city with increased investment in the city's infrastructure, its tax base, and additional employment opportunities, and fosters the city wide goals of density and economic activity. And the commercial owner of a building across the street have filed letters of support in support of this petition. And that concludes my presentation. I'm here to answer any questions for you. And the petitioner benjamin eder is also available to answer any questions.

**Fritz:** Thank you, does anybody have any questions? Did anybody sign up for public testimony on this item?

**Moore-Love:** No one signed up, commissioner.

**Fritz:** Thank you. It passes the second reading. Thank you for your thorough presentation. With that, I will turn the gavel over to mayor wheeler.

**Wheeler:** Thank you, commissioner Fritz. I appreciate you're stepping in while I was busy with other things. So Karla it is my understanding that we have not done the consent agenda, is that correct?

**Moore-Love:** That's correct, mayor.

**Wheeler:** Have any items been pulled?

**Moore-Love:** Yes, items 626.

**Wheeler:** 626 has been pulled. Please call the roll on the remainder of the consent.

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

**Wheeler:** Aye. The consent agenda is approved. We'll move 626 to the end of the agenda. Next time is number 620 time certain proclamation.

**ITEM 620**

**Moore-Love:** Item 620



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**Wheeler:** We celebrate a 30th anniversary of the Americans with Disabilities Act or the ADA, since then it has transformed the national dialogue on the inclusion of people with disabilities and employment. According to OHSU about one in five adults in the Portland metro area identify as having a disability. At the City of Portland the ADA serves as a foundation for disability equity work. Two years ago the Disability Employment Program launched the Bureau of Human Resources which proactively works to manage project search internship program which was started by the late Commissioner Fish and the upcoming Access to Work program which will both begin anew in 2021. The ADA Title II program in the Office of Equity and Human Rights was created to assist the city in building equitable and accessible community services. And the Adapt to Impact team in the Office of Community and Civic Life hosts two disability community oriented programs, the Disability Program and the Mental Health Program. The ADA is a remarkable accomplishment and we honor the impact it's made over the last 30 years. The City of Portland will continue to carry forward the spirit of the ADA and proactively integrate disability and equity and justice for our employees and community members. With that, I'd like to introduce Anais Keenon from the Bureau of Human Resources. Anais, please take it away.

**Anais Keenon, Disability Resources Employment Specialist, Bureau of Human Resources:**

Thank you, Mayor. And good morning to everyone. My name is Anais Keenon and I am the Disability Resources Employment Specialist here in the City of Portland. Because of the ADA and because of the hard work, accessibility features that were very uncommon years ago such as captions for television are now part of our everyday lives. The ADA holds a lot of meaning for me both personally as a woman with a disability, but also professionally in my work here in the city. I focus on Title I of the ADA which is about employment. My job is to facilitate equitable employment policies across programs for job applicants and employees with disabilities. As mentioned by the Mayor two programs I've been working on which offers work experiences for people with intellectual or developmental disabilities as well as a new employment program called Access to Work which will offer equitable entry level job opportunities for people with disabilities with a longer training period. Because of the pandemic we were not able to offer these programs this year but plan to do so in 2021. Title II of the ADA includes public services from local government. I would like to take a moment to recognize the work of my equity colleagues in the Office of Human Rights in their efforts to support disability inclusion. I'd also like to recognize the full-time ADA staff. 30 years at the ADA to improve access for people with disabilities both nationally and here in Portland. There are many opportunities for the City of Portland in the future to build on both the law and spirit of the ADA particularly for people who have multiple or intersectional identity, such as Black, Indigenous, and People of Color, refugees, and immigrants with disabilities and/or people who are part of the LGBTQIA community. There is a lot of important work to be done in that area and I look forward to being part of that. I thank you all for your time today and for honoring this moment. And now I'll turn it over to Allen Hines, a community member and staffer at Real Choice Initiative Oregon.

**Wheeler:** Thank you, Anais.

**Allen Hines, Oregon Self Advocacy Coalition:** Mayor, council members, thank you for the invitation, to speak about the Americans with Disabilities Act 30 years since its passage. I am the housing director at an organization that supports people with disabilities to live self-determined lives in the community. I also lead Real Search Initiative. 2020 provides a striking context for commemorating a civil rights law. The protests over the police killings of George Floyd make it clear -- such laws racism, ableism, and other forms of oppression cannot be legislated away. I am here to commemorate that history and I intend to stay true to it in my remarks today. We have not arrived at a successful society -- the ADA generation was promised much more than what reality has now. As I acknowledge the

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tangible results of my forebearers I would fail to not stress my community needs more. Institutionalization was a norm for people with severe disabilities. As a member of the ada generation I have always been able to go to the movie theater and get appropriate schooling. I was mainstream throughout my k-12 learning. I credit this success to title ii of the ada. I know my privileges are being part of what allowed me to access these services. My family's white privilege was the force behind getting a proper individual education that allowed me to attend regular ed classes. Ultimately though privilege is not always enough to ensure compliance with federal law. Three years into my journalism degree, I ran against a professor who refused to make the accommodations nags for me to complete my coursework. I was forced to change my program of studies, political science. Alongside the advances, let's recognize that another impact of the ada is that we, people with disabilities, have to work for every opportunity that comes our way as a result of the law. And those of us at the intersections of -- have to work harder. Yes the decision which was a product of the ada gave us the right to decide if we live in an institution or a community. This is at a time when the cdc estimates one in four people in the u.s. Has a disability. Finding accessible and affordable housing continues to be an issue in our community. Real choice initiative have been pushing for the implementation of the program and I am aware the program has been put on hold as funding was shifted to covid response program. Title I prohibits discrimination on disabilities, but proving discrimination is very difficult. And yes people with disabilities are more visible to date than ever before. That doesn't mean we're treated equally under the law. In 2007 and 2012 the department of justice found Portland police used more force on people with disabilities. My generation has also witnessed the effects of militarized policing, holding these realities together is how I want to commemorate the 30th anniversary of the ada. People with disabilities need more.

**Wheeler:** Thank you, allen, thank you anais. If any of my colleagues would like to speak, now would be a good time to do it.

**Hardesty:** Thank you, allen, for your very heart felt testimony. One of the things I would like to say is all of us are temporarily able, because throughout most people's times at some point or another, they encounter some personal experience that reduced their abilities and sometimes it's for a short time. Sometimes it's for a long time. This is absolutely I want to applaud and appreciate the 30th anniversary and, allen, I want you to know that you are absolutely right. We need to do much better. We need to have more housing that's accessible for people with disabilities. We need to make sure that we are monitoring our progress. We need to make sure that accessibility is something that is just in the dna of the city of Portland. And we have not done that as of yet. But I am absolutely confident that me and my colleagues are renewing our commitment to ensuring that everyone in the city of Portland can live a prosperous, productive life. If the racial drumbeat that we've been hearing about equality to mean anything, it must mean that everybody in our community has access to equal opportunity whether that's in housing, education, employment, et cetera, et cetera. We have a long way to go but people like you and the disability rights groups that we have in Oregon have helped us come a long way. And just like I will say for the african american community, though we can see we've come a long way, we still have an incredibly long way to go before we can honestly say that we have created an equitable society. And so thank you, mayor, for bringing this proclamation. Thank you for the testimony and thank you for reminding us that we have an obligation to make sure that this is a city where everybody can prosper. Thank you, mayor.

**Wheeler:** Thank you, commissioner hardesty. Commissioner Fritz.

**Fritz:** We had a major celebration at Portland state university I think it was the 20th anniversary. And it was really meaningful to be in the presence of greatness, the people who are still pushing and because we all acknowledge we have a lot of work to do. So thank you to anais in particular for your work coordinating with the staff in the office of

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equity and human rights and the office of community and civic life. I appreciate you giving the acknowledgment that there is good work being done. It's still a small but mighty band of specialists within the city of Portland staff. And we need to continue to focus on making employment and the good jobs that the city has more available for folks. I also need to note that people experiencing mental illnesses are also people with disabilities and that more needs to be done in that regard and I appreciate that commissioner hardesty is amending her ballot measure this afternoon to reflect the particular needs of people with mental health challenges with regards to police accountability. So there's many, many things we need to do. There's also the ballot measure that i'm sponsoring that will provide more accessibility for properties if it passes. And i'm just thinking of all of the parks that we've opened over the past ten years and the features that used to be considered optional are now just standard that we wouldn't think of having a swing set that doesn't have a fully accessible swing on it for example. And that the surfaces are such that everybody can use them. And indeed I believe our parks are further evidence that when we look after everyone in our community that everybody benefits. There's multiple benefits to the accessibility improvements that have been made. And so I just appreciate all of the work that's been done and I appreciate those of you who will be continuing the work moving forward.

**Wheeler:** Thank you, commissioner Fritz. Commissioner eudaly.

**Eudaly:** Thank you, mayor, and thank you for your comments today. As a disability advocate and the parent of a child with a disability I wanted to take this moment to share a few reflections. I know that many people look at my family and feel pity. They can't imagine the path we're on and the challenges we face. They don't think that they could rise to the challenge themselves. I know this because people frequently tell me as much and I kind of wish that they wouldn't. So I want to let them know and everyone listening today know that I wouldn't trade my son or the experience of being his mother for the world. It's not his disability, his health challenges, the multiple surgeries he's been through, or the months that we've spent in various hospitals at his bedside that is the real challenge to my family. These are simply immutable realities of his life and we are here to support him and live through them with him. It's living in a community and a society and a world that's not ready or willing to welcome and include him. Whether it's the challenges we face simply trying to navigate city sidewalks that lack curb cuts, the fact that he was never able to attend our neighborhood schools because 50% of Portland schools are inaccessible in one or more critical area. The lack of affordable, accessible housing, or the fact that so few of our public amenities are truly inclusive and accessible. That's the real tragedy of our experience as a family. I'm grateful to the activists and advocates who have fought for decades to advance disability rights. And i'm committed to fighting alongside them for the rest of my life. And i'm appreciative of the work that the city of Portland has done in this arena as well. And i'm committed to pushing the city to do more and not take 30 more years to start meeting the basic requirements of the ada. But I want to be clear, i'm not proud that it took a lawsuit to compel the city and pbot to accelerate their work on our pedestrian infrastructure, in particular the thousands of curb cuts that we are lacking across the city that make it unsafe and sometimes impossible for people in wheelchairs or with other mobility challenges to simply walk down the street and get to where they need to go like everyone else in our community does. I'm not satisfied with the handful of playgrounds where kids with disabilities can enjoy truly inclusive, accessible recreation. And i'm frustrated that 30 years after the ada that city hall is not truly accessible or inclusive to people with disabilities whether it's our website or the way that we provide accommodations, we need to do better. Finally I want to end by highlighting the intersection of disability and race. It's a timely subject. When the city talks about equity, we primarily focus on race and often when I raise the issue of disability, i'm greeted with polite smiles and blank stares. But I want to make it

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clear that the intersection of race and disability is a particularly brutal intersection. The black community experiences higher incidents of disability, they experience higher incidents of police violence, and while we do not have adequate, complete data, what we do have suggests that 1/3 to 1/2 of people killed by police experience some type of disability whether it's physical, cognitive, neurological, or a mental health issue. Those are some grim statistics and it means that people in the black community who experience disability are among some of our most vulnerable community members, not just to police violence but in virtually every arena. So I really want to push the city to elevate the conversation around disability when we talk about equity and justice. Finally I want to encourage everyone who's interested in this topic to watch *Crip Camp*, an amazing documentary that came out earlier this year, about one single camp in I think upstate new york that was the incubator for multiple amazing disability activists who really changed our country and the world for people with disabilities. And if you want to learn more you could also check out *Alice Wong's Disability Visibility Project*, and *Judy Huemann* for this decades long movement and the challenges that people with disabilities still face today for equitable access in education, housing, jobs. Thank you, mayor, for bringing this proclamation. And happy anniversary to ada.

**Wheeler:** Thank you, commissioner eudaly. And thank you for a particularly powerful statement. Without further ado assuming I can see it, I will read this incredible proclamation on behalf of Portland city council. And indeed the entire city. Whereas, the americans with disabilities act was signed into law by president George HW Bush on september 6, 1990. Whereas, the ada is a landmark law facilitating access to employment services from state and local governments and services from private businesses. And whereas Portland recognizes that people with disabilities are diverse who's disabilities can be visible or invisible and reflect stories. And whereas the city of Portland strives to uphold and practice its core values of antiracism, equity, transparency, collaboration, communication, and fiscal responsibility in support of the employees and community members with disabilities alike and whereas the city of Portland is committed to being a model employer for disability communities and has established the disability employment program, a project search internship program and the access to work program to provide equitable employment experiences for job applicants and employees with disabilities. And whereas the city of Portland works to empower disability communities through the ada title ii program in the office of equity and human rights, ada title ii coordinators and adapt to impacts, disability program, and mental health program in the office of community and civic life. And whereas Portland celebrates 30 years of increased inclusivity and accessibility for disability communities while recognizing the continued action is necessary to achieve the full promise of disability equity and justice and whereas the city of Portland shall continue to identify and implement solutions to improve disability equity within our workforce and community. Now therefore I tell you, the mayor of Portland, Oregon, the city of roses, do hereby proclaim July 26, 2020, to be americans with disabilities act 30th anniversary day and call upon the residents of the city of Portland to observe this day. Thank you. Thank you, colleagues. Next item on our agenda, Karla, is item number 621, please.

#### **ITEM 621**

**Moore-Love:** Item 621

**Mayor:** Thank you, colleagues. We will take our final vote on the expiration date extension project this morning. Are there any questions before we call the roll? And we have Sandra Wood here from BPS to answer any questions you may have. Commissioners, any further questions? Hearing no further questions, I'm hopeful that my colleagues would be willing to adopt an emergency clause that would make this ordinance effective on Monday, August 10, 2020. Specifically the ordinance would read in section 2, the council declares that an emergency exists because delay would result in additional land use reviews

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becoming expired therefore this ordinance shall be in full force and effect on august 10, 2020. Can I get a motion?

**Fritz:** Second.

**Hardesty:** So moved.

**Fritz:** So moved.

Fritz and commissioner hardesty seconds the emergency clause. Any discussion on the emergency? Karla, please call the roll on the amendment to add the emergency clause.

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

**Wheeler:** Therefore it passes the emergency clause is added. The effective date for this proposal would be august 10, 2020. Any further discussion before we call the roll? Seeing none, Karla, please call the roll.

**Hardesty:** I just want to really appreciate the staff and the questions and the conversation we had on this topic. I was not in favor until I heard some of the compelling arguments about why this was the right thing to do especially based on where we are economically in the city of Portland. And so I am very happy to vote aye and support it as an emergency. I vote aye.

**Eudaly:** Aye.

**Fritz:** Thanks to sandra wood and all the staff who have worked on this. We're having to adapt a lot of different things with the covid pandemic and this is just another example. Aye.

**Wheeler:** Because of covid-19 we're all living in a time when extenuating circumstances now appear to be the rule rather than the exception. We must continually find ways to adapt and evolve as we find ways to navigate these uncharted paths that we've all been collectively forced to take. I'm extremely grateful to the bureau staff for offering solution to the city's review because of the pandemic. While four weeks may not seem like such a long time period in the big picture, I know that each and every day adds time and stress to applicants. I want to thank jp mcneil, sandra wood, and donnie olivera in particular. Also thank you to pbot and bds for your efforts. Thank you to lauren king for their guidance throughout these hearings and making sure that what we do is completely legal. That's always a good thing. I want to thank those who took the time to meet with the city bureau staff and with my staff, it speaks volumes in terms of how committed you all were to help us solve this significant problem. Lastly I know we're all being asked to go above and beyond to accomplish the goals that we have before us. It's not an easy task by any means. And I admire how everyone continues to be willingly and enthusiastically engaged to do what's necessary to be done to keep our city moving forward. I want to acknowledge the tremendous amount of work that's done by our city staff, our state and agency partners, construction crews and developers to adapt during this pandemic. Thank you to our development review staff, to the three w's, watch your distance, wear a face coverings, and wash your hands often and well. Please continue to remember and follow these three w's so that we can continue to process these applications, visit these sites, and celebrate new ground breaking in a healthy and safe manner. I'm very pleased to vote aye. The ordinance is adopted as amended. Thank you for your terrific work on that. Good teamwork. Next up we go to the regular agenda, I believe 628 is next up.

#### **ITEM 628**

**Moore-Love:** Item 628

**Eudaly:** I'm sorry, i'm a little lost. I thought the next item would be different. Which item are we on?

**Wheeler:** 628, this is an intergovernmental agreement for right of way services with odot.

**Eudaly:** 628. Oh sorry about that. I had moved on to bike share already. This is the right of way service agreement. This right of way services agreement is for a project that will design and build improvements at key intersections to improve safety on six major

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transportation corridors in northeast Portland and two major transportation corridors in southeast Portland. Here to provide details and answer any questions is pbot project manager Geren Shankar. Welcome.

**Geren Shanker, Property Manager, Portland Bureau of Transportation:** Good morning, commissioners. Good morning, mayor. This is a follow up just to confirm if you can hear me?

**Eudaly:** Yes.

**Shanker:** So the time we signed the original ida was in december of 2019. And at the time we were unaware of the right of way obligations. Again so this is an all roads transportation safety measure project in partnership with odot. Now we have defined the right of way obligations and we just need the right of way service agreement to be signed so we can move forward with this project. And again just to confirm this is the iga has already been signed in december 2018.

**Wheeler:** Very good. And Geren, does that conclude your presentation on this item?

**Shanker:** Correct, it does.

**Wheeler:** Is there any public testimony on this item, Karla?

**Moore-Love:** No one registered, mayor.

**Wheeler:** Commissioner Eudaly, anything else before we call the roll?

**Eudaly:** No.

**Wheeler:** Very good, please call the roll.

**Hardesty:** I like short and detailed presentations, I vote aye.

**Eudaly:** If only item was this straightforward. Thanks for being here today. And thank you to staff that worked on this. I am excited about these safety improvements and I vote aye.

**Fritz:** Aye.

**Wheeler:** Aye. The ordinance is adopted. Thank you. Next up 629 we did. So, 630, please. And Karla, if you could read 631 with this, we'll do them together.

#### **ITEMS 630 and 631**

**Moore-Love:** Item 630 and Item 631

**Wheeler:** Commissioner Eudaly.

**Eudaly:** Thank you, mayor. We heard this item last week and I heard some public testimony that was surprising and a little bit concerning to me so I upon the advice of commissioner Fritz held it over and I'm pleased to say I've gotten all of my questions answered and I hope that we will move forward on these items today. I will just speak to some of the concerns. One, I'm going to chalk some of this up to just the challenges of communicating and coordinating during the shutdown. Public engagement is a little more challenging and honestly engaging with me is probably a little more challenging because I have more work on my plate than ever and despite frequent briefings from pbot, I just didn't have the information I needed in the moment to speak to some of the concerns raised by the community. So I'll do that now. One, we presented or pbot presented this contract before negotiations began and didn't receive any follow up questions is my understanding. We wouldn't typically go back and forth between the bicycle advisory committee while we are negotiating a contract. And while we did have the option to bring someone from the bac into the negotiations, we chose to have an individual representing east Portland in those conversations. I don't want to sound unappreciative, but I feel like a certain segment of the bicycle advocate conversation has been heard loud and clear for a very long time in the city. And because our goal with this new bike share roll out was to serve underserved communities and roll it out in east Portland, we really wanted to hear from advocates from those communities. So second, there was a question as to why we weren't keeping non e-bikes as well as e-bikes. We heard it would be more expensive to retrofit the bikes than the bikes are currently worth. And I learned in addition to that there's challenges with the docking station. So it would be extraordinarily expensive for us to have

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both e-bikes and non e-bikes and that wasn't something that the vendor offered anyways. We see in other cities that have a hybrid e-bike non e-bike system that the e-bikes are vastly preferred by riders and again in our efforts to deliver a more equitable system and help people get where they need to go and go further on these e-bikes we made that decision that we would switch to an e-bike system and then finally the cost for rides. E-bikes are more expensive and the bike share program is growing. We have extraordinary partnerships with nike and lyft that really do help us keep those costs down. But it was necessary to increase rates. And the only kind of remaining concern I have is whether we've gotten the bikes for all low income program right. And we can continue to look at that and adjust as needed. So i'm very satisfied, thank you to staff for bearing with me. I know that was an awkward moment also to lyft and nike. And i'm ready to move forward. So I have staff here if any of my colleagues have questions, otherwise we don't have public testimony since this is the second reading and we can take our vote.

**Hardesty:** Commissioner eudaly, this is commissioner hardesty. I do have one question, and it is really around the significant cost increase. What are we going to do to monitor to make sure that our efforts to serve underserved communities aren't diminished by the significant increase in cost?

**Catherine Ciarlo, Active Transportation and Safety Division Manager, Portland Bureau of Transportation:** Commissioner Eudaly, would you like me to answer that?

**Eudaly:** Yeah, i'm going to leave that to catherine.

**Ciarlo:** I'm happy to do that. And you may want to add a little bit as well. Commissioner, we have both set up or are in the process of setting up a series of check in meetings with the advisory bodies that we'll be working with moving forward. But we are also really making a concerted effort to partner with organizations that serve culturally specific populations in the city. And we will continue to monitor the performance of the system through our close partnerships with them. And we'll be increasing the number of those partnerships through a program that irene marian has put together which we're calling our front line community partnerships program. And one part of that work will be engaging for some of the organizations with their use of bike town and understanding what's working and what isn't. We'll also be doing just more straight up community engagement around surveys of people who are and aren't using it. And then we mentioned this last week, but I think just really highlighting that part of the negotiated funds that come through the city as part of the system are dedicated throughout the life of the contract to increase the access of bike town for all, the access of the bike town for all programs. So not only are we committed to continuing that program in its current form but to expanding it and we'll actively continue to look for additional resources beyond that to buy down the cost, working through our transportation wallet program with affordable housing providers and other programs and partnerships.

**Hardesty:** Thank you for that, catherine. On that same note while I appreciate working with BIPOC community led organizations what we know is that less than 10% of people are connected to any formal organization. And so that leads me to believe that most people will not have access to additional information. I believe in this program and I personally love the electric bike. But I wasn't concerned until last week where we talked about the significant cost increase. So does the partnership mean that people, these organizations are going to get access at a greatly reduced price, what does the partnership look like with bike town and organizations led by people of color?

**Ciarlo:** Thank you for the question. I am actually going to ask Roshin Kurian to speak to that if she is on. I don't see her name on my screen. I can answer it, but since she's the person who has those direct partnerships, I would love for her to speak a little bit to how they work.

**Chris Warner, Director of Portland Bureau of Transportation:** Roshin is here.

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**Ciarlo:** If you could speak from the experience you have, that would be great.

**Roshin Kurian, Transportation Demand Management Specialist, Bureau of**

**Transportation:** Sure. I think one thing that's worth noting is kind of the marketing and social media reach that Nike and Bike Town has and Lyft has really cultivated and there's a lot of groups that really gather there. And so showing up for Black Girls Do Bike events, bringing bikes there, showing up for Juneteenth, bringing bikes there. I think part of it is we just need more people that look like the folks that we're trying to work with and developing those relationships and showing up for those events and those conversations. And so I think as we're kind of diversifying all of the staff that is included in the Bike Town network, it kind of happens in this grass roots way. But then beyond that with the organizations to answer your question, specifically, the organizations that we work with through Sci through PCRI and some of the other folks that we've through Africa House that we've already done focus groups and done a lot of work in, I think that those communities we see a large representation there and then beyond that we have reach that we're trying to create within businesses as we're stretching out. And so I think that just trying to find different ways to connect to folks not just through organizations, I appreciate, Commissioner Hardesty pointing that out. And I have heard just finding the unusual I don't want to say suspects, but the unusual players. I'm dedicated to that work, I think the rest of our team is dedicated to that work and we're really collaborative about the people we connect to and I think we have a really great opportunity working with PPS and our safe routes to school to connect to youth and using some of our programs like transportation ambassadors and kind of not being the only voice but finding other folks to stretch our voice and our resources right now and through their own voice and so that's kind of how I'm viewing it right now. And then as far as the discounted rates for Bike Town for all, right now we're in a system where we can rebalance and it's almost free, right? And so hoping to work towards regaining that, but there's a transition process, there's a new system that has to be put in place. So I think the \$20 a month especially during the winter months we'll be able to monitor what's happening there and we get direct feedback. We have direct phone lines, we have emails that are constantly being monitored and I hear it when something is not going right. And that could just be through that direct call or now we'll have adaptive, adaptive has agreed to kind of house the Bike Town for all workshops and provide that point because right now we're not able to have that in person connection. So I feel like that will help at least to have a point to go to and refer to in case people need help. And then the \$20 free ride credit every month, we'll be able to see how that's being used and if it's enough or what because that transfers I think to 20 20 minute rides, is that correct? Steve, do you want to chime in?

**Steve Hoyt McBeth, Operations Manager Active Transportation & Safety Division, Bureau of Transportation:** It can be used, that's just to give an example of how it could be used but it's a credit so you could use that for a total of that value.

**Kurian:** But just to give an idea of what it transfers to.

**Wheeler:** Commissioner Hardesty I think has a follow up.

**Hardesty:** I'm just curious, how do people know that this \$20 credit is available?

**Hoyt McBeth:** That would be, Commissioner Hardesty, through the Bike Town for all program. When they are signed up, once they are members then it just happens in their account, they don't have to put in any promo code or anything. It's just automatic.

**Kurian:** Let's talk about..Oh sorry.

**Hardesty:** I was just going to say again I am 100% in support of this program. I think my only heartburn is whether or not we are going to leave behind the people that we're expanding the program to help, right? If the cost is going up that significantly. I guess the question is I would be very interested in about six months the data for you to come back to us in six months and tell us what you've learned and then maybe what adjustments we might need to make if we in fact are missing the opportunities to really get folks who, like



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me, who don't see themselves as a bicyclist who all of a sudden may see themselves as a bicyclist. I think this program could help us maintain the clean air that we've had since the pandemic began. And so I want to see it be successful and my only heartburn is whether or not we are creating a barrier for the folks that we want to expand bike town to. So I guess we will all be in this together for the next six months to figure out what's working and what isn't. But I have absolute confidence in the staff that's running this program to make sure that we are focused on making sure we're getting underrepresented communities the opportunity to explore the city in a different way on a bicycle. I think that's going to be very cool. I appreciate all of you being here today and taking time to answer these questions. I was a total go last week and then all of a sudden I heard things that I had questions on. So thank you very much. I appreciate you all.

**Wheeler:** Thank you, commissioner. Commissioner eudaly.

**Eudaly:** Thank you, mayor. I share some of the concerns expressed. I am a big fan of both bike town for all and the adaptive bike program which I want to see us expand and improve. Probably a quarter of our residents, up to a quarter of our residents, could qualify for the discounted program. We don't have the exact numbers but just going off what I know about our kind of local stats. We've made it really easy to join and i'm proud of that because people who are already experiencing challenges don't need to be forced to jump through a bunch of hoops to get a benefit or support that they need and they're entitled to. That said, i'm frankly interested in making it available to more people because I think our qualifying criteria is too low. When we're attaching -- like for instance anyone with a snap card would qualify and we can assume that that person probably doesn't make anymore than 200 % of the federal poverty level. The federal poverty level is based on the cost of bread in 1960, it's a completely irrelevant, antiquated measure for poverty when rents and education and health insurance have exponentially increased and the loaf of bread is still four bucks. So I just wanted to say that and one last thing, could someone speak to the transportation wallet, because that's a program that i'm really proud of and I hope that we're going to continue expanding it and the benefits that come to low income residents through the transportation wallet.

**Ciarlo:** Thank you to the question, commissioner. I am going to ask roshin to speak specifically to the details of the wallet because last year she ran an expensive pilot program working with affordable housing providers and I would love to have her share some of that. Before I turn it over the one other thing I would like to say is we will be as staff and this speaks to commissioner hardesty's question as well, looking for every opportunity we can find to bring more resources to the system with public private partnerships and with grants. We would greatly appreciate if you all hear of things we should be pursuing, certainly send those our way as well. And it will be a real focus of ours to try to do just that. Expand the subsidy that we can give throughout the system. With that, Roshin, will you speak to the wallet?

**Kurian:** Sure. I'll just start out by saying that the program that i've been running is kind of branched off from an original transportation wallet program that our colleague is running in parking districts and so from that, we realize that we're not covering the rest of the city and not covering folks living on low income and that was how the affordable housing pilot was formed. And then we worked with seven housing organizations. We had spoken to kind of our common folks that we knew of and then put out a letter of interest and got seven organizations that had the capacity to partner with us. They have resident coordinators that work in each building that were able to help us deliver these wallets and so how we did that, if they live in those buildings, they automatically qualify. And then we held transportation fairs at each of the locations. We did seven fairs at least at the different locations on site. We brought all of the service providers, folks from lyft, folks from bike town, tri-met was there. So we had all of them show up at this transportation fair. People

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gave us their information, we gave them a prepaid debit card because we found from our initial outreach that folks were either unbanked, underbanked or afraid to associate their limited income cards to tnc's and so forth. So we created a partnership with u.s. Bank and working through our treasury to put \$300 on this card that we distributed to each household. That allowed each household to share that among each family and use it how they wanted to. At the fairs they were already prequalified for the low income programs for the scooter companies. Our bike town for all program was kind of built into this as well because they already qualified for that and that was an additional benefit that they received for a year membership. And so now through the parking district, sarah also has recognized that there's affordable housing in the two parking districts. So she's created a kind of similar but simultaneous program for those folks. And so we're trying to figure out how to make the whole transportation wallet family kind of be able to expand and bring a digital component to it. Plan for a way that possibly our coordinators or other staff could sign folks up and we're able to get that information. We don't have, we're doing everything very analog right now and i'm lettering, we're printing and everything is very analog so trying to figure out how to move that program into a scalable thing is where we're at right now. But collecting a lot of really good data on how folks are moving around prior to covid and also right now. So i'd be happy to share that once we have that available.

**Eudaly:** Great, thank you.

**Wheeler:** Very good. And Karla, these items are continued so we've already completed public testimony, is that correct?

**Moore-Love:** That's correct, mayor. We took testimony last week.

**Wheeler:** Is there any further council discussion or questions before we call the roll on these two ordinances. I'm seeing no takers. Karla please call the roll on item 630.

[Roll Called]

**Hardesty:** I just want to thank the incredible staff at pbot for the incredible work they did both in renegotiating a new contract, looking at making access easier for other folks who don't traditionally see themselves as bike riders. I want to thank nike for stepping up once again to sponsor this program. We would not be able to do it without nike's continued support and last but not least I want to thank commissioner eudaly for her leadership and making sure that this new contract really reflects the values of this city council. I cannot think of a better project to be voting on this morning than what we're voting on right now. And let me just say that I am very pleased with this. I want to continue to work with pbot to make sure that we are increasing access and not limiting access based on the things that we've discussed today and last week. But you have my overwhelming enthusiastic support for moving forward. I vote aye.

**Eudaly:** Once again thank you again everyone for bearing with me last week and for your patience. I'm really excited about this kind of new phase of the bike share program and the progress we're making towards a more equitable and accessible system for all Portlanders with both introducing e-bikes and expanding our deployment into east Portland. I'm going to keep pushing on bike town for all as well as the adaptive bike program which it's a great start but it's nowhere near equitable access for people with disabilities so we'll continue to work on that. And finally I just want to thank everyone who testified last week especially our invited community partners who spent their time and talent with us to design a more equitable system and program. And I also want to thank, it's a long list, chris warner, steve hoyt, roshin, catherine ciarlo, sarah, liz, and brianna for their work on this item. I feel so lucky to be your commissioner and work with the amazing teams of pbot. So thank you. And finally thank you to jaime and marshall in my office for their support and of course nike for their continued work and sponsorship. I vote aye.

**Fritz:** Thanks to all of those staff and transportation that commissioner eudaly just thanked. Like I said last week I was a bit skeptical and was prepared to vote for it because

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of the respect I have for each one of you. Good work. And thank you commissioner eudaly for taking the additional week to allow all of us to think through it. Thank you to the reference of my behind the scenes work when we first got this program going. This is reminiscent of the hearing today and last week of when we passed the program initially. And one of the nice things about this program is that it is adaptable in many ways, commissioner eudaly. And that we can work things out as we go. With the proviso that it is, there are still safety concerns. And so I need to correct what was asserted on the record by some in public testimony last week that e-bikes are not any more dangerous than regular bikes. That is not only wrong, it is dangerous to assert that. There was a study where the authors analyzed emergency department data collected from 2000 to 2017 by the united states consumer product safety commissions national electronic injury surveillance system. And yes we have a national electronic injury surveillance system. And this was on injuries involving three types of vehicles, e-bikes, regular bikes, and electric scooters. And all of those would be considered vulnerable road users who have the same challenges in infrastructure. People riding e-bikes were more likely to suffer internal injuries and be hospitalized compared with other riders. E-bike injuries were also more than three times as likely to involve a collision with a pedestrian than either scooter or traditional bike injuries which the researchers reported in the journal injury prevention. And most significantly the study found injuries from e-bikes were more serious. This is particularly true for e-bikes versus pedestrian crashes. Several cities in china where e-bikes were the most popular mode of transportation have now banned them. And in particular the studies have shown increased running of red lights by e-bikes or by e-bike riders. Particularly and here's a shocker, won't shock anybody, males over 40 are particularly likely to exhibit unsafe driving behavior on e-bikes. So it's ridiculous to assert that going 20 miles an hour without a helmet is a safe thing to do. And people need to respect that yes they are going to be easier to ride, they are also going to go faster and people need to look out for the pedestrians, they need to look out for other riders, and look out for themselves by wearing a helmet. And I appreciate commissioner eudaly and I definitely share an understanding of the importance of traffic safety and road safety. And that means everybody, that means everybody needs to take responsibility whether you're an e-bike rider, a regular bike rider, a scooter rider, a pedestrian, or a motor vehicle driver. It's a shared responsibility in a shared public space. With that, I am very happy to support this next segment in the program and vote aye.

**Wheeler:** I'm very enthusiastic about this. First of all i'm a huge fan of e-bikes. I think e-bikes open up an opportunity for people who previously would not have wanted to participate in the bike share program. It certainly improves mobility options for people. Here in our own office, here in the office of the mayor rather than additional cars we chose two e-bikes. They are heavily used under ordinary circumstances. Amongst the members of our team, i've enjoyed using them and I really believe that we will see a lot of people come into the full of cycling who without the e-bikes being present would not do that. I also strongly support the expansion of the program in east Portland. I think this is an important and significant move. I'm glad to see that it's finally happening. And commissioner eudaly, I want to thank you for your continued advocacy for the adaptive bicycling program, the adaptive bike town program. We need to think about all of the people in our community as we move forward with this. Of course everybody has mentioned the cost and price to consumers, we're all mindful of that. I'm hoping that as the technology is adapted, as we expand it, the cost to consumers will go down and we need to continue to be mindful of our transportation goals around equity. And that's something that this council will continue to monitor very, very closely going forward. And then commissioner Fritz, I just want to acknowledge everything you said on the health side. There are a couple of things I learned personally as I was taking up an e-bike in place of just an ordinary street bike. And the first

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is that if you are in a bike lane with an e-bike it is highly likely you will be going much faster than the traffic that you are catching up to in the bike lane and so we're going to have to continue to message to people to give fair warning that you're coming up, don't pass people at ridiculous rate of speed. And remember that as an electric bike you are in somewhat of a different situation than the manually pedalled bikes. That will be somewhat of a learning process for people in the community. The second is around the sheer weight of e-bikes. E-bikes weigh a lot more than a traditional bicycle. So it doesn't surprise me at all to hear that bicycle pedestrian interactions in particular tend to be more serious with e-bikes just I think by virtue of the speed combined with the weight of the e-bike. It really does require a higher level of diligence and really focussing on the moment. So I think those were useful and accurate admonitions that you put forward. Plus they happened to be consistent with the data. On the whole I think this is great. I'm enthusiastically supportive and i'm happy to vote aye. The ordinance is adopted please call item 631.

**Hardesty:** Aye.

**Eudaly:** I want to thank all my colleagues for their comments and supports. Thank you, commissioner Fritz, for raising the issue of safety. I do remember someone suggesting that they weren't more dangerous. And a simple cursory search on the internet of reliable sources indicate otherwise. So I just want to say that although the majority of bike riders who are injured in collisions with cars are using the street safely and legally and it's often the speed or distraction or intoxication of the car driver. Share the road applies to bicycles as well especially when it comes to pedestrians. And when you hop on one of these new bikes, this bike is probably at least ten pounds heavier than a typical pedal bike and you'll be going faster in some areas. So I just want to strongly encourage people to be safe, wear a helmet, be mindful of your surroundings and yield the right of way to pedestrians, just as you would if you were driving a car. I vote aye.

**Wheeler:** Commissioner, you're muted.

**Fritz:** I was launched into a really great speech. So few for pointing that out. Thank you to former Commissioner Steve Novick and his former Chief of Staff, Chris Warner who is now the director of PBOT for negotiating the initial agreement with Nike. And thank you commissioner Eudaly for continuing that agreement. And of course thank you, Nike for that agreement. I do support the expansion into east Portland as a priority. I will so note that there are people with low incomes in deep southwest Portland who do not have access to being able to get around the way that people in other parts of the city do and indeed that my parts of deep southwest Portland is as far away from downtown as some of the furthest reaches of east Portland. I know that the staff will be looking to make it truly an all-city project and I hope that also includes scooters for those of us who are not likely to ride a bike of any type. But anyway, thank you very much. Aye.

**Wheeler:** So this is an extension of the contract with Nike. I want to thank Nike for their continued sponsorship of our bike town program. Without Nike stepping up and being our partners and investing in this program, this wouldn't happen. I want to express my gratitude for their willingness to step forward and partner with the city of Portland. Thank you all, thank you, commissioner Eudaly. I vote aye. The ordinance is adopted. We have one item pulled off the consent agenda left.

**Moore-Love:** Correct, 626.

**Wheeler:** Very good, please read Item 626.

#### **ITEM 626**

**Moore-Love:** Item 626

**Wheeler:** Commissioner Fritz

**Fritz:** Thank you Mayor, Chief Engineer Teresa Elliott is here to present on this item.

**Teresa Elliott, Chief Engineer, Portland Water Bureau:** Good morning, mayor, and commissioners. I'm the chief engineer for the Portland water bureau. This project will

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remove the existing soil off the roof, install a new waterproof roofing system, some new concrete aprons around the perimeter openings and add new drainage onto the roof to correct the water proofing issue. Inspection of the powell butte reservoir presented evidence that water was leaking into the roof lab. They did not require or have any kind of water proofing material that was used at the time for the reservoirs. Oregon health authority has since added a requirement, the roofs of water reservoirs that are drinking reservoirs had to be water tight. The solicitation will be using city's competitive low bid process. Construction cost is estimated just at \$5.1 million with a moderate competence level. The sub contractor equity program will be used and has an aspirational goal of 20% for the hard construction costs for the sub contractor utilization of the covid firms. We're going to encourage the contractors to attain 14% of the 20% using disadvantaged minority owned and women owned firms. Our project outreach is expected to begin later this summer prior to mobilization and we'll continue through the project's duration. Public involvement will include outreach to the park users and the nearby residents as businesses and neighborhood associations and community organizations such as friends of powell butte, audubon society, johnson water creek council, and other impacted city bureaus to provide advanced notice of the construction activities. Most of the work is inside a fenced area and will not be affecting the park users. With that i'm here as well as the design principal engineer to answer any questions you have.

**Wheeler:** I believe this was pulled by Floy jones, perhaps we want to hear that testimony. Good morning, Floy.

**Moore-Love:** Floy did pull this up. We can go ahead and let her speak. Thank you.

**Wheeler:** Hi Floy.. Floy joins speak

**[CAPTIONER CHANGE]**

**Floy Jones:** Floy Jones speaking on behalf of Friends of the Reservoirs. We are the longest running independent organization without any conflicts of interest unlike some of the utility boards that have been following all these reservoirs, intertwined reservoir and treatment plant project going back to 1999. We have been working on these issues for over 17 years. What's not in the report and it's always most significant as this council and previous councils have seen over the last ten years it's not what they tell you it's what they don't tell you or what is most important or important anyway. What they are not telling you is just 20 years after powell butte 1 was constructed, one of the many, many contracts related to studying reservoirs and planning for all this projects it indicated powell butte 1 needed to be replaced. It was problematic after just 20 years. So open reservoirs are functional and prevent cancer-causing nitrification only occurring in covered storage while other reservoirs are functional for 120 years. They constructed powell butte 1 was problematic in the report done by ch2m. Hill after just 20 years. You've seen it with the willamette river crossing, with Washington park, powell butte 2 itself and of course with the failure to tell you about the piping for this chemical dumping filtration plant. Again, I would just caution you to really pay attention to these projects and how they are going to escalate in the future.

**Wheeler:** Thank you, Floy. Was there other public testimony?

**Moore-Love:** Dee White had requested to speak but she is not on the line.

**Wheeler:** Very good. Any further questions, commissioners? Very good. Karla, please call the roll. I'm sorry, this is a first reading of a nonemergency ordinance. It moves to second reading. With that, Karla, that completes our business for this morning, correct?

**Moore-Love:** That does, mayor.

**Wheeler:** We're adjourned until 2:00 p.m. Thank you, everybody.

**At 11:07 a.m., Council recessed.**

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## Closed Caption File of Portland City Council Meeting

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

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

### JULY 29, 2020 2:00 PM

**Wheeler:** Good afternoon, everybody. This is the wednesday afternoon july 29, 2020 session of the Portland city council. Karla, please call the roll. [roll call taken]

**Wheeler:** Under Portland city code and state law city council is holding this meeting electronically. All members are attending remotely. The city has made several avenues available to listen to the audio broadcast of this meeting. It's available on the city's youtube channel, [www.Portlandoregon.gov/video](http://www.Portlandoregon.gov/video), and channel 30. The public can provide written testimony to the council by emailing council clerk at [cctestimonyPortlandoregon.gov](mailto:cctestimonyPortlandoregon.gov). This afternoon on the agenda, we have two items, both are time certain. The first -- actually i'll get to legal council and then we'll get to the first item.

**Naomi Sheffield, Deputy City Attorney:** Thank you. To participate in council meetings you may sign up in advance with the clerk's office for communications to briefly speak about any subject. You may sign up for public testimony or first readings of ordinances. The meeting contains information about how and when you may sign up while the city council is holding electronic meetings. Your testimony should address the matter being considered at the time. State your name for the record. Your address is not necessary. Disclose if you're a lobbyist. If you're representing an organization please identify it. Presiding officer determines length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When your time is up the presiding officer will ask you to conclude. Disruptive conduct will not be allowed. If there are disruptions a warning will be given that further disruption may result in the person being placed on hold or ejected for the remainder of the electronic meeting. Be aware all council meetings are recorded.

**Wheeler:** Thank you. Commissioner Fritz, you had an item this morning and there was one individual who signed up for public testimony who did not get the opportunity to testify. You have asked for a courtesy opportunity for that individual to testify this afternoon, is that correct?

**Fritz:** I did, and the individual said that she would rather testify next week before the vote. So if we could just move that to next week that would be helpful.

**Wheeler:** Absolutely. Just remind me next week. With that we move to item 632. The bureau of planning and sustainability is proposing an update to the title 13. Title 13 for those of you who do not necessarily know it regulates the keeping of bees and livestock within the city limits. The bureau of planning and sustainability has been working to update this code with several goals in mind. First, bps is seeking to update regulations to reflect our growing city to better balance the needs of animals, owners and their neighbors. Two, provide more certainty, more clarity for residents in terms of what animals are and are not allowed and under what circumstances. Number 3, reduce the administrative burdens and costs for the public and those who are tasked with enforcing the various regulations. So without further ado I would like to welcome michele crim, our chief sustainability officer of the bureau of planning and sustainability. Good afternoon, michele. How are you today?

**Michele Crim, Chief Sustainability Officer, Bureau of Planning and Sustainability:** I'm good, thank you very much. I'm going to pull up my screen here and get my presentation sharing -- okay. Is that working?

**Wheeler:** Yep.

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**Crim:** So thank you, mayor wheeler, commissioners, again i'm michele crim, chief sustainability officer with the bureau of planning and sustainability. Thank you for taking time to hear this today. Given all the really important issues you're dealing with every day seemingly during these difficult times to take time to talk about bees and chickens probably seems silly, but during these times people are spending a lot of time at home and they are contemplating how to better use their indoor and outdoor spaces and lots of folks are thinking about potentially welcoming these animals into their families in the backyard. It's important the city have clear rules and guidelines around that as those folks are contemplating those decisions. So thank you for taking the time to hear this today. So before I get into the specifics related to the title 13 update, I want to just take a minute to orient you to all of the ways the animals are regulated inside the city of Portland. There's different layers of jurisdiction that govern animals here in Portland and they are all focused on slightly different pieces of the puzzle. The state of Oregon has regulations related to animal diseases, import-export, exotics, animal feed and food safety, slaughtering, animal cruelty and lots of other things. Multnomah county animal services regulates pets like cats and dogs including vaccinations, licensing, strays. They also address similar issues like animal cruelty. Then the county inspector control department is responsible for monitoring and managing for vector born diseases associated with animals and insects. The city of Portland we have title 13 animals and that title regulates the keeping of certain specified animals within the limits including things like bees and chickens and other livestock. So the current -- title 13 has existed in some form since the late 1960s, and administering that code currently consists of several component the parts. The first part is customer service and we have customer service help line. The picture is lori drew, very nice individual who takes hundreds of phone calls every year from Portland residents who have questions about these animals or complaints about these animals. Then she answers all of the questions and provides information and resources and materials and then we also have a website that we keep up to date. There also under the current system is permits. Permits are needed to be issued when certain types of an or certain numbers of animals are requested to be kept by Portland residents and i'll talk more about that in a bit. There's also code enforcement, so title 13 is complaint driven which means that possible violations of the code are usually brought to the city's attention by adjacent neighbors and so the title 13 gives us the authority to investigate possible violations, revoke permits, impose penalties, et cetera. Then lastly there's an appeals process. Folks can appeal either permit denial or revocations or fines that might be imposed for potential violations. These appeals are not common at all. In the past ten years there's been less than five appeals. So not a big part of the program. The purpose as the mayor just said is to allow Portland residents to keep bees and other livestock in an urban environment under certain circumstances and in a manner that supports the health and safety of both people and animals. Reduces animal related nuisances like vermin and smells and noise and property damage. So we have been working to update the code in order to do several things. First we wanted to create a set of standards for keeping bees and livestock in the city that provide more cementer and transparency for residents and that's streamlined the burdens for the public and local government to administer the code. We're looking to develop regulations that include objective standards and to have those objective standards coupled with best practices that ensure that the needs of the animals will being met and that the nuisances like noise and odors and flies are being mitigated. The third thing that we're trying to do is really adjust the code to reflect and be responsive to the numbers and types of livestock animals that are appropriate for our growing city. So as we have additional housing added into our neighborhoods there's less outdoor space available and so we wanted to make sure that we were managing for those uses and for minimizing impacts of these animals on neighbors. Then lastly we wanted to make sure that as we made any changes at all that

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we were minimized unintended consequences for underrepresented communities, especially those who may be raising these backyard animals as an affordable source of food or for use in the [audio not understandable] as we were doing this code update project we got information from a variety of places including doing a lot of research, but we also took what we have learned from those hundreds and hundreds of phone calls we get every year from folks with both questions and complaints so we used our experience answering that help line. We also held focus groups with recent immigrants and communities of color to really get specific feedback from those groups about what they thought needed to be done. Then lastly we met with and got input both bee and livestock stakeholder groups. Through that outreach process, I wanted to just share some of the things that were asked for or brought to our attention. As you can imagine, there's vastly different opinions when it comes to keeping bees and livestock in Portland backyards. In finding the right code solution is more art than science, about finding a balance as much as possible. I want to share things I heard with you. First had to do with urbanizing city impacts both of and on raising bees and livestock. As our city grows and housing costs increase more people are living in apartments and condominiums. The current code was on keeping bees and livestock on multidwelling properties. So folks were asking for a code update to make it possible that if people living on multidwelling properties were able to meet all of the requirements and follow all the rules and have landlord approval, et cetera, that they would be allowed to keep bees and livestock on those properties. Another thing we heard is because as additional housing is added to neighborhoods through new development or through accessory dwelling units or adus in backyards there's less outdoor space available and the use can have impact on more neighbors. So there was a desire to see a code update limiting the type and number of livestock animals that were allowed that reflected the closer physical proximity of our living environment and also anticipate future growth. Moving on to this relates to the next point having to do with finding that balance between beekeepers and animal keepers or livestock keepers and surrounding neighbors. People who keep bees and livestock would like the flexibility of having no maximum number. It's necessary to set limits in an urban environment to reduce the typical animal related nuisances that come from increased numbers. Even under the best circumstances livestock animals can have an impact on surrounding nearby neighbors. Chicken squawk when they lay an egg or animal facilities even if maintained to high standards can create odors or attract flies. So there were also complaints or the number one complaint that we get on the customer help line has to do with neighbors with roosters. So there was a desire to see more information provided regarding options for rehoming roosters. Often people end up with an illegal rooster because they raise their hens from chicks and you don't know until later it's a rooster, not a hen. There was a desire to have more information about how to rehome those roosters.

**Wheeler:** I'm sorry to stop you but commissioner hardesty had a question.

**Crim:** Okay.

**Hardesty:** Thank you, mayor. Thank you, michele. I just want to say that this is the most fascinating presentation that I have seen in some time, and I want to appreciate your need to consult respect cultural and community norms as well as understanding that we're packing more people into smaller spaces and we have to all figure out how to coexist. So i'm just very impressed with the presentation. So my question is when there are these cultural conflicts between what's always been and what people are bringing with them as immigrants and refugees and their own social norms, what is the process to resolve that conflict?

**Crim:** Well, I think what we're proposing here is a few things. Part of the process is to have just really clear and transparent rules that need to be followed. Right now the current system and i'll talk about this in a minute there's a lot of permits issued and they can be



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arbitrary and they are not necessarily objective. So some people can have some animals, others can have other animals depending when you got the permits. They don't expire so you could have gotten it 15 years ago and it's still good. We're proposing to standardize things so the rules of the game are really clear and we purposely talked to recent immigrants and communities of color to try to make sure we weren't inadvertently doing something that would sort of cause impact to how those communities, their relationship that they might have with these animals. So in those conversations what they shared with us was predominantly they wanted the rules to be clear and transparent. They also talked about how for some of them they wanted to be clear about what the rules were around slaughtering of the animals. In the cases where they might want to use these animals to help augment as a source of food so they wanted to make sure the rules were clear. They also had concerns rightfully so because it's a complaint based system, which is inherently discriminatory, they wanted to have clear rules and they also wanted to make sure that those that were administering the program, enforcing it, that information was available in different languages, that those staff knew how to use the language line and other interpretation services and then sort of the other thing we heard was that conflict with neighbors really feeling like clear rules would help defuse some of the conflicts with neighbor. Those are some of the things we heard and what we tried to address in our proposed update.

**Hardesty:** Let me just say you're doing an excellent job in the process. I'm very impressed both with the thoughtfulness of the code changes and outreach into communities that don't traditionally have a voice in code changes. Thank you very much. I hope this is a model of things to come.

**Crim:** All right, thank you very much, commissioner hardesty. Speaking of things to come, what I want to do now is share with you the proposed code changes. So really what we're proposing to you today there's three sort of big buckets of changes and I'll walk through each with you. Hopefully in an interesting fashion. The first one is we're proposing to create different regulated categories of animals. The second big change that I just alluded to is replacing the existing permitting system with clear rules and objective standards. Then also establishing clear requirements for compliance so everybody knows what the rules of the game are and everything is clear and up front and transparent. I'm going to walk through each of these for you now. The first change that we're proposing is existing title 13 has two categories of animals, bees or livestock. We propose to break that livestock category into two categories. Backyard livestock would be animals that can be kept humanely in an urban backyard with minimum impact to adjacent properties. These animals reflect the size of pets like cats and dogs, and so common examples would include chickens, ducks, pigeons, rabbits, miniature goats, sheep or pigs. Then large livestock require more space than is typically found in an urban backyard and these large animals also have the potential to create significant negative impacts on adjacent properties. Common examples would include horses including small and miniature horses, cattle, standard size goat and sheep and llamas. What we propose is to create these two categories of livestock and then have clear sort of limits on the number and type and minimum space you have to have for each of these types of animals. So before I get into what we're proposing to change I want to orient you to what currently exists in title 13. The code really as it exists today treats animals differently depending on their compatibility to the urban setting and impact on neighbors. Some animals are illegal to keep today. That includes pigs and swine and roosters. There's some animals that you can just have outright so that includes three miniature pigs or three of a series of other animals in combination including chickens, ducks, pigeons, rabbits, goats, chickens. Three in total. Any of that combination. A bunch of other animals including bees and standard goats, et cetera, if you wanted to have those in your backyard you would have to have a permit for

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that. So there is a process to get those permits. That's what the current requirements are. For backyard livestock, i'm going to talk to you a bit about what we're proposing. Instead of a combination of three animals we propose to for each type of animal to allow a certain number. In this case for small fowl you could have four of these, chickens, ducks, et cetera, for any lot in the city of Portland. If you have a larger lot, 10,000 square feet or larger, you could have a couple more of these. If you had lots that were 20,000 square feet or lot zoned for agricultural uses there would be no maximum number of animals you would have. In addition each has to have a minimum dedicated amount of space per animal. Each chicken you had would have to have 10 square feet of dedicated space in a pen or shelter per chicken. The other backyard livestock animals which includes things like rabbits, miniature goats, sheep and pigs would have similar maximum numbers of animals you would have. You can have four rabbits, three miniature goats or two miniature pigs. Similarly that's on any lot. You have a slightly larger lot, 10,000 square feet, you could have a couple more. 20,000 zoned for agricultural there would be no maximum number but you would have to have minimum space dedicated to each and every animal. So for rabbits it would be four square feet, miniature pigs and miniature sheep and goats would require 200 square feet per animal of dedicated space. Lastly, the last category is large livestock. In the code update we are proposing to prohibit large livestock on all lots in Portland except for lots that are 20,000 square foot and larger and zoned for agricultural uses so in these cases for some of these -- for the backyard animals I just talked about there would be no maximum number. For animals like horses, miniature horses, standard size goats and sheep it would require 10,000 square feet of dedicated space per animal and 25,000 square feet for horses, cows and llamas per animal. Then there's some animals that would be prohibited. So we're not proposing any changes to what current exists as it relates to the prohibition on pigs or swine within the city limits. Those are still not allowed except for mini-pigs. Similarly roosters would remain prohibited. Then we also are seeing that large fowl that tend to be loud or aggressive such as geese, peacocks, turkeys, emus, et cetera, those would not be allowed on lots except again for those 20,000 square feet or greater zoned for agricultural uses or have approved conditional use. In the past in theory someone could have gotten a permit to have turkeys or peacocks on their property in Portland. The last category is bees. The existing title 13 code only allows for bees, beehives to be kept if there's a permit. What we're proposing is that any lot would be allowed to keep bees as long as they were able to follow the beekeeping guidelines that we have outlined and they would be able to have up to four hives. Then again similar to the other categories larger lots would be able to have more and there would be no maximum number on those 20,000 square foot or greater zoned agricultural uses.

**Wheeler:** Michele, can I ask a city boy question?

**Crim:** Yeah.

**Wheeler:** Define height. You're showing some photos there. Is a box of the screens, is that a? What is a?

**Crim:** That's a good question. I'm not sure that I know except my impression is it's a box. A box is a, a colony that lives in that box so you could have four of those boxes made up of a queen and the bees that are with that queen.

**Wheeler:** I think commissioner hardesty is outraged that she has to get rid of her peacocks. [laughter]

**Crim:** Well, if she has a permit, we have a provision for that. So that was a lot of numbers -  
-

**Wheeler:** Are you trying to speak, commissioner hardesty?

**Hardesty:** No Mayor, I was not but I want the record to reflect I have no peacocks.  
[laughter]

**Wheeler:** Duly noted.

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**Eudaly:** I can attest to the fact that peacocks do not make good family pets as I grew up with peacocks and I also grew up to being woken up by my mother early hours of the morning and bribed to go chase them home from the neighbors' houses and I still have the scars.

**Wheeler:** This is a great hearing. This is good, michele. Great. Thank you.

**Crim:** Yes. So I just threw a lot of information at you so I wanted to show it in a slightly different way and hopefully it will come together for you. This is what I showed in terms of what current title 3 allows. Things like pigs and swine and roosters are prohibited. You can have certain numbers of miniature pigs and combination of other animals up to three total. What we're proposing in the code update is instead on any lot in the city of Portland this would be the maximum number of any one of these animals that you could have. You could have four beehives, four chickens, ducks or pigeons, rabbits, et cetera. Pigs and swine remain prohibited.

**Wheeler:** Michele, commissioner Fritz would like to jump in here too, please.

**Fritz:** So if you have enough space can you have four each, four rabbits and four chickens, four ducks?

**Crim:** So I am about to answer that in just a minute. The answer is maybe but probably not. So that has to do with this minimum dedicated space that you have to have per animal. While this sort of what i'm showing here steps up the increment of maximum number. On any lot 10,000 square feet or greater it bumps up a little bit. 20,000 or greater zoned agricultural there's some places where there's no maximum number. That would be for the backyard animals. Then for other animals that would be appropriate in an agricultural use like some of those roosters, et cetera, cows, maximum number you could have here and if your property is larger you can add additional animals. So commissioner Fritz, for your question, yes, this wasn't enough because in theory you could say, okay, great, I can have four beehives, four chickens, four rabbits, three miniature goats and two pigs in my backyard. That's not good for the animals, not good for the neighbors and it's going to be too much. So we have added this requirement that you have to have minimum dedicated space for each of those animals. In the case of say you wanted to have four chickens each chicken would have to have ten square feet of dedicated space, and which means you would have to have a total of 40 square feet of available dedicated space in a pen or shelter for those chickens. If you wanted to add say a miniature -- say you wanted to add a miniature pig you would then also in addition to that have to have another 200 square feet of dedicated space to add a pig. It's a combination of both maximum number of type of animal you have and depending on the configuration of your lot, setbacks, or maybe have a shed in your backyard or adu, your amount of space is limited which means the number and combination of animals become more restrictive to meet the minimum requirements. Does that answer your question, commissioner Fritz?

**Fritz:** Yes, it does. I'll hold the rest of my questions until you finish because we keep interrupting you and I apologize.

**Crim:** I don't mind at all. Thanks. So those are those components of it. Then we wanted to make sure that gets to the numbers and the space. Then we wanted to make sure that we were also addressing the well-being of the the animals, making sure there were certain standards and are requirements in place to make sure the animals were well cared for. Essentially what we're proposing, a lot of these requirements and standards existed in the permit process so that's where they lived and where that enforcement could happen. We propose to build those enforceable standards into the code and in a variety of areas. So that includes health and well-being of the animals to make sure they are not endangered in any way in terms of how they are being kept or confined. It includes things like making sure they have sufficient food and water, attending to special needs such as hoof care for goats and sheep and skilled care for sick animals. There's also requirements relating to

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feeding and watering to help reduce attracting vectors such as rats and mosquitoes as well as additional requirements for what needs to happen in case there's a concern the animal might have a contagious disease. Then lastly we are proposing to put into place some best practices for good animal husbandry in the administrative rules. This would enable the code administrator to keep them updated more regularly with relevant information to make sure good animal husbandry practices are in place. It's a combination of requirements in the code itself as well as best practices in the administrative rules. So an example of some best practices might be for miniature goats you would have best practices that say hay feeders need to be high enough off the ground to keep them from being soiled. Mineral licks be provided, there not be a table or object in which the goat could climb to avoid bored goats trying to escape, that sort of thing. That would be the stuff in the administrative rules. Then we have some requirements related to structures. These would be requirements for the facilities or the structures where the animals being kept. These sorts of things are probably the things you would expect so the structure needs to be kept in good repair, needs to be capable of being maintained and cleaned in a sanitary condition, has to be free of vermin, obnoxious smells, accumulated waste. Animals are not allowed to roam off of the property and they have to be in a secure enclosure. There's also requirements for setbacks so structures like coops and hutches and aviaries and stables have to be located at least three feet from the property line and all structures have to comply with local building code requirements, zoning requirements. Then there are some - - those are some of the basic requirements that everybody would have to comply with to keep these animals. There's also requirements that we're proposing for the owners themselves. These are things like owners of these animals have to make sure that they are complying with the provisions of this title as well as any administrative rules and best practices. They have to make sure that their animals are not causing a nuisance or disturbing neighbors and residents due to noise or odors, threats to public health. Then the owners would be required to respond immediately to remedy any nuisance complaints including waste removal, general upkeep of the livestock facility, changing feeding or watering practices that might attract rats, et cetera. Then there is also a requirements related to contagious diseases, so if there is a concern that an animal might have a contagious disease, the animal livestock keeper has to contact the licensed veterinarian so this could be diseases that might be contagious to other animals like mange, eczema, hepatitis or rabies. There's guidelines in the code about what needs to be done in those situations to confine those animals to get them treated by a licensed veterinarian. The keeping of bees has similar requirements that we're proposing in the code. Those are written up separately. They are based on Oregon state university extension services residential beekeeping best practices guidelines and then there's also model residential beekeeping ordinance for Oregon cities that we use compiled by the league of Oregon cities. We also talked to Portland urban beekeepers as well about these requirements. To have beehives in your backyard you have to follow all of those guidelines from the extension service and from the Oregon state beekeepers association, the hives have to be kept in sound and usable condition, maintained in a way to allow adequate space and management so they don't get overcrowded and discourage swarming. Any sort of bee feed or supplement materials have to be protected in a way that rodents or other animals can't get into them. Then some other requirements include the beehives have to be located at least 15 feet from public walkways or streets, public buildings, parks, recreational areas and there have to be fly-away barriers, basically barriers, fences or hedges or buildings that force the bees to fly at least six feet high if not higher to leave the property so it gets them up and out as they leave the property. All beekeepers have to comply with the state of Oregon requirements around registering beehives. So those are some of the standards that relate to keeping bees. Just a couple more things to share with

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you here. There are some special circumstances or issues that we wanted to address in the code so one relates to there are I think since 1990 about 1300 permits issued. They don't expire so what we are saying is that for folks who have existing permits for animals, types of animals, numbers that would now exceed this new code that they would be able to keep those animals for the life of the animals but as those animals pass away they would not be able to be replaced. They would have to then sort of come into compliance with the current city code. For example somebody who is making living on a lot that's 10,000 square feet or smaller and they have an existing permit for eight chickens, they would be allowed to keep those eight chickens right now but then as the chickens pass away they wouldn't be able to replace them. They would have to stick with the four chickens that are allowed under the new code. Then the other things is that the code does not prohibit slaughtering of backyard livestock or large livestock provided it's done in accordance with the Oregon state department of agriculture regulations relating to slaughtering. So for people who want to use these animals to augment their family's source of food or meat, or for religious rites, that would be allowed under the code. So lastly, before I finish and take your questions, I just wanted to extend a thank you to two who were really key in pulling this together. I am really the messenger. This hard work was done by others. In particular Julie Gibler who just retired from the city a few weeks ago. She did all of the hard work of talking with stakeholders, researching best practices and drafting updated code before you today. I really think she did an excellent job of navigating complex issues, these animals people are very passionate about and have lots of opinions about. She came up with a proposal that really creates more certainty and transparency for residents and for neighbors. It minimizes potential conflicts between neighbors and reduces the administrative costs and burdens for public and for local government. I also want to acknowledge Steve Cohen, who retired a couple of years ago. He used to run our food policy and programs. He was really instrumental in doing a lot of the extensive research that was done related to urban animal regulations and policies. What other jurisdictions are doing to help inform how we might approach the code update in Portland. I reviewed a lot of details and I'm happy to answer any questions you might have.

**Wheeler:** Very good, Michele. Excellent. Thank you. Commissioner Fritz.

**Fritz:** Thank you. That was a really good presentation. So with regard to rabbits in particular, they are well known for having offspring. They can have 14 babies in a litter. How long does a rabbit owner have to find homes or otherwise reduce the number of rabbits after a birth?

**Crim:** Let me look it up here really quick. In the proposed code someone would be on a standard size lot be able to have four rabbits except when the rabbits have had offspring and as long as they are under 12 weeks of age, they don't count towards that total of four. So once they reach 12 weeks of age they need to go on to their new owners, I guess.

**Fritz:** Or to the dinner table. Okay. Thank you very much. I appreciate that. Colleagues, I remember the last time the code was updated was in 2008. So that was before I was on the council but I was obviously paying attention. I remember a lot of discussion about bees in particular, definitely support for keeping bees and also concerns from people who have allergies to bees. Thank you to Michele Crim for all of the information that she had given my staff and me over the past several days. Really appreciate it. My understanding from Michele is that there are requirements for notification of neighbors when a beekeeper wants to have bees. But they are currently in the administrative rules rather than the code and I believe it would be helpful to have the requirement for the notification in the code so again that's a very clear standard that people could not say that they missed it. I would like to move an amendment to add a new item to section 13.30.010, owner responsibilities D, prior to installing beehives beekeepers must send a letter to property owners within 150 feet of the site outlining their intent and how the provisions of this title and any

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administrative rules will be met. This letter shall include information on how to contact the beekeeper for more information, ask questions or share feedback. Beekeepers shall keep documentation to prove this requirement has been met. It's meant to allow neighbors an opportunity to become aware of and comment in an informal manner before the hives are installed. All involved have the opportunity to identify ways to resolve potential conflicts. When the comments from the neighbors are not binding a collaborative approach is encouraged.

**Wheeler:** Second. We have a motion from commissioner Fritz. I'll second that. Commissioner Fritz, is it your wish to keep the amendment open during public testimony?

**Fritz:** Yes, please. Thank you.

**Wheeler:** It's on the table. Good. Very well. Michele, thank you. That was an excellent presentation. We appreciate it. Thank you for all that you have done on this and many other matters. Thank you for coming before the council today. Any further questions before I ask Karla if we have testimony? Karla, do we have any public testimony on this item?

**Moore-Love:** Yes, Mayor, we had one person sign up. Robin casey.

**Wheeler:** Hi, robin. After robin we'll get to commissioner eudaly. You're still muted.

**Robin Casey:** Here we go. Can you hear me?

**Wheeler:** Yes.

**Casey:** I'm jess. Robin is with me, representing the belmont goats. Basically, we overlooked it and there was a lot of testimony in regards to it but we were interested in what it looked like for the goats and since we have been using city property and then we have been temporarily zoning it as agricultural use, what does that look like under the new provisions?

**Wheeler:** If that completes your testimony we'll ask michele for a response to that. Michele, are you available to respond to that?

**Crim:** I am. I think if I understood the question, what we're proposing is that goats, standard goats in particular, so for lots that are 20,000 square feet or larger that are zoned agricultural or have an approved conditional use there would be no maximum number of miniature goats. Then -- I brought my list here. For standard goats it would be two and then one more for each additional 10,000 square feet of dedicated space. So I think in the context of this question it might be -- i'm not a land use planner but that conditional use for being zoned for agricultural use would determine the number and size of the goats that can be on the property.

**Wheeler:** Did that answer your question?

**Casey:** Yes, thank you.

**Wheeler:** Thank you for your testimony. Thank you, michele. Commissioner eudaly.

**Eudaly:** Thank you, mayor. Michele, I understand this may be your last presentation to city council.

**Crim:** It is.

**Eudaly:** First of all, I just want to thank you for all the cute animal pictures. I grew up with quite a menagerie so it brought back quite a lot of memories, both good and a little traumatizing. Very welcome relief. I just want to thank you for the work that you have done at the city. Say that you have been an ongoing example of how to listen, support and elevate bipoc voices in the city of Portland. Under your leadership Portland's climate action plan was developed as a plan that centers bipoc communities and climate justice, so thank you for that. I'm reading a thank you because this isn't an emergency item, you won't be here next week. As our sustainability officer you have continued to reorient climate and sustainability work in ways that deliver more equitable outcomes for bipoc and low income Portlanders. Your contributions were one of many transformational efforts you've led on behalf of the city that will greatly contribute to more sustainable and just future, so thank you for that as well. I really respect your intention to step back and by creating the

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opportunity for new leadership and engaging internal and external stakeholders to think through what will be most important for your successor you've again set the city up for success. So you will be missed and we will be eternally grateful for your service and contributions and I wish you well on your next adventure.

**Crim:** Thank you very much, commissioner eudaly. I really appreciate that.

**Wheeler:** Thanks, michele. We're all grateful to you. Very good. Colleagues, there being no further business on this -- commissioner Fritz, why don't we vote -- your amendment didn't seem terribly controversial. We didn't get testimony. Why don't we send it to second with the amendment intact. Would you have any objection on calling the roll on the amendment?

**Fritz:** No, i'd like to do that now, thank you.

**Wheeler:** Karla, please call the roll on the amendment. Can you come back to Hardesty, I was supposed text her. I'm sorry, can you come back to her?

**Eudaly:** This seems like a reasonable, friendly amendment. I think it's good for neighbors to communicate. I think it would be particularly good for neighbors to have the phone number of whoever owns the swarm or the hive, and I vote yes.

**Wheeler:** She will be on in a second, why don't you come to me next.

**Moore-Love:** I can do Fritz.

**Fritz:** Thank you. I feel like i'm in some sense the keeper of the bees having sponsored the ban on the city using Neonicotinoids and what I learned in that process is it's very important for neighbors to know that things that they may not realize that they are putting in their yards which may in fact harm the bees. So in addition to the potential for the anaphylactic shock from a bee sting there's also the other way around, the two-way communication is needed about sustainable yard practices. That's another reason for proposing this. Thank you, michele crim, thank you for everything you've done and particularly for the beautiful message that you sent around today. It was really meaningful and deep and I loved it. I'm thankful to those on my staff who are similarly part of the michele crim fan club. Aye.

**Wheeler:** Before that, commissioner hardesty, are you back with us yet? Legal counsel, can we go ahead, even though it says she's on the call she is not. Can we vote this through just with three of us present?

**Sheffield:** If you have enough votes for --

**Wheeler:** We will. Ok, Thank you. Karla, you've called me. Thank you, commissioner Fritz, for bringing this amendment forward. I really appreciate the spirit in which you have drafted this amendment which is collaboration, communication between neighbors rather than regulation or some other requirement. Thank you. I vote aye. The amendment is adopted. This is a first reading of the nonemergency ordinance. It moves to second reading as amended.

**Wheeler:** Michele, again, thank you for all of your leadership and your service to the people of this city. You have set a glorious example of what a public servant is. All of us are grateful to you and while people in the city of Portland may not broadly recognize your contributions to this city, please note that all of us are thoroughly aware of your dedication, your service, your commitment, and the great works that you have done on behalf of all of us in this community. Thank you for your service. We're in recess until our 3:30 time certain item. We stand in recess.

**Recessed at 2:53 p.m.**

**Reconvened at 3:30 p.m.**

**[CAPTIONER CHANGE]**

**Wheeler:** Looks, like everyone is here. Karla, can you read item 633.

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**ITEM 633**

**Moore-Love:** Item 633

**Wheeler:** Commissioner Hardesty

**Hardesty:** Thank you, mayor. This sounds really off.

**Moore-Love:** We are getting some feedback. Maybe rick can look at this. How is that now? Are we okay?

**Hardesty:** Oh, that sounds a lot better. Thank you. Mayor, I would like to make a motion to adopt the amendment.

**Fritz:** Second.

**Moore-Love:** You are muted, mayor.

**Wheeler:** Commissioner hardesty is making a motion to adopt amendments, I heard that and then it cut out, I'm sorry.

**Fritz:** I seconded it.

**Wheeler:** Commissioner Fritz seconded it.

**Hardesty:** Mayor, I think we need to vote on the amendment.

**Fritz:** Commissioner hardesty, would you like to briefly outline what the amendment does?

**Hardesty:** Yes, commissioner Fritz, I will do that. An amendment was submitted by the mental health association of Oregon asking us to include people with mental health issues, alcohol and drug addictions to the language of the ballot measure. And we all saw that as a friendly amendment and that is what we are voting on.

**Wheeler:** Thank you, commissioner hardesty for the amendment. Call the roll.

**Hardesty:** Aye.

**Fritz:** This is to clarify, this is putting it on the table, there will obviously be public testimony and we can amend later as well. Aye

**Eudaly:** Oh, aye.

**Wheeler:** Aye. Amendment is on the table.

**Hardesty:** Would you like me to continue, mayor?

**Wheeler:** Are people able to hear me? I feel like the sound is cutting out.

**Hardesty:** Hear you just fine, sir.

**Wheeler:** Very Good, Commissioner hardesty, you are up.

**Hardesty:** All right, thank you, mayor. We are in a critical moment in our community as the community demands overpolicing and police accountability continues daily. It is not lost on me that every night violence is unleashed on to protesters protesting police brutality and threats to our first amendment rights to free speech and assembly. I want to thank each and every one of my city council colleagues for working with me on this ballot measure. I want to thank the many community advocates and organizers who spent their time, energy and provided feedback and language. I would be remiss if I didn't take a moment to really appreciate the elders who have worked on this initiative around police oversight for more than 30 years and I want to take a moment to appreciate dr. T allen bethel and dr. Reverend leroy haynes, who both co-chair the coalition for justice and police reform. And we will be hearing from dr. Haynes later in the program. I want to thank dan handleman, who, I don't know, a meeting about police accountability he sat at taking notes, but we have a young generation, a new generation of young leaders in our community who have taken up the fight for police accountability and reimagining what police accountability could look like in Portland. And so I want to shout out to candice abaloss, alex davis, and shanice clott. You have given me many, many hours of counsel with my staff what young people need to see in order to see themselves represented in an accountable police department that serves their needs when they need it. I also want to take this opportunity to thank the auditor. Without the audits of Portland police bureau, a lot of information I have learned over the past 30 years would not have been possible for me to get because getting information directly from the police bureau is normally slanted in a direction that



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does not serve the public interest and learning how do we spend precinct resources and how do we hold people accountable for the outcomes that we seek. I want to take a moment to really appreciate the thousands of people that every day take to the street to demand that we radically change this system of policing and let me be very clear, without you, this moment in time would not be possible. I want to give you a short history because there are those that say that I woke up one morning and decided to put this on the ballot. If only that were so. In May of 2000, then mayor Katz created a work group after Piac, which was the police accountability system in place at that time. All their members resigned out of frustration at not being able to hold police accountable for inappropriate behavior in our community. The majority report which is available on IPR's website for anyone who doubts my information, the very first recommendation they had was for a truly independent community-led police oversight board with the ability to require officers to testify, with the ability to have independent investigations, and with the resources necessary to have a professional staff that would be accountable to the community. And so that was back in 2000, May 2000. May 5, 2003, Kendra James was killed at a traffic stop and she was not, in fact, driving. Shortly after that, the AMA coalition for justice and police reform was formed. To address the consistent overpolicing of African-Americans and other people of color through the city of Portland. From May through July of 2006, I happened to be working at Oregon Action. Working at Oregon Action, we hosted five community listening sessions with then Portland Police Chief Rosie Sizer and we had them in every precinct area in the city of Portland. One was hosted at students at Open Meadows and still that is the most talked about community listening sessions where police and community in the history of dialoguing with Portland police. In January of 2007, then Mayor Tom Potter appointed me co-chair of the racial profiling committee and the other co-chair was Police Chief Rosie Sizer. For two years that committee met and most of the time the police officers assigned to that committee debated whether or not racial profiling even exists. And actually said that police were -- their feelings were hurt that we would call a committee racially profile because after all Portland police would never racially profile anyone. Two years later it was disbanded by then Mayor Tom Potter, who replaced it with the Human Rights Commission's subcommittee on police and community relations. And I cannot for the life of me mention one thing that came out of that committee's work. I mention all this to you, not to pat myself on the back, not to say that progress has not been made, but I mention this so that you understand the deep history that the Portland community has experienced in their attempts to hold police accountable for inappropriate behavior. This is by no means a new conversation. In fact, we've had this conversation over and over and over again. What's changed is that there's now the community momentum and the political will to get us to where we are today. So why send it to the ballot? It is absolutely critical that all Portlanders get to weigh in on determining what community safety looks like and what community accountability looks like. For me, this new system of accountability comes down to two basic points. Accountability and oversight is really only one piece of the puzzle. As we work to reimagine community safety. My vision remains centered on defunding police alternatives, community investments, demilitarization and decriminalizing community members. There have been questions about why a new system? Why not continue to tinker around the edges of systems that don't work? In many years of -- in my years of doing this work, the community has asked for a truly independent, accountability system. An effective accountability system absolutely needs to have community trust and buy-in. Both things, which the current system does not have. Even to this day, not to any individual's fault, but rather to the fault of the system itself. This current system is built around a core principle that police should be in charge of police discipline. The new system operates to ensure the police are held accountable to the community they are sworn to protect and serve. Police officers are the only agency with the power to make life-and-death decisions. That requires

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a strong accountability system to ensure that power isn't abused. I am thrilled that we have reached this moment to consider something new while learning lessons from our past. I am grateful for all the people who signed up today to make their voice part of this historic record. I know my colleagues have many thoughts and questions they want to share, so I am going to stop. I have comments I will make in closing as we prepare for the vote, but I want to thank each and every one of you for showing up today, making your voice heard. And let me be clear, this is not the end, not by a long shot. This is merely the beginning of us working together to reimagine how we can create a community that is safe for all. And I will add one more point and this is directly to the men and women of Portland police bureau and your families. Do not fear accountability if you are a good community police officer. In fact, you should want to embrace accountability because the officers who don't want accountability are making you look really, really bad. So I hope the good men and women within Portland police bureau will join with us and not fight us on making sure we have a police bureau that is accountable to the community. Thank you so much for allowing me to open, mayor. And thank you all for your support today.

**Wheeler:** Thank you, commissioner Hardesty. Is there a presentation or would you like to jump right into Q & A?

**Hardesty:** I have Derek Bradley from my office who will do a short presentation and we will jump into public testimony.

**Wheeler:** Sounds good. Thank you.

**Derek Bradley, Policy Director, Office of Commissioner Hardesty:** Hello, commissioners and Mr. Mayor, for the record, my name is Derek Bradley, I'm Commissioner Hardesty's policy director. I'm going to give a short presentation. We have eight invited testimony participants. We have asked our invited participants to give their input to three minutes each and we have a lot of members of the public here to testify. There are some of our invited testimony participants that have some time crunches this afternoon, so if it is all right with you, I would like to answer your first round of questions after the completion of invited testimony so we can make sure everyone has time. Pressure can still provide their testimony. I can do a round of questions before we go into public testimony and I will be available for another round of questions at the conclusion of public testimony as well. Broadly speaking, I'm happy to answer questions about any specific section, but we approached this at looking three different broad areas of policy we wanted this charter amendment to address. Adequate independence, substantial resources and the sufficient powers to discipline officers in the bureau. Resources include not only the budget, but ensuring there is a professional staff. Adequate independence, not only independence from elected offices, but substantial enough power to gather evidence and conduct investigations and discipline, included, the ability to make a final say in discipline and we heard loud and clear from community members any new system to make the impact necessary would have to have some kind of ability to impact policies and directives of the Portland police bureau. The process was based off of multiple national best practices campaign, years of community conversations that have happened throughout Portland's history. Outreach to groups, numerous meetings, community partners, edits to reflect the changes they suggested. Countless individual conversations between our office and community members. It is -- I'm very impressed with the amount of engagement we received from the community and how many people put in a lot of time focusing on this issue very quickly. There is a lot more work to be done after this. A lot of people stepped up to help to make sure it is as strong a product as it is now. I know my commissioner will take time in her closing remarks to highlight some of those people. We would be here a very long time if we went through everyone who was able to provide assistance on that. Next steps, so if this is passed and referred to the voters, in the month of August I will be drafted and coordinating an explanatory statement on the ballot and the voter pamphlet

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statement. September and October will provide community input and other updates about a follow-up implementing ordinance which would establish a commission that would meet for an extended period of time and hash out all the details needed to build up a new institutional organization. This will be creating a mission statement for this commission. And that will pass shortly after November if the voters vote for this new police accountability system. It is a community-driven entity with some support from City Hall. Able to answer questions, but not led and driven by members of commission offices and they will eventually return at the end of their tenure with a final code change packet that will be considered by Council. And upon adoption of that, will begin the execution of a transition plan which they will have mapped out ahead of time to flip the switch in beginning this new board. It is going to be a lengthy process. It is going to be lengthy because we are going to make sure we find -- we figure out any questions that are remaining, any challenges, confusion, get the definitions we need, the organizational structure we require to make this successful so when it begins operating, it is coming from a very strong foundation. There is not a lot of comments around timing, timing to respond. So why now? Why are we doing this now and in the way we are doing it? For starters, this is a response to an unprecedented movement in an unprecedented unified voice in the community for action on police reform to be taken. This is an opportunity for the voters of Portland to have a direct say in the future of policing in their community. And this allows the work of the commission to work in tandem with the charter review commission. If there are changes to be made, we have not one, but two options to altering the charter chapter. I would like to thank Commissioner Fritz for forwarding that idea to us early in the process. It was helpful and have been enthusiastic since we heard about it. There are plenty of good questions to be asked and I'm happy to entertain them at the conclusion of our invited testimony. I would like to get into our invited testimony as soon as possible. We will start with our first panelist. Karla, representative Tawna Sanchez first, please.

**Tawna Sanchez, Oregon State Representative District 3:** Thank you. Can you hear me? Are we good. All right. Fabulous, for the record, Tawna Sanchez, state representative house district 43 north and northeast Portland. First of all, there are so many things I want to talk to you all about but we are limited on time so I'm going to try to be somewhat brief. I really did want to talk about history in general. History of this state, history of, you know, the whole process of policing and power and control structures and all of those wonderful things that we don't have time for, but they exist. Power and control exists. Patriarchal structures exist. Racism and oppression exist. I have to say I was born and raised here in Oregon, spent most of my life here in Portland. I have been racially profiled. Have been stopped by the police and one time I was not asked the question, I will admit, when I am stopped by the feet I have a lead foot and often forget to turn my headlights on. Every time except that one time they ask have you been drinking. They look at a brown person with beadwork from the mirror, I haven't drank for 43 years but we have to deal with that. Why now? Why do we have to rush this through? I think we have been trying to rush this through some time. Not rushing. Pushing. I have been in many, many police accountability conversations over the years and we have to recognize we are in a moment of time where shift is necessary, where we actually have to do what we say we are going to do. We have to hold ourselves accountable to the things we have been trying to get done for a very, very long time. And, you know, I have to say as a legislator, as a human being, there's nothing wrong with holding yourself accountable. I have to do it all the time. Every time I have to look at the different decisions I make in the legislature, in my own house, with the foster kids I have had, with the families and communities I serve. Always looking at all the different decisions we make and how do we hold ourselves accountable and to a higher standard than where we have been in the past. That is where we need to be at this moment in time. Let us hold out to a higher standard and figure that out. Accountability is

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not a bad thing. It is an important thing. It what I do as a native person to realize in seven generations has to be better for those kids. This is a moment in time we cannot afford not to shift and change. We have to look at the the political structures that exist and how they have gone wrong in the past. We have to look at the dynamics of structures of policing and say, that is not working and recognize there are some amazing police officers out there. There are some wonderful people. My niece is a police officer. There are some really great people doing great work out there, but they are being held back by those voices and those bad things that accuse me of drinking or, you know, hurt somebody inadvertently or do things that are not appropriate and disrespect people because we are sitting in a power structure place. I don't want to take up too much time, but I want to recognize these things existed for a very, very long time. It is up to us to make that shift and change and do it now when we have the chance to make it work. We have our eyes open now and see what is happening. We can't continue to close our eyes and pretend this isn't happening. So thanks. .

**Wheeler:** Thank you, representative.

**Bradley:** Thank you, Sorry mr. Mayor.

**Wheeler:** I was thanking the representative. Thank you for being here today and thank you for your testimony. We appreciate it.

**Bradley:** Could we please have next city commission elect carmen rubio.

**Carmen Rubio, City Commissioner Elect:** Thank you and good afternoon mayor and commissioners. I'm really, really honored to be here in this capacity and the executive director of latino network. Latinx nonprofit. We stand in solidarity with our black families and the calls for concrete, demon straaable anti-racist systems in the city of Portland. I'm here as your future colleagues on city council to urge you to support this proposal. I want to acknowledge and thank commissioner hardesty for her decades of advocacy and her staff and their countless hours with the community and also the hundreds of deeply nused community members I know and whose advocacy is represented in this work today. It is a critical step to finally answering the decades long community calls for justice and for true police accountability in our city. The deaths of george floyd and breonna taylor and others remind us of the systemic racism. Those in position to act on transparency, accountability and justice. These calls resonate with latinx communities because there is little or no trust of government institutions, they li in fear of i.c.e., harassment and exploitation. That is why we have a deep commitment to speak up and stand up to dismantle anti-black racism to center communities and honor black lives. The city of Portland has responsibility to have a proposal that moves the city forward to meaningful engagement and justice that Portlanders demand. For more than 60 days thousands of Portlanders have been calling for real changes, substantive changes, funning and structural chaung. This message has been loud and clear and unwavering. Now it is time for Portland to act on the values we say we have but haven't always consistently acted upon. This is what called me to city service and I consider it a profound on this soon be able to serve on behalf of Portlanders who will clearly committed to uplifts justice and recognizing accountability at all levels that ables all of us to be safer. I'm not yet able to cast a vote in today's referral, but it is important so please support this proposal. We must continue do be bold in this moment and not shy away from the responsibility to address the deep wounds that centuries of oppression have caused. This decision made today by this council will matter for generations. Let's show our community that their city is listening.

**Wheeler:** Thank you, commission-elect. Thank you for being here today. We appreciate it.

**Fritz:** Mayor, may I make a comment, please.

**Wheeler:** Commissioner Fritz,

**Fritz:** Commissioner elect carmen rubio, it gives me great delight to say that. I have worked very closely with commissioner hardesty and derek on this proposal and as is my

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policy when I have contributed to something and has -- my suggestions have been incorporated in the document, I will be voting in support of it. I am, of course, going to listen to public testimony and maybe some amendments, but I, like you, believe this is a necessary step and we have to listen. So please know I am listening to you and I will continue to do so for my remaining time in office.

**Rubio:** Thank you, commissioner.

**Bradley:** And next we have Portland city auditor Mary Hall Caballero.

**Mary Hull Caballero, Portland City Auditor:** Good afternoon mayor and commissioners. What a moment we are in. It is at once one of sadness, hope and opportunity. Sadness for the family of George Floyd and so many others. Hope that this moment is a lasting pivot to a more just world for Black, Indigenous and people of color. Opportunity to make government more responsive, inclusive and accountable. I join with Portlanders who want their values of community safety aligned with the policing and emergency response delivered by the city of Portland. I am attentive to the voices of people who have been left out of the benefits of government while carrying more than their share of its burdens and the work of the auditor's office reflects and prioritizes that awareness. I also know that so much more needs to be done. This moment is also one in which decisions made in haste may have us looking back in a few years wishing we had proceeded with a bit more care to get it right. The proposal under consideration today is presumed to be in response to demands for a different police oversight system. Not a better system, just different. We can't tell if it would be better because we haven't had time for due diligence, to weigh the pros and cons, to understand the hurdles to implementation or simply have our questions answered. We haven't had a moment to help the public understand that officers in the proposed system will be held to the same work rules that exist today unless they are changed. And that the same legal protections will also apply. Those of us who have worked daily in civilian oversight know the obstacles and how hard they are to change. Magical thinking won't make these existing constraints go away. I appreciate the dilemma. There is an urgent call for change. People are in the streets. Emotions are running high. Do something, city council, do something. I urge you, however, to do the smart thing so the people of Portland get a better oversight system not just a different one. I urge you to do what only you can do, govern through a fraught time, true to the values of sound public governance, transparency, integrity and inclusion. You are being asked to refer an unrefined model of oversight that throws out the best of what works in the current system for a hazy promise of something better down the road. It rests on a foundation of misinformation, repeated over and over from here to there with such constancy that the truth cannot compete. You are being asked to write with a permanent pen instead of pencil, imprint concepts in charter that could be put in city code and remedied if they prove to be unwise or unworkable. Are you prepared to spend as much on this oversight model as you do for the entire auditor's office? That is what guaranteed the proposed model and charter would do? Are you prepared to lose the civilian oversight expertise, cultural competence and years of experience that exists today when the public servants who dedicate themselves for police accountability drift away for a certain future? That is the likelihood because it will take years before the committee describes in this proposal figures out the details and works through the policy, legal and contractual issue. A thoughtful schedule of code changes prepared with a transition plan than the chaos that will result in the civilian oversight in the interim. Please do not take lightly your duty to ensure the referral from this council to the ballot signals to the voters it is ready for their consideration. There may be a time when this proposal fully developed, vetted and tested will be worthy of such a vote. November 2020 is not that time. Thank you.

**Wheeler:** Thank you, madam auditor.

**Bradley:** And next I believe we have Dr. Leroy Haynes.

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**Wheeler:** Dr. Haynes, you are still muted. There you go. Thank you, sir. Dr. Haynes, sorry, somehow it muted again. Hit it one more time.

**Dr. Reverend LeRoy Haynes:** Okay. Distinguished mayor and city commissioners of the Portland city council, since 2003 with the killing of Kendra James by Portland police officer while unarmed, the Obama Administration Alliance Coalition for Justice and Police Reform has demanded the creation of an independent police review board with subpoena power to compel testimony. Some of our initial leaders like Bishop A. Wells of Emanuel Temple and Dr. W. G. Hardy of Highland Christian Center have gone on to glory since that time. The Alliance Coalition for Justice and Police Reform with its 25 community partners, civic organizations, faith organizations, and civil rights organizations have waged a relentless struggle for more than two decades to reform the Portland Police Bureau. We were participants in the initial founding of the IPR and the Citizen Review Board. These organizations were always thought of as interim structures towards moving towards true oversight and accountability of the Portland Police Bureau. We were the community representatives and settled the agreement between the United States Department of Justice and the City of Portland and was given enhanced amicus curiae status in this suit. We have continued to fight on the streets of Portland for reform of the Portland Police Bureau and in the courts. To stop the killings of Black and Brown people and mentally ill people by some members of the Portland Police Bureau. Yet we still find that after improvements and training and updating of policies and practices some members of the Portland Police Bureau continue to practice on using unjustifiable deadly force and excessive force against Black and Brown people and mentally ill persons or persons perceived to be mentally ill. One of the most valuable means of transforming the killing of unarmed citizens in the City of Portland is their lack of real accountability. There are no consequences when Black or Brown people or mentally ill people are beaten to death or killed in the City of Portland. The Alliance Coalition for Justice and Police Reform has supported the need for an independent Citizen Review Board with subpoena power to compel testimony. And finally my conclusion, the late Dr. Martin Luther King as well as the late Congressman John Lewis would often say, there are those who often tell Black people to wait for freedom. To wait for justice. To wait for equality. To wait for police accountability. But both King and John Lewis would say, we've been waiting too long. We've been waiting 400 years of slavery. We have been waiting 100 years of Jim Crow. We have been waiting since this. Now is the time for freedom, justice and equality and police accountability. The present structures that we have do not have the authority and the power to be able to police officers accountable. And the reason I know that is because I helped create them. This is the importance and significance of having an independent, and that word independent is crucial, independent civilian police review board with power to compel testimony. Thank you very much.

**Wheeler:** Thank you, Dr. Haynes. We appreciate your testimony.

**Hardesty:** Excuse me, Mayor. If I could just take a moment and --

**Wheeler:** Commissioner Hardesty.

**Hardesty:** Dr. Reverend Leroy Haynes, I want to publicly appreciate you for all the years that you have been fighting for what today seems like a very small reform. And I just want to honor the legacy and the shoulders that I stand on because of the work that you've done in this community for so many years. Thank you so much for being here.

**Haynes:** Thank you.

**Bradley:** Next on our list is Will Layng.

**Will Layng, Executive Director of Portland Jobs with Justice:** Thank you, Derek. Good afternoon Mayor Wheeler and City Commissioners. Can you hear me okay?

**Wheeler:** Loud and clear.

**Layng:** My name is Will Layng, I am the Executive Director of Portland Jobs with Justice, a coalition and labor unions and community groups taking action for worker's

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rights and economic justice, especially for those most marginalized in our communities such as people of color, immigrants, lgbtq people and women. Thank you for the opportunity to provide testimony supporting commissioner hardesty's charter amendment ballot referral. Portland jobs of justice has worked to hold police accountable for those that brutalize marginalized communities. I'm here to support referring the proposed charter amendment to city voters. Portlanders by the tens of thousands have demonstrated lately in support of the black lives matter movement with renewed calls to recognize and repair the harm done to black Portlanders targeted by our criminal justice system as well as the mentally ill in our community. At my kids school in northeast hundreds of kids, employees marched taking over the streets near the school. I believe now is our moment to take bold action that has been denied for far too long to marginalize communities in Portland. The proposed charter amendment is a huge step toward a vision of true justice. The measure is certainly not going to solve all the problems with our police but engaging the community broadly at this time to have a direct say over our public job policy, who indeed our police work for will help us take the movement to lasting victories. A well-funded and diverse board of community representatives with the powers envisioned in the charter amendment along with the changes the community demands in the police association contract makes sense from a workers rights perspective. Police officers with the extraordinary powers they are given to detain, arrest, and use deadly force also carry a great responsibility to ensure their actions are free from racism and other discriminatory practices. As Portland police association president darryl turner himself said in november at a public forum, we recognize we are held to a higher standard, but that doesn't mean we can give up our rights. Officers will be heard and [ inaudible ] our current system has failed to center the community. With this oversight board we can hold police to the higher standard we know they must have. Working people including nonmembers an unions are realizing like never before the twin evils of structural racism and corporate power must be challenged together by our movement including police and their unions if we truly mean we believe in the dignity of black lives. Thank you, commissioner hardesty for bringing forward these changes I urge the commissioners to support the proposal. Thank you.

**Wheeler:** Thank you.

**Bradley:** Next on our list is alex davis.

**Alex Davis,** Mr. Mayor, members of city council, I want to first recognize commissioner hardesty and thank her and her office for taking on this issue. I know how hard you all have worked on it. I want to recognize the last 30 years of work that you've done on this issue in our city. I don't think you get enough praise for what you've done. But that's to preface my statement. Today I would like to use this opportunity to ask you to adopt commissioner hardesty's proposal to change the city charter to create an independent plourt. We have been subject to an unlawful occupation by federal officers Portlanders are demanding a new direction in regards to public safety. Many of our fellow citizens, including myself, have little or no faith in the Portland police bureau. I believe this oversight board will be a tremendous first step in establishing public trust in the bureau. D Portland this measure has been carefully crafted by long time city activists and civil leaders. Powers include subpoena power, power to compel officer testimony and conduct thorough investigations. A board of this nature has been repeatedly requested by police accountability activists for over 30 years. I would like to address and respectfully, and I mean respectfully, disagree with the criticism this ballot measure is a bold request. Is it a bold request to give a community a voice in a bureau receives \$250 million of our tax dollars it is it bold to involve people from historically overpoliced communities? For too long the power in the relationship between the police and community has been vested in the police. Now in order to move forward the power must be vested in those to whom it truly belongs. The citizens. Finally, I would like to speak from my experience as an african-

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american man. I personally feel unsafe on our city streets in the presence of Portland police. If an officer is so inclined he or she can brutalize, verbally abuse or worse knowing full well there is very little chance of accountability from the police bure or the community. All the while being paid with my tax dollars. That is the reason why i'm asking you not only to vote approve sending this ballot measure to to voters, but do so unanimously. If the city of Portland wants to proclaim black lives matter and be at the forefront of progressivism, a good starting point for the community and the police would be having a citizen oversight board. Thank you.

**Wheeler:** Appreciate your perspective. Thank you, alex.

**Bradley:** And next we have Candace Avalos

**Candace Avalos:** I'm a first generation latina in Portland I came to bring my voice. I'm not speaking for the cry in official capacity today. Our systems of police accountability have no teeth. Many of you have acknowledged that very thing. Years of advocacy by community leaders, advisory boards and concerned citizens have barely moved the needle to address this. Despite ipr's many limitations I believe the staff has done their best with what is available to them. Good intentions and broken system is no longer enough. 60 days of protests have highlighted a frustration of a community asking or beg r for meaningful reforms of police accountability. I support this measure for three main reasons. First, I have participated in commissioner hardesty's process to develop this over the past few weeks. Community leaders, criminal justice reform experts and city attorneys have put a comprehensive plan to create an oversight board to hold the police accountability. I reject any notion that says there has not been enough time to create this. What have the powers that be done with with our questions? It is time for less talking and more action. Secondly, this measure leaves a lot of opportunity to adjust the intention and application of the city oversight board. As with any good framework, the referral as written gives a number of ways to preserve the communities intent and laws and legal interpretations in the future. Bringing this measure directly to the voters gives the people an opportunity to weigh in over the next few months plus this is coming at a great time where it is coincide with the reforms in the special legislative this fall, police contract negotiations in january and if language needs to the be tweaked a charter review commission is put together. Thirdly the biggest reason I support this measure is the new oversight body can pass policy recommendations for ppb if they don't accept will go to city council for a vote. We put our hard free labor into making policy recommendations that get ignored by ppb. This has been incredibly frustrating and does not inspire confidence ppb will do anything that is not mandated by the city council. Now everyone will be health accountable. We cannot keep tinkering around the edges of a system that is not for community needs. We need to respond with bold legislation addressing the heart of the protest, independent review of the police holding them accountable for the harm they cause the community. Please stand with us on the side of change and enthusiastically vote yes on this ballot measure. Thank you.

**Wheeler:** Thank you, candace.

**Bradley:** And finally, we have for invited testimony, Jason kafoury.

**Jason Kafoury:** Can you hear me ago?

**Wheeler:** Loud and clear.

**Kafoury:** From before I was born the Portland police have been a law unto themselves unchecked by the city. They investigate their own through internal affairs, not transparent and complaints with deadly force are not sustained. Our firm has won the largest and third largest police excessive verdicts in history with others in the last 10 years. I'm not aware of any discipline or investigation of these abusive acts as a result of these jury verdicts. Sadly, our various attempts at citizen review in this city have not had the power to change how the Portland police operate or to get rid of officers who abuse our citizens. In fact,



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from police chief to police chief, abusive officers have risen in the ranks, not been removed from the department. Starting with Kroger, the nazi sympathizer, moving to Sergeant Bezner in who shot a college student in the back and cost the city \$1 million. Moving on to Sergeant Nice and Officer Humphreys who killed James Chasse and then Humphreys went on to shoot a the 12-year-old African American girl with a bean bag during a max fare stop. The police call themselves a paramilitary force. Ultimately the question for this city council are we the citizens in control of our own police department? Democracies have citizens in control of their military. Same principle should apply to our city police department. This movement, this moment, may not come again. We need to stand in support of the black lives matter, this racial justice movement and create real police accountability. We have been researching for weeks all other attempts at citizen review models across the country. They look at least one of three things, the money to do their work, the power to truly investigate, subpoena compelling testimony and three, the power to discipline officers. This would have all three. This hardesty-led initiative would be historic. I think it would be the best model in the entire country for citizens review board if we pass this along to the voters and it passes. Perhaps the most glaring example of I've seen of IA investigating citizen abuse and going nowhere as reported today in the Oregonian, officer Bruders, 6'7", 260 pound officer in early 2011 punched jason cox seven times in the face on video. While he was being tased and lying face down on the pavement. That is what mr. Cox looked like after the video. That led to the largest police verdict against the Portland police in the history of this city, \$562,000. Every dollar we asked for. Ia had the video years earlier. In fact, ipr investigated that incident with letters signed by the head of ia, chris davis, now our deputy police chief. All of it was nonsense, despite having the video they said cox furrowed his brow and stared intently, he failed to comply with commands, he can clenched his fist, assuming a fighting posture. It's all nonsense, but I read these all day long. You as City Council don't get access to these IA files when citizens complain and I do. This is the same nonsense we see with video evidence to back it up. What happens, officer Bruders, instead of being terminated for the largest verdict in the history, he has worked for the Police bureau where he started sexually harassing and intimidating a female employee. This went on for years. She complained about this sexually abusive behavior. Ia investigated. Four of five of our complaints were dismissed and she was recently let go. If that story doesn't show you the problem that continues to exist at the Portland police and the fact that citizens need to be able to investigate, discipline and potentially terminate bad officers I don't know what will convince you. Thank you so much. Please do the right thing for our city.

**Wheeler:** Thank you, jason.

**Bradley:** That includes our invited testimony. I want to thank everyone who agreed to provide their invited testimony for us and participated in crafting this measure. I am now happy to take questions from commissioners and the mayor. Also happy to do some now and some at the end of public testimony.

**Wheeler:** Why don't we take a pause here and see if there are questions right now on the substance of the resolution. Colleagues, any questions thus far? I'll go ahead and jump in, derek. I have a few. First of all, these are related to questions I have heard want to get responses on the record. You and I have had an opportunity to talk about come of these things. First is the question around the legality of what we are putting forward to the ballot. As you know, it is no secret there are those questioning the legality of this. Built into the resolution is a severability clause each is treated separately so if a provision is found to be inconsistent with the law that provision therefore would become invalidated. So the question I have is first of all, do we know if this is legal at this time? And if not, what are the issues you would highlight as being the key issues we should be aware of and is it possible to resolve these issues prior to this going to the ballot in november?

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**Bradley:** Good question, mr. Mayor. I will use this as an opportunity to give an enthusiastic shout out to the city attorney's office who had multiple attorneys putting in a lot of work over these four weeks and making themselves availability at all manners and hours for my questions and feedback. They've done a lot of analysis in diving into this. My understanding and our office's understanding, the way this is drafted is legal. This is going to stand up to legal challenges. And there is another escape valve outside of severability, this can't go into effect until a few outside changes happen. There is currently state law and if collective bargaining agreement that do provide some limitations on what we can do, particularly in the system we are drafting now. It is a multi-headed issue. This is an attempt to create a system that provides outward pressure to get the changes we need, to get the type of accountability system Portlanders deserve. We are already in conversation working with city attorney and government relations on changes that could be done as early as an august special session in salem. If not then, we have a full session next year. A collective bargaining agreement process starting early next year that provides opportunities in that arena. There is a length of time, there is a long runway between now and when this would -- when we would be really flipping the switch, as it were. But even beyond when that moment occurs, there is language in there highlighting that legal responsibilities of the city must be met before this goes into effect. We are already actively engaged on pursuing the types of changes that need to be made and have a lot of hope that the voice of the people that have led us to be here in making this decision here today will put pressure on other decision makers and other avenues to come to similar conclusions.

**Wheeler:** So, derek, to restate this. I'm hearing you express confidence this does meet the threshold of legality and if there is anything yet to be resolved, that would be resolved prior to this going into effect. Is that a fair restatement of what you just said?

**Bradley:** That is a fair restatement of what I just said. And my understanding of it and I do know that -- yeah, that is a fair restatement.

**Wheeler:** Commissioner hardesty do you want to jump in on that, or can I ask my next question.

**Hardesty:** You can move to your next question. Derek was so brilliant; I can't add anything to do it.

**Wheeler:** This next question gave me pause, the question of specifying budgetary language in the context of a charter amendment. That would in effect bind future city councils to a very specific budget for this particular program which would make it extraordinary for all city programs. My question is could you put on the record the justification for that particular amount as well as the justification for enshrining that budget in the city charter?

**Bradley:** Another great question, mr. Mayor, thanks for it. I would say first of all, this is not a number pulled out of a hat. This was reviewed, a number that was generated by multiple national campaigns that we both pulled from and had then discussions with community about. Does this seem like an opportunity, what the best path forward is in terms of a number? This was a lot of different input to get there. As for enshrining it in the charter, one of the big goals of this charter chapter is to create the framework how this is going to move forward and ensuring the goals of this new institution are guaranteed to be met. A big problem we've had, I have tagged conversations with people working in other city's review boards, they start off when there is a big push for public pressure, they got the funds they need and slowly and surely as pressure mounts from other angles, those are whittled away. Those are reduced. The work becomes harder to meet. Public trust decreases because not enough work is getting done because there is not enough resources. There is a mechanism that is available to city councils in the future to reduce this budget. The operational budget of the Portland police bureau reduction. This is something we feel is sufficient enough to get the type of work done that needs to be done.

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So why put it in the charter? One more thing I will say is a common statement you hear, I would say, batted around American cities across the country is at the core of the service a city provides is public safety in one form or another. That is the guarantee at the baseline, we are the one providing fire, police, 9-1-1 response and so those are never really debated when it makes sure we have ample resources to keep our civilians safe. This is another plank in that promise to the constituents of Portland that there will be an adequate amount of funding to ensure that when misconduct occurs or when someone thinks misconduct has occurred, there will be enough resources to go through a process where the public and the police bureau can say at the end, this was no misconduct. Enough resources were given to trust that outcome or there was misconduct and we can trust that outcome as well.

**Wheeler:** Okay. And, Derek, are you confident given some of the recent statements that have been made by the Portland police association that we will be able to get through the collective bargaining required to make this operational?

**Bradley:** That is a tricky question to ask someone who is not on the city's negotiating team. I will say there are multiple avenues forward on that. There is the collective bargaining angle, we could come to an agreement and it is an absolute commitment from our office that this end product will have a fair and robust due process system in place for anyone accused for misconduct. The argument to be made that rank-and-file police officers should be pushing union leadership to explore this option to see what this looks like in the future. Negotiations can go on in making this a reality. There is an opportunity if this has to go to arbitration that an arbitrator will see a charter amendment overwhelmingly supported by the will of voters as a really powerful statement of what is in the best interests of the constituents and public of Portland. And finally, there are avenues for change at the state legislative level around what the requirements are for what we need to do. There are different ways to get there. They are all being explored currently. Which way crystallized first and works best is something that -- there is a discussion we don't have enough flexibility in this process we are pursuing. I would say my answer to this question highlights just how much flexibility we do have given how we have set this up and timing for executing this vision.

**Wheeler:** Very good. I have one other question and will open it up for others who have preliminary questions. IPR director Ross Caldwell is they are experiencing a surge in investigations, most of those are demonstration related. Portlanders are still relying on the current system to hold the Portland police bureau accountable to the public which it serves. Do you have any concern about the impact that this proposal might have on the system in the interim? Particularly as complaints continue to roll in and investigations continue to be opened? Are we being thoughtful about what this transition looking like? Can you speak to that?

**Bradley:** Certainly. I mean, it would be naive to not have any concern around changing to a new system having an impact on, you know, existing systems while -- before the new one can go into place. You have to be mindful of that. That is where the next steps come in that I highlighted in my presentation. This is a transition plan in a charter language was not where it belonged. My office's intention is to have discussions with other council offices, community members and groups that would have concerns about if they had a complaint about the police and the current systems in place, ipr, crc, what is the transition plan look like and how do we ensure when we come back in november, hopefully after overwhelming support from the public and have a resolution, that contains mechanisms in it to help with this runway process. It is going to be an important discussion in the next few months. It is one I know a lot of the members in the community are interested in participating in. I have heard from every office in city council they want to give thought to and something we have begun discussions and giving thought to. I do not have the details of the transition to the follow-up resolution will be, but I do have a commitment it will be

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something that will be given attention and consideration and all different corners that may be impacted by this will have an opportunity to weigh in on it.

**Wheeler:** Thank you, derek. I appreciate it. Colleagues, any further questions. Seeing none. Karla, how many folks do we have show up.

**Moore-Love:** We had 92 register. 48 are on the line.

**Wheeler:** Unless any of my colleagues strongly oppose, I would propose we limit testimony to two minutes so we can get through everybody that is signed up today. Through prior arrangement I have determined and at least for the next 90 minutes I will turn the gavel over to the senate president and commissioner Fritz I will let you take up the role from this moment forward.

**Fritz:** I think I just got promotion to senate president. I don't know how..

**Wheeler:** No, that's a demotion, absolutely a demotion. Council President has the gavel.

**Fritz:** Ok, Karla if you could call them in order.

**Moore-Love:** Yes Madam president, the first person is Grady Preston II.

**Grady Preston II:** Hi. Thank you for allowing me to testify. I'm grade Preston. I'm in favor of this system. The current system of civilian oversight is not working. It does not resolve and hold officers accountable for profiling, maiming or killing our friends, family or neighbors. Any new system much lead to different outcomes. This measure is not the only measure we need to hold Police accountable and transform how we conceived of community safety in Portland, It could be a key part of that long-term transformative work. As long as police exist, until we defund and dismantle the Police Bureau, it is important we have a system to hold them accountable and the community is in charge. It allows the board to fully independently review case information and propose discipline rather than rely on police bureau internal affairs division. The board is not beholden to PPB like the independent police review IPR and the citizen review community, crc are today. The board would be fully independent without interference with the city council. It would investigate, discipline and recommend charges and police policy and practice rather than dividing these into separate processes. We cannot divorce the way police operate and practice from the policies and procedures they follow. During the transition from IPR and CRC to this new body we must preserve the work of the current ipr and crc. It would be wrong to dismantle those systems before a new one is in place because it would leave Portland police bureau internal affairs as the arbiters of all discipline and misconduct. If and when this advance, we must center the police most impacted by police violence – oh I have submitted the rest, so thank you for your time and please go forward with this, thank you.

**Moore-Love:** That is two minutes.

**Preston II:** I have submitted the rest. Thank you for your time. Please go forward with this. Thank you.

**Fritz:** Thank you very much. Karla, you can keep calling people. I know everybody has the list of what order they are in. That is fine.

**Moore-Love:** Certainly. Next is elliot young.

**Elliott Young:** Can you hear me now? Hello.

**Fritz:** Yes, thank you. We can hear you.

**Young:** Okay. So thank you for hearing my testimony. As a board member on the Portland committee on community engaged policing, although i'm speaking here for myself, I have heard from many community members about the limitations of the current system of police oversight that has many branches, but too little effect. We have had the leaders of the independent police review, the citizen review committee and training advisory committee explain what they do as well as the city auditor. The current bodies are not independent because so many police officers sit on the police review board. They are not transparent because the results of their deliberations are not available to the public and not effective because so few officers seem to get disciplined and those who are have had their

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disciplinary decisions overturned. The new body would be independent, transparent and compel officer testimony. My fear was the new body would be as weak as the current system. The jury is still out on that point. The devil really is in the details of who gets chosen to sit on this board and how they are chosen. While police oversight is important, the most important long-term transformation will come from shrinking the role of the police in our city and creating alternative means of creating community safety. However, I'm convinced this measure will be effected and the greatest endorsement one can get and that is the steadfast opposition by the Portland police union. I encourage council to refer to the ballot in November and allow Portlanders to decide whether we need a better police oversight system. I think we all know what the answer will be. Thank you.

**Moore-Love:** Next is Clayton Szczech

**Clayton Szczech::** Hello. Good afternoon. Thank you council and mayor for the opportunity to speak today. I'm a North Portland small business owner. I want to thank in particular commissioner hardesty for standing up for our community and police accountability since at least 1995 when I have arrived in Portland. Commissioner hardesty has a depth of understanding and police communications unequal to anyone. I strongly support the commissioner's proposal today. It addresses failures of past efforts of civilian oversight of Portland and other u.s. Cities. T it gives the board the authority to compel officer testimony and evidence as well as impose discipline including termination. These powers among others are key for any review board to be ah deterrent to police brutality and overreach. Portland can be a national model for civilian police oversight. I believe such a system proposed in the commissioner's proposal has the potential to be part of helping remake policing in this city and extending true democratic community control over a largely unaccountable police bureau. This step is a long time in coming as many speakers have mentioned and I hope council steps up to this historic moment and unanimously approve the commissioner oes proposal. Thank you for your time.

**Fritz:** Thank you.

**Moore-Love:** Next is henry Craemer.

**Henry Kraemer:** Hey, there, can you hear me?

**Moore-Love:** Yes. We can hear you.

**Kraemer:** My name is henry cramer. I live in the king neighborhood and here before you to encourage you to strongly support the police oversight charter change. I'm not a radical person by nature and I have taken a long journey on the topic of police, but looking at the behavior of the Portland police bureau in 15 years in Portland, any reasonable person can see they are out of control, little or no respect for civilian oversight. We don't call the police in our neighborhood because we don't trust they will keep us or our neighbors safe when they arrive. There are too many cautionary trails. That leaves us with nobody to call in a public safety emergency. That is an ungent crisis for our community and it is happening because Portland police are out of control. The one way we can bring them under control, the only way, is for the police department to respect the power of the community. We need real civilian oversight and accountability immediately. The time is long overdue. We should have had this many, many years ago. The current accountability system does not hold police accountable. We let police set their own discipline rules which directly contributed to the culture of impunity in that department. We need a new system that vests police accountability with the community not with other police. Commissioner hardesty's exerted a huge amount of effort to take public input in a short amount of time. The plan has built in opportunities for community input as there should be. We need this proposal to move forward for many reasons. It puts final discipline decisions into the hands of the community at long last. The board will actually have robust investigatory powers and directly impact police policies and direct is. These are things we desperately need. These are not new ideas, decades old consensus, best practices from police accountability advocates from

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around the country. Our community has been begging for these ideas as long as I have lived here and certainly. We need this now. We needed this years ago.

**Moore-Love:** That is two minutes.

**Kraemer:** Thank you. Please adopt the proposal.

**Fritz:** Thank you for your testimony.

**Amarillys Buenano:** Hi. Can everyone hear me?

**Moore-Love:** Yes, we can.

**Buenano:** Okay. My name is Amarillys Buenano and I am a personal of color living in Portland and I wanted to provide my testimony today to speak in support for the new independent community police oversight board marsh to be added to the november ballot. I have been racially profiled on multiple occasions. I do not feel safe in interactions with ppb, transit police, et cetera. I am hoping that our commission today can listen to our community members who have been calling in on council meetings, who have been out for 60 consecutive nights asking for change. We have the opportunity to make historic change by adding this to the november ballot. I would be proud to vote for it. I appreciate the work that commissioner hardesty and others have put into this measure to make sure it is perfect and should pass in november. The bipoc community has been asking to not be killed based on the color of their skin for too long. We need to disband internal affair investigations which go nowhere and cost taxpayers precious dollars and these officers who are sued and found to be guilty by a jury of their peers of excessive force. This board means people in the community will actively investigate officers and find there is wrongdoing and those officers should be punished accordingly. I ask you all today pleas unanimously pass this measure to be added to the november ballot. I yield my time. Thank you.

**Fritz:** Thank you for participating.

**Moore-Love:** Next is chris ladue.

**Chris LeDoux:** Okay. Hello, thank you commissioner hardesty, commissioner Fritz, commissioner eudaly and mayor wheeler if for your time. I am -- I will -- sorry. I am asking for your strong support in favor of sending this measure to the ballot. Mental health issues come in many forms and encounters with folks with mental health issues lead to more violence and officers need to be held accountable. We don't have a system that does this currently. If you can tell from a little of my stuttering, I have some of those mental health issues. I could not use the time in my talk for that. I do want to say I had the opportunity to have a brief conversation with the father of james chassis in january 2017 after I was at an event for police reform. Commissioner hardesty gave me hope that day and continued to do so since then. Due to a mild traumatic brain injury I don't find the words I need at the time I want them. Today I wanted to testify. I have been out 23 days periodically since june 7, six consecutive days last week and following on associated -- social media. I strongly support the demands black leaders are making. I'm doing everything I can to support that. I have been following the pcep town halls since the protests began. We have never truly had an independent police accountability. I know I have experienced with my injury the helplessness that can -- what hopelessness can cause people to do and how we need to help people avoid feeling that. Without accountability and without discipline in the hands of community in the face of police brutality hopelessness and desperation is all that is left for the people. I ask for your unanimous vote to send this to the ballot in november thank you for your time.

**Fritz:** Thank you so much for your thoughtful words, chris. That was very helpful and i'm sure you support the amendment to have people with lived experience on the commission. Next one, please, Karla.

**Moore-Love:** Addison Lane.

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**Addison Lane:** Yes. My concerns were mostly already covered so I want to only briefly speak even within this brief moment. I just wanted to make sure that maybe the point was had in the institutions that do carry out law it is somewhat absurd that lawyers are held to an incredibly higher standard and it is worth considering that even lawyers have an independent review board that has citizens that determined whether or not they are disbarred. And further, I find it concerning the measures that the police have used recently to create the most byzantine process imaginable to confront over basis instances of illegal violence and recording. Thank you for your time. I cede my time.

**Fritz:** Thank you.

**Moore-Love:** Next is erika donahoe.

**Erika Donohoe:** Hi. I realize that I don't have testimony so much as I have questions. Should I wait until the question time?

**Fritz:** No. This is the time to ask your questions and we can get staff to address them later.

**Donohoe:** All right. Thank you very much. So, I have questions about how what funding looks like. I have not looked at the text of the proposal. So, is funding a percentage, it sounded like it is a percentage in relation to police funding? Are there plans for inflation? What does the collective bargaining agreement look like with the police association? I'm concerned that we will run into difficulty here. And will this committee have power to address issues aside from police misconduct? I also actually just moved to Portland and I have already heard from neighbors that they have experienced hate crimes that they have not reported to the police because they have never had good interactions with the police. Will there, yeah, is there any other power in this or will we need to do more? Thank you.

**Fritz:** Thank you. I can address the first one and perhaps commissioner hardesty can address the second two in terms of allowing for inflation. The amounts of funding is a percentage of the police bureau budget. There is a built in inflation the bureau gets every year and this money would automatically be increased as well. Commissioner hardesty, would you like to address the other questions.

**Hardesty:** Yes. I will, madam president. That does have a nice ring to it. The committee will be able to investigate community concerns. If the community has a concern about something there is not a complaint, it will be built in that they have the resources in their professional staff to do be able to do that investigation. What was the third question? Madam president, do you remember the third question?

**Fritz:** That was the middle question. Erika, are you still on? Did you want to remind us what your other question was, sorry.

**Donohoe:** I'm still on. I'm curious what the collective bargaining agreement with the Portland police bureau is going to look like.

**Hardesty:** Oh, that question. Yes. Let me just say that the police contract talks begin again in january at the exact same time we have the legislative session starting their regular session at the exact same time the charter review commission starts and at the same time the commission will be starting. And so every avenue that we need access to will be having a process at that time. And so in january all of those pieces will be in place, assuming voters support this measure. And of course, we will always be responsive to the terms we've agreed to in a collective bargaining agreement. The one we have now expires next year and so we have the opportunity to build a better one.

**Fritz:** Thank you very much, commissioner. We have to move on to the next. We hope that answers your questions. Next please, Karla.

**Moore-Love:** Lawson Wakeman

**Lawson Wakeman:** Can you hear me?

**Moore-Love:** Yes. We can hear you.

**Wakeman:** So I wanted to first of all thank you commissioners for hearing my testimony. I just wanted to, again at this point a lot of my concerns have been aired as well, but I also

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wanted to point out a concern with police oversight is some of these issues are go beyond just a video of a cop kneeling on someone's knee. I have been attending the protests. And I am fortunate to come from a position of enough privilege when I was arrested while peacefully demonstrated and following a law officer's orders, I was able to bail myself out. I work at a work place that did not hold that against me and was supportive of my endeavor and people of color and other marginalized people are not always so fortunate. While I was able to bail myself out the next morning, I could have ended up in the prison over the weekend, that could have meant missed shifts at work and a lost job. That could put you out on the streets and leave you destitute. If it is this difficulty to get accountability for officers who are bracking the law and muring with impunity. Impacts while not as instantaneous or direct could over the course of someone's life be ever bit significant. I cede the rest of my time.

**Moore-Love:** Next is dan handleman.

**Dan Handelman:** Hi, president Fritz, may I have a third minute to present as we are deeply invested in this issue.

**Fritz:** I believe commissioner hardesty may ask you questions. Please get going.

**Handelman:** Does that mean yes, I can have three minutes?

**Fritz:** It means do your two and then we'll ask for more if we need it, but please get going.

**Handelman:** Alright, When Portland cop watch was founded one of the goals, we set was an effective system for oversight of police. No question a fully implemented this system would be very strong unlike IPR will have the power to compel officers to answer questions and decide whether misconduct occurs and discipline officers. Likely this will not be able to go into effect without changes in the collective bargaining contract and state and federal law. These hurdles are acknowledged and the severability language. We hope the police association will not oppose this especially president turner said he is willing to have conversations of transforming the bureau in light of the ongoing protests for justice. Remind council PPA contract needs to be changed to allow independent investigations of deadly force. Let someone other than the police require an officer to answer questions, allow those sessions to take place outside of the police bureau and make it easier for disciplinary decisions to stick. The amendment recognizes the importance of a civilian board holding public hearings. We hope this leads to moving the closed door police review board out in the open while retaining -- other strong elements is ensuring affected communities are involved, restricting police from sitting on the board and guaranteeing funding. If the board makes a policy recommendation that is not adopted council can vote to implement such a policy. The charter amendment is bear bones. We suggest that when the implementing ordinance is designed council should consider what to do if the board's powers including discipline gets severed for legal reasons. The implementing ordinance should give council final say. It will take some time to establish a board, select members, have them hire a director, hire staff. It will likely be at least a year before the new board starts work. The current system is impacted by inadequate ability to collect evidence, interview witnesses, and include sufficient transparency. This acknowledges the staff at ipr and staff at crc are not responsible for the complaints. We would like to see a commitment to keep ipr and crc in place.

**Moore-Love:** That is two minutes.

**Fritz:** Would you like to keep going. Yes keep going.

**Hardesty:** Madam, president.

**Fritz:** Go ahead, commissioner hardesty.

**Hardesty:** I was going to ask, dan, why should we keep this system in place?

**Handelman:** Well, let me get to the next sentence of my testimony? Most people affected by police misconduct would agree we don't want to have complaints investigated by internal affairs. This is why you put this proposal on the council agenda.



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**Hardesty:** I thank you very much. Did you want to add anything else?

**Handelman:** If it is all right, I agree with what the people say that this board by itself will not necessarily end police brutality, racism, corruption, but it will be a piece of that transformation. We want to be part of the transition and design this new board assuming it is adopted. We know it calls to defund and dismantle the police, as long as there are police, we have to minimize harm they do to the community and hold them accountable. Thank you for your time and asking for our input on this.

**Hardesty:** Madam president, I want to say thank you dan Handelman for your decades of work in reporting with clarity around police accountability. I greatly appreciate your effort in this and your long history of working on this.

**Fritz:** I was about to say the same thing.

**Moore-Love:** Angela foster.

**Angela Foster:** Hi. I'm angela foster. I am from the warm springs Klamath Falls tribes. I support the ballot measure as it's a great start, since the accountability and transparency we have asked for years have never been met. It is a small step, but I believe true accountability needs to start at the legislature. Specifically regarding officer use of force, arbitration, the release of public records. Officers are hardly held accountable for their actions because of ironclad union contract and friendly arbitrators routinely overruling firings and discipline. When the City does discipline an officer, the union contracts state they must discipline them in a manner less likely to embarrass the officer. Almost all findings by ipr are cloaked in secrecy. I'm glad you are including the subpoena in your new amendment. State law allows agencies to withhold this information. If investigators want cases to hold up in court or arbitration, they have to show they are using the standard or rule of law which are the ppb's directives. It is hard to figure out if an officer willingly lied because you can't tell what is going through a cop's mind if they don't tell you. This leaves the ipr no choice but to exonerate the officer which behavior was reprehensible. Investigators are not allowed to see the report. I do hope that we change -- pass the bills to make the investigations public. We need the city need to give the citizens greater protection in the sense that its officers will wait and hesitate to use force. And we need a statewide database for complaints and misconduct. But most of importantly **we** need to pass legislation that qualified immunity is not a defense in civil action. I fully support this ballot measure as it addresses these measures with the police accountability. Thank you.

**Fritz:** Thank you. Appreciate your testimony.

**Moore-Love:** Next is maria cahill.

**Maria Cahill:** Hello, my name is maria cahill. I testify on pacific northwest family circle a group of families whose loved one is killed by police. We are cautiously enthusiastic about creating the board that is truly independent of the police with the power to investigate and punish officers from misconduct and murder. Under the current police oversight system the independent police review board can't review deadly force incidents. Officers must investigate other officers who they know personally or who they closely identify with. This is a conflict of interest. Implicit bias is one of the many factors that ensure officers will never be found guilty of murder as long as police investigate themselves. Currently meetings where these decisions are made are not public. We want a transparent system with meetings open to the public. Currently only police can punish police. This would be another conflict of interest if they find their fellow officers guilty of misconduct. I offer to examples from the City's consultants, OIR Group. On february 9, 2017, officers cornered a 17-year-old, Quanice Hayes, were found to violate police bureau policies which led to his murder. Their supervisor, Officer Andrew Hearst, was acting in the capacity of an unsupervised police officer. This led to four officers yelling conflicting commands to Quanice. Three months later almost to the day, Officer Ajir responded to a disturbance at a trimet max station and ran after a 24-year-old Terrell Johnson with no way to look through

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the sight of his gun as he fell Officer Ajir pulled the trigger. The OIR Group found he violated the police bureau foot chase policy. Officers were never punished for murdering these loved ones. When the OIR group published their findings two years later, officers were not punished either. In all of the cases of police murder in Portland not one officer has been punished or stayed punished. We know that police will keep killing loved ones if there are no serious consequences for them when they do. We demand that this new police oversight system be created with the lived experience and expertise of family members in the Pacific Northwest Family Circle and others most impacted by the current policing system. Thank you.

**Fritz:** Thank you so much for your testimony.

**Moore-Love:** Next is Jon Chenier

**Jon Chenier:** Can you hear me?

**Fritz:** I can.

**Chenier:** I'm testifying today because I felt the police haven't been honest with themselves or the public about all the police brutality cases. I think we should have this law in place to help everyone. I feel like my generation, i'm 13, needs to be involved with this committee. We have been shut down for saying our opinions and beliefs and I think this law will allow us to speak out and help. This law matters because I have watched friends and members of my community being pushed by the police. I have the experience of being bullied by peers and it affected. Me. I can relate to mothers, fathers, sons and daughters bullied by the police. This unfair behavior has been happening for centuries and it needs to stop now. I recently posted something on social media about black lives matter and someone countered with blue lives matter. I tried to educate the person on how the system is corrupt and needs to change. I feel like this law would help people become more educated. Let us as a community have a say. Thank you.

**Fritz:** Wow. That was great testimony. Thank you so much, you are obviously very courageous and a budding leader. I appreciate your testimony.

**Moore-Love:** Next is debbie Aiona.

**Hardesty:** Madam president --

**Fritz:** Okay. I'm here. Go ahead, commissioner hardesty, sorry.

**Hardesty:** Thank you. No worry. I wanted to tell the story of Jon who reached out and said what can a 13-year-old do to support black lives matter. I want to thank her for her eloquent testimony and for her commitment to ensure that other 13-year-olds at her school have an opportunity to learn learn about this ballot measure and how they can be involved in helping to educate their parents on the november ballot. Thank you for being here, Jon, really appreciate it.

**Fritz:** Thank you, commissioner. Sorry I missed your hand. Debbie iona.

**Debbie Aiona:** I debbie iona representing the league of women voters in Portland. We have been involved in police oversight since the early 1980s. Currently our members attend crc meetings and monitor the ipr. The league supports commissioner hardesty's proposal. We recognize it will take more than a charter change, it has the potential to bring us much closer to the type of system envisioned by mayor katz's work group in 2000. It called for an independent civilian agency guided by a community board with the power to investigate complaints of police misconduct, compel officer testimony and make policy recommendations. The league wants to retain the stronger elements of our existing system. For example, when crc hears appeals from complainants who disagree with findings in misconduct cases, those hearings are open to the public and accept public comment. Even when the crc does not decide in the appellant's favor, appellants often express their appreciation to have their fellow community members consider their case. The league strongly recommends the commission responsible for working out the details build upon the positive aspects of our kuntz system. Ipr's effectiveness has been ham

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strung by city code, the union contract and state law. The commission also should be asked to consider whether the transition to our next oversight system would be smoother if current staff and the crc volunteers were able to transition into the new system. The city of oakland adopted an entirely new oversight system plagued by the growing pains of sometimes associated with a new way of doing things. Portland may be able to avoid some of those pitfalls by tapping into the successful elements of our current system. The league wants to thank commissioner hardesty and the extraordinary efforts she and her staff took to reach out to us in the community to ask for our input on the proposal. Thank you very much.

**Fritz:** Debbie, thank you for your long standing. Next please, Karla.

**Moore-Love:** John pacheco.

**Jon Pacheco:** Ladies and gentlemen, I was shot in the thigh by less deadly munitions. It left a dent at the place of impact and swelled to the sign of an orange. It is a weapon. It's engineered purpose is to help officers avoid prosecution when death occurs. I know it, Donavan La Bella knows it, and protestors on the street know it. I want to correct those politicians who use terms like non-lethal or less lethal. They are false adjectives. It is a gun. I want to correct those fascists who occupy the White House and the Justice Department under statements of Para-fascism and ANTIFA terrorists, they are oxymorons, not a threat to security. I specifically remember the real terrorists who marched on charlottesville. And here in 2017 when a white supremacist movement murdered our citizens on the max line. Those are the ones that carry deadly weapons and commit murder. Why weren't the cops shooting at them and pinning them down like steers? If they were al qaeda after 9/11, would the police have protected them? I think we all know the answer to that. We the anti-fascists see right through this. We see who the real terrorists are. It is that thing we call trump and that thing we call william barr and the fascist circus of sad pathetic men in green fatigues and their sychophants. They are the terrorists, not us. Timothy snider professor of History at yale university offered politics on eternity. Eternity politicians manufacturer crises and manipulate the result and emotion to distract from their inability or unwillingness to reform. He says, under politics of eternity, time is no longer a line into the future, but a circle that endlessly returns to the same threats from the past. Eternity Politicians spread the conviction government cannot aid society as a hole, but can only guard against threats. Progress gives way to doom. Under the International...

**Moore-Love:** That's two minutes.

**Pancheco:** All right.

**Fritz:** Thank you very much, john.

**Moore-Love:** Next is edith gillis.

**Fritz:** Are you with us, edith?

**Edith Gillis:** Can you hear me?

**Fritz:** Yes. Well done. Please start.

**Gillis:** I am edith gillis, a disabled survivor of many incidents the of Portland police violence and misconduct over the last 39 years. 633 is a good start in the right direction to be combined with significant changes with the Portland police association contract and additional needed statutes in policing within city limits and use of ppb resources and information. We need to add the city code better ways to protect witnesses' victims, as evidence as well as existing IP, crc and the new board members health care providers from police retaliation and to protect full information needed by the health care providers and the members of the transitional boards and the new board to document and testify injury patterns and pointing to the police tactics in the transition. I want you to make changes by just adding a few words to clarify consistent with the spirit of this. Expand section 2-1002, the board members include representation from diverse communities. Add the words including but not limited to those who have personally experienced or families

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have experienced police misconduct or use of force or negligence not being investigated by the board as well as representation of people with disabilities, mental health crisis, addictions, homelessness, lgbtq plus, immigration, trauma and multiple languages and cultures and targeted workers and overpoliced workers and protesters. Expand section 2-1003, to restrict the staff of the ppa and the words add, and/or other law enforcement or their unions and/or private entities supply police and/or subcontractors to law enforcement. Expand 2-1006, the physical office the board shall be located outside of a Portland police bureau and or any other law enforcement facility and the ppa facility or private entity ensuring or supplying law enforcement and/or subcontractors to law enforcement. Expand section 2-1008 the physical office of the board shall be located outside the Portland Police Bureau. And add the words and/or any other law enforcement facility and/or PPA facility and/or private entity ensuring or supplying law enforcement and/or subcontractors to the Police.

**Moore-Love:** That is two minutes.

**Gillis:** ..and keeping until the board fully operates the existing strengths and resources that IPR and CRC and the full engagement involvement of Portland Police Watch, the Women's League of Voters, the Albina Ministerial Alliance, and Coalition for Justice of Police Reform Committee, and Community Engage Policing. Expand section 2-1008, Duties the boards may investigate other complaints, incidents, and misconduct, add the words and/or violation of law and negligence. Add section d --

**Fritz:** Excuse me. Edith, could I suggest that you e-mail those amendments to Commissioner Hardesty's staff.

**Gillis:** Cuz the brain injury caused by the police June 5<sup>th</sup> means I cannot look at a screen to write e-mail or do that.

**Fritz:** Okay..

**Gillis:** I can have it talked and recorded if we can find some way.

**Fritz:** Commissioner hardesty.

**Hardesty:** Council president, let me just say if edith will leave a contact number, I will have someone from my staff follow up and get the rest of her testimony.

**Gillis:** Thank you.

**Fritz:** Thank you very much. Next, please.

**Moore-Love:** Kristin Bowling.

**Kristin Bowling:** Good evening. You heard from me in person Council members 14 months ago when I sat before you, only the third case through the IPR system to come in for Council in 17 years and the only one that had an allegation stick so thank you Council members for your votes on that. I walked away from that almost two year long process very despondent. Even though retaliation was voted approved. We never found out if the officer actually disciplined lack of transparency in the process, so I am very encouraged to see many of the things that have been proposed with this new board. I have a couple of suggestions to earn back trust in the community and the new accountability system because it will take a lot of earning that trust and respect from back from system that has been so unaccountable to the public for so long. The first being that the current system rejects 85% of complaints out of hand. I know folks personally who have submitted dozens of complaints and have never had one investigated so please hire a robust staff that can at least preliminarily investigate every single complaint. I see listed in the line items of things they will investigate other complaints and incidents of misconduct as they see fit. I would expand that to say all potential policy violations should be at least preliminarily investigated. I would expand protected classes that are listed there to include all historically marginalized or impacted people from the police. I'm very happy to see impartiality there and the Internal Affairs will no longer be in charge. A tenant involved in my investigation actually showed up with a Blue Lives Matter patch on his bag. Those days

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are over and should have been a long time ago. Also being able to compel testimony, the three officers that accosted me were never present in any of the meetings involved in that almost two years.

**Moore-Love:** That is two minutes.

**Fritz:** Thank you.

**Moore-Love:** The next person is MaryAnn Moore.

**MaryAnn Moore:** Hello commissioners and mayor wheeler. Thank you for this wonderful resolution to get this measure on the ballot. I'm in strong support. I believe it will address systemic racism in policing and a national model for police oversight. For decades the ppb has had a record of disproportionate violence and discrimination against black people and others in the bipoc community. It is obvious the current systems aren't working to hold police accountable for their injustices. I think this ballot measure is the best way to assure proper reform of the police oversight board. I particularly like the way it will address bias, represent people most affected by police misconduct. I like the transparency so the public can have confidence in its actions. I like the measures that include adequate funding and the way it could be modified, the incentive if funding does need to be decreased, it is only fair the police department also have its budget decreased. That is a very elegant solution for diverting funds to more necessary services. I like that it will be insulated from political pressure and could not be hijacked from police officers and families participating on the Board. And above all others, the power to collect evidence, interview witnesses and enforce discipline when there are complaints, deaths in custody and use of deadly force. I support all of you to pass the resolution and make Portland a national model. Thank you.

**Fritz:** Thank you.

**Moore-Love:** Next is richard Kolbell.

**Richard Kolbell:** Hello.

**Fritz:** Are you there, richard. Good well done.

**Kolbell:** Another success for an aged person in technology. My name is Rich Kolbell, I'm a retired neuropsychologist who spent 40 years working in Portland and the neuroscience community and the community mental health sector where I served consistently marginalized underserved and underrepresented populations who not surprisingly wind up at the short end of the stick in terms of law enforcement and police coverage. I have worked conducting preemployment psychological screenings, pre-employment, post-employment psychological screenings, critical incident debriefings and officer related rehabilitation. I have a fairly broad experience in working within the law enforcement community on both sides. Many of the concerns that I have been beautifully articulated by those who have gone before me today so I won't waste the time to reiterate those concerns that have been so nicely stated. But rather, offer a personal perspective which is that i'm struck that this is a remarkable moment in our history in Portland in that we have the confluence of substantial factors including but not limited to corruption and difficulties that emerge and flow downhill from Washington, d.c., the difficulties and tragedies that have been attendant to the covid crisis and the obviously difficult and tragic events occurring surrounding the current and historic black lives matter movements that affect all people of color and otherwise marginalized groups. These are incredibly powerful forces that are coming together at once that suggest to me this is something that can spur evolution. And if we go back and look in the science, that is exactly what happens.

**Moore-Love:** That is two minutes.

**Kolbell:** Collection of forces that can produce change. I urge support. Thank you.

**Fritz:** Thank you for your testimony, dr. Kolbell.

**Moore-Love:** Next is tabitha millican. Can you do star six on your phone. Is that you, tabitha?

**Tabatha Millican:** Hi. This is tabitha, can you hear me?

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**Fritz:** Yes.

**Millican:** I was muted by you. I'm curious what the auditor thinks is currently working with the system. While we do need more police oversight, we need stronger leadership. The mayor is the police commissioner and he has ordered ppb not to coordinate with the feds but they are. Robert king is a senior safety advisor and was involved with two killings while a police officer. He changed his testimony repeatedly when Frashour was being dismissed and he followed the trainings by shooting aaron campbell in the back when he was unarmed and in the middle of a a mental health crisis. On the ppa he said police were not racially profiling, even as black Portlanders were shown to have more traffic stops and fewer contraband. If the mayor doesn't have control to ppb, it is because they are only beholden to the Portland police association, they ultimately make the decisions. Turner has contempt for Portland calling it a cesspool and met behind the mayor's back to as a citizen to coordinate with them. When will leadership be accountable to Portland? When will they say no to Police Association, they don't have to agree to their terms? Could we have a better public safety advisor who wasn't involved in extrajudicial killings? Who does believe that racial profiling exists and doesn't believe shooting black men in the back is an appropriate use of police force. Thank you.

**Fritz:** Thank you.

**[CAPTIONER CHANGE]**

**Moore-Love:** Alan Kessler

**Alan Kessler:** Hi my name is Alan Kessler, I have been struggling to try to figure out who some of these secret police on our streets are. And there is a lot of press for the secret police that Trump put here, but Wheeler's secret police are going strong. It's crazy to me that I am a citizen of the United States and I have to beg and plead self-fail to figure out who the people with guns and uniforms are who are beating my clients and tear gassing us. It's downright loopy when I have been - - as I have been trying to work through the system who is associated with these temporary badge numbers, the coordination between the City Attorney's Office and three different entities representing different aspects of the police outside law firms and police lobbyists. It astounds me the level of cooperation that must have been happening during the weeks I was waiting to hear a response. The City Attorney's letter is verbatim to the Police Association's. So have a deep problem and I think the last caller is exactly right, we have a revolving door, we have these incestuous relationships. We have corruption I believe within the City Attorney's Office. We have far too much coziness between our leadership and the police. This absolutely needs to be separate; I am so grateful to Commissioner Hardesty for bringing this legislation forward. I hope you are bringing to the voters, I hope we'll pass it. Yeah. [bleep] mr. King and [bleep] mr. Turner, I hope they're out of their positions of power very soon. I yield my time.

**Fritz:** Ok, and just a reminder that we're on channel 30 and have an fcc license so you can please mind what you -- how you express your views. Thank you. Next please.

**Moore-Love:** It's Keely Grand.

**Keely Grand:** hi. Can you hear me?

**Fritz:** yes. Please go ahead.

**Keely Grand:** okay. Thank you for holding this space for public testimony. I appreciate this opportunity. I'm here to say that I support the ballot measure. I work as a wellness specialist and I'm a wife and mother of two boys here in southeast Portland. I am also the daughter of a retired captain of police from rhode island. Like previously mentioned there are good police officers. My dad was the preacher because he went into situations with compassion and an open mind. The community trusted him because he tried his best to help them, to be of service. He didn't want people to get caught up in the injustice system. During his tenure he was able to spread this mind set to fellow officers and new recruits as well as help create various systems for accountability, community engagement and mental

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and physical wellness of officers. All of this ended up positively building up the community. However, I was naive as a white woman and I failed as an ally in thinking that every police officer was like my dad until I and the rest of the world kept seeing people of color suffering more and more from police brutality and misuse of power over and over and over. When we honestly open our eyes and educate ourselves we can see that our current police system needs a different type of accountability, they need transparency, and that money can be allocated differently, systems can be greatly improved, and that most importantly black communities have suffered for far too long. This proposal is a new seed that needs to be planted now. Our community doesn't have the time nor luxury to wait for a completed program before it's brought to a vote. We need change now. Current oversight simply isn't working. I have confidence that this will be a positive change that can have a tremendous impact not just here but across the country. I urge city council to unanimously vote for this ballot measure. Thank you.

**Fritz:** thank you.

**Moore-Love:** next is james offsink.

**James Ofsink:** hello.

**Fritz:** welcome.

**Ofsink:** thank you, mayor and members of the council for the opportunity to testify. I'm james Ofsink, current president of Portland forward, an intergenerational group who works on the big ideas for the future of our region. Our organization sets our sights on the Portland of 2050 when our city is sustainable, thriving just and equitable. Portland forward works on actions we need to be taking today to get to that vision in 2050. Over the last year and a half, we've begun to focus on police reform. There is no way that the Portland of 2050 can be safe for everyone if we do not take steps today to change policing in our city. We will be involved in a campaign to pass this referral, should it pass today. With that background, we are excited to support the charter amendment proposed today and the mechanisms it creates for meaningful civilian oversight of the Portland police. It is encouraging to see the council hearing the cries of groups and individuals who worked on police accountability for decades and to the thousands of Portlanders new to this issue. The commissioner's longtime expertise as a police accountability advocate and the deep knowledge of her staff, city attorney, and local experts have combined to create a visionary framework for making sure the public has real oversight of the Portland police. Our hope is today is the beginning of the end of our city's discouraging history of inability to hold officers accountable in even the most egregious examples. Why did the city pay lewis over \$100,000 to retire after his racist statement? Why do we pay out countless public dollars in settlements each year instead of stopping the underlying misconduct and the culture in the bureau that creates it? We believe that the framework proposed here represents a new nation-leading model for putting community members back in charge of the police apparatus that is wildly out of control. Although organizations opposing accountability will say this is ill considered policy hastily put together they will be wrong. We are a group that has worked on good government systems change, and this proposal passes muster. Putting the framework and the values it represents into the charter while allowing flexibility for more community input and engagement in the specifics of implementation is the way to enact bold policy. This is how the city can establish the trust of the community and make antiracist systems change. The strongest features of the proposed systems are its independence --

**Moore-Love:** that's two minutes.

**Ofsink:** in closing, we support the charter amendment and encourage the council to pass it today. In our initial conversations with community groups we believe there's widespread support for this referral and look forward to working with the community to bring this nation-leading real police oversight to Portland beginning today. Thank you.

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**Fritz:** thank you.

**Moore-Love:** next is sam sterns.

**Sam Sterns:** hi. I want to urge the council today to vote for 633. I urge you -- I remind you that the people are asking for a complete defunding of the police. And passing this measure is a good first step. Critics say that 5% of the police budget or more than -- more than the auditor gets is too much. But the police department chooses to spend their money on militarized weapons instead of administrative staff to provide accurate data analysis to current oversight committees. So any money that we give the new oversight committee is just there to help the auditor, it does not take from them. Thank you. And I yield my time.

**Fritz:** thank you. That was a really good point, and I appreciate you making it so clearly. Next, please.

**Moore-Love:** is reese.

**Reece Szymanowski:** hello, can you hear me?

**Fritz:** yes, thank you.

**Szymanowski:** hi. Thank you for hearing my testimony today. I urge council members to approve this resolution authorizing a truly independent and external oversight system for the Portland police. The current oversight system while labeled independent would be laughable if it weren't such a failure. As it currently stands, it is heavily influenced by those within the system who work to undermine accountability at every turn. People like daryl turner, who has recently said ppb has not erred in any way during their handling of the protests and has a statement on facebook saying some people are only alive because it is illegal to shoot them. People like deputy chief davis, who previously as an internal affairs lieutenant found an officer to have acted reasonably and within policy when beating a man to near death. The victim was awarded over half a million dollars from the city and the undisciplined officer went on to be part of a current sexual assault case with another ppb officer. People like chief lovell, who stated that ppb has not erred in their handling of the protests and who faces unanswered questions around his use of a restraint hold against a child when he was an sro. People like police commissioner wheeler more than happy to seek fame on national news by criticizing the federal officers while turning a blind eye to the same tactics used at the hands of ppb locally. People like the rank and file officers who have consistently flouted use of force rubrics, targeted journalists, and continued to hid behind anonymity with a lack of easily identifiable labeling. These are the people within the system we as citizens must rely on to do the right thing and seek oversight from. It is clear that an oversight function within this system is doomed to fail, as it has, and we need an external oversight system which will put power to the people to hold ppb accountable. I would urge council members to seek any way possible to hold outside agencies accountable to this oversight system. Loopholes must be thought of in advance and closed tightly. Any resources ppb brings in from the outside through multiagency agreements should be required to operate under city policies and held accountable as if the resources were ppb. I urge council to approve this resolution. Thank you.

**Fritz:** thank you for your testimony. After the next person, if you could give us a check on how many more people are remaining. Thank you.

**Moore-Love:** madam, I show about 17 more.

**Fritz:** Oh you are way ahead of me, let's keep going.

**Moore-Love:** next is carl Simington.

**Carl Simington:** the day is a beautiful day. I never thought i'd be in this position. I'm grateful to commissioner hardesty. We flipped the script alumni. Under central city concern i'm released from prison after 17 years. I don't want to be -- I don't want to just make this about the program or anything like that. It's about the police not having any accountability. And when they do have the appearance of accountability it's lifted by arbitration which has already been pointed out, police contracts, just laws have been made to prevent them from



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being accountable. This is where it's a time, it's historical times that people keep saying is a time for Portland to be historic. I've heard it earlier said that we could make an impression on the whole country by doing this. An impression on the whole country during a time when good impressions need to be made. And, you know, I just -- i've been in this city all my life, from this city, I went to jefferson high school. The area which is supposed to be historically blank which i'd like to get that down as a nonprofit organization and start supporting the community in that way, would be one thing they could also do. As far as this, this would make such an impact on the judicial system as a whole in Oregon. Everyone knows the statistics and numbers for the disparity. Everybody knows what's happened since don't choke 'em, smoke 'em. Everybody knows this. We're talking about things all over again. We've been doing this for decades. Now let's do something different. Thank you.

**Fritz:** thank you, I appreciate your testimony.

**Moore-Love:** next is andrew riley.

**Andrew Riley:** hi, can you hear me?

**Fritz:** yes, we can.

**Riley:** andrew riley, they/them, i'm speaking on behalf of myself in support of the families of the pacific northwest family circle. I do this in memory of my neighbor, koben hendriksen, murdered by Portland police last winter. Testimony from myself and Maria Cahill is offered today in support and memory of pacific northwest family circle loved ones and all stolen lives. I ask you to please join maria and I in a practice we first learned from black lives matter Portland leadership at the monthly keynote vigil. After I read the name of each pacific northwest family circle loved one killed by police, please say we remember you and let these names sink into the heart and mind as you work on police accountability in Portland. I begin with those loved ones murdered as a result of police misconduct in Portland, 19-year-old Christopher Kalonji, we remember you. 17-year-old quanice hayes, we remember you. 24-year-old terrell johnson, we remember you. 21-year-old bradley morgan, we remember you. 48-year-old John Elifritz, we remember you. 27-year-old Patrick Kimmons, we remember you. 36-year-old andre Gladen, we remember you. 31-year-old TeTe Gully, we remember you. Now i'm going to offer names of other loved ones whose families struggle for justice in the pacific northwest family circle, including families and loved ones throughout Oregon and Washington. 22-year-old Bodhi Phelps, we remember you. 25-year-old chance thompson, we remember you. 27-year-old chase hammer, we remember you. 27-year-old Daniel Covarrubias, we remember you. 29-year-old Alex Duluth, we remember you. 49-year-old captain brian a. Babb, we remember you. 44-year-old dino case, we remember you. 54-year-old Remi Sabbe, we remember you. 43-year-old jesse powell, we remember you. 35-year-old matthew Burroughs, we remember you. 20-year-old Giovanni Mcdade, we remember you, 29-year-old joel nelson, we remember you. 16-year-old brian guy dixon, we remember you. And finally I ask that you join me in saying we support you, after two brothers who barely survived being shot by police. Andre thompson, we support you, bryson Chaplin, we support you. Thank you. Black lives matter.

**Fritz:** thank you.

**Moore-Love:** next is Emory mort.

**Emory Mort:** hello, council. Can you hear me?

**Fritz:** yes, we can. Thank you.

**Mort:** thank you. Good afternoon, my name is Emory mort here as a person who has done a lot of policy work and organization on a number of police issues, try my best to understand the ins and outs, really want to pay respect to a number of the testimonies that is i've heard today, and for the care that's been put into this policy. I want to say i'm in favor of passing this oversight resolution and referring it on to the ballot for voters to

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debate and decide. Context for today, i've spent seven straight days being gassed with tear gas by forces called in by mayor daryl turner and ppb public relations assistant ted wheeler. I support an oversight body that can change such actions that do harm to my vulnerable neighbors. I'm going to put that aside for a moment, and I want to talk about reform. Reform has become a dirty word for mostly very good reasons so i'm going to switch to using the word change. This vote today is a vote for a change, and it's up to us to argue what kind of change it is. Does it move us closer to have some semblance of democratic control over how we are shot at, tased, surveilled by the police? Can we get career racist cops out of the force since our elected officials refuse to do that or are incompetent or compromised, or would this resolution be a change which provides -- allows police to keep doing what they've been doing but with added layers of cover? I think it's easily arguable that installing a civilian oversight system like this would be an abolitionist change. I will briefly say why. So i'll propose a hypothetical. Let's say a miracle happens and ppb is defunded by 50%, abolitionist reform. In that case, we'll have many dangerous cops left on the force with typical incredible discretion to use state violence as they deem appropriate. So will an oversight panel like this be something that would be good to have to investigate the further violent acts the police do, to force policy changes on the police?

**Moore-Love:** two minutes.

**Mort:** I think the answer's very likely yes, but i'm open to argument. Okay. Thank you for the time.

**Fritz:** thank you.

**Moore-Love:** next is Steve Bozzone.

**Fritz:** well done.

**Steve Bozzone:** sorry, I didn't think it was muted. Black lives matter. Thank you, commissioners, for your work on this. I fully support the measure as a tangible policy step forward in response to ongoing Black Lives Matter demonstrations. Rather than repeat the great reasons to support this measure i'd like to respectfully request mayor wheeler transfer management of the Portland police bureau to commissioner hardesty who has demonstrated she has the skill set required to get control of our unhinged and unaccountable local police department. Read the room, mayor wheeler, it's time for change and a just transition to the next chapter of police accountability in our city. Hand over the police bureau or resign. It's your choice. Thank you.

**Fritz:** I think I actually have some other choices but thank you for your testimony. Next, please?

**Moore-Love:** Sarah Iannarone.

**Sarah Iannarone:** good afternoon. My name is sarah Iannarone, pronouns are she/her, testifying in support of this referral. I prepared three minutes of remarks, i'll post them publicly and submit them in writing since i'll probably be cut off two-thirds of the way through. It's clear that Portlanders do not trust the current police oversight systems and see them as ineffective and unlikely to hold officers accountable for misconduct. Police should not be policing themselves. It's a testament to commissioner hardesty's deep knowledge and years of community organizing in this area that she and her office were able to convene a working advisory group and craft such policy on an abbreviated timeline. I'm grateful for her leadership and service to our community. We need a real independent system of holding officers accountable in part because we have seen a complete void of leadership from our current police commissioner, whether it's blaming everyone but the officer responsible for the killing of koben henriksen within 13 seconds of arriving on scene, of blaming quanice hayes' mother for the death of her son, of voting to give sergeant lewis a \$120,000 exit bonus instead of firing him over his racism. Our current police commissioner sides with the police over the community at almost every opportunity.

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This failure to hold Portland police accountable is why we have demonstrations every night in Portland for over 60 days now. I'm inspired by the youth and activists of our city who demonstrate night after night for black lives. Tens of thousands of Portlanders have joined this movement and face new brutalities at the hands of Portland police. Trump didn't force Portland police to gas our kids. Mayor, you portrayed yourself as a hero nationally, but locally you failed us. Showing up to voluntarily get tear gassed is not a policy solution, it's a stunt to signal action where none is taken. The way to address our city's legitimate concerns with police with brutality is not to serve up more brutality. I call on the police commissioner here to commit to ending the use of tear gas and other indiscriminate forms of violence. Thankfully, the dedication and bravery of these Portlanders getting gassed in the streets even in the face of excessive violence from the people who are supposed to be protecting them has created the political will for council to bring forward this brave proposal that puts the community back in charge of police oversight.

**Moore-Love:** That's two minutes.

**Iannarone:** I'll submit the rest online. Thank you very much.

**Fritz:** thank you.

**Moore-Love:** Next is Gregory Kafoury.

**Hardesty:** I see in the chat that he was having a problem getting online. I'm not sure if he was able to connect.

**Gregory Kafoury:** am I on?

**Moore-Love:** oh, he is.

**Hardesty:** never mind.

**Kafourty:** am I on?

**Fritz:** yes, you are. Please go ahead.

**Kafoury:** okay. Yeah, I wanted to speak personally to members of the council. I think for anybody but particularly people in public service, a key part of analyzing what they do in difficult situations is a question of how they want to be remembered. And I think that this proposal is something that will wear well in time passed to the citizens, I think the citizens embrace it, I think it will be a national model because there isn't any other national model that works. It is a historic time of racial reckoning and of reckoning with the powers of the police and not just about how they treat black people. And I think that the members of the council will look back on this vote and of course remembering them in the future will look back on this vote and say this was a high moment for them. This was a historic moment. And this will be one of the great highlights of your careers if you pass this. Nation desperately needs somebody to show us the way out. And in a police community relations are terrible across the country. Nobody has a good civilian review system. I've been approached by members of the citizen review committees that we've had expressing frustration that the thing is byzantine, it's -- they do lots of work but have no power, enormously frustrating. This needs to end. And Portland can lead the way. When I grew up, Portland was seen as an extraordinary and unique place, and that's been lost over the years. Oregon was seen as an extraordinary and unique place. And that is fading. And this is a chance for us to assume the leadership that has slipped away from us and to do something in service to the entire nation.

**Moore-Love:** that's two minutes.

**Kafoury:** for which those who have a role in it will be well remembered. That's all I have to say. Thank you.

**Fritz:** thank you.

**Moore-Love:** next is patrick alexander.

**Patrick Alexander:** hello? Can you hear me?

**Fritz:** hello, yes, we can, thank you.

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**Alexander:** thank you my name is patrick alexander, and I am alumni member of flip the script through central city concern. I'm here today just to voice my support for this new ballot measure. I've been an Oregon resident, oh, for 20-some-odd years and seen how when they talked about the citizen review board and how they didn't have no power and they still don't have none, and with this independent board we do have to give them the power to subpoena the police. And also the power just to do what they need to do to hold the police accountable, as I said, being a black member here in the Portland community, over 20 years, has seen how the changes that's happened here in Portland and nothing is really happening. And now this is a time for Portland to really stand out and to make a big impact and to be a national leader as my fellow member carl said we have that chance and opportunity to be a leader and to show the world how -- that Portland is -- when we talk about keep Portland aware, we'll do it by holding our police accountable.

**Fritz:** thank you, mr. Alexander and for the work you're doing in the flip the script program. It's really something that we all value. Next, please?

**Moore-Love:** Next is chris smith.

**Chris Smith:** thank you. President Fritz, members of council i'm chris smith, I am testifying today as an individual but for the sake of transparency i'll mention i'm a member of the Portland planning and sustainability commission, i'm also a candidate for office in another local government. This is an amazing time that we're in. The willingness or the insistence by the public that the status quo is unacceptable in any number of areas and their willingness to embrace change is very exciting to me. I am not a subject matter expert in this particular field, but I have to note some historical perspective. You know, I was a candidate for this council 12 years ago in 2008. And this same issue was still a critical issue of the community. So, you know, I don't go back as far as dr. Haynes but I can see the arc of doing nothing has persisted for a long time. So I would encourage you to refer this measure, and I want to thank commissioner hardesty for her persistence and her doggedness in carrying this through in office and out of office, we owe her a great debt. Thank you.

**Fritz:** indeed we do. Thank you.

**Moore-Love:** next is Johanna brenner.

**Johanna Brenner:** hi. My name is Johanna brenner, professor emeritus of sociology at Portland state university and a member of the Portland's metro people's coalition. The proposed charter change responds to community advocates have been making for a long time. As of now, civilian oversight has no authority on policy. Under the new system, the board can propose a policy or directive for the police bureau and if the bureau rejects that recommendation the board can ask city council to consider and vote on the proposed policy. Council's decision will be binding on the police bureau. This is an important step forward. Let me give an example of why. Restrictive use of force policies are effective tools for reducing the number of people killed by police. The city needs to establish and strongly enforce these policies. This Portland has largely failed to do. When restrictive use of force policies are in place an independent review board can more easily establish and sustain a charge of excessive use of force. Research has clearly demonstrated that strong use of force policies do reduce police violence. One study found that police departments with at least four or more restrictive use of force policies had 37% fewer police-involved killings per population, and 38% fewer police-involved killings per arrest. Police departments with stronger use of force policies also have fewer injuries to officers. As a city auditor has argued, the terms of the police association contract must also be changed in order for these new powers to be fully implemented. Passing this charter amendment will strengthen the city's ability to get substantial changes in the contract. In november, the people of Portland can clearly demonstrate that the public interest is not fulfilled by the many

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provisions in the contract that protect police officers from being held accountable. This will give the city leverage.

**Moore-Love:** two minutes.

**Brenner:** in bargaining and increase the likelihood if there is an impasse an arbitrator will rule in the city's favor. Thank you for your time.

**Fritz:** thank you.

**Moore-Love:** next is mo phillips.

**Mo Phillips:** hello. Hi there.

**Fritz:** hello.

**Phillips:** good afternoon. Thank you for this opportunity. I appreciate you. My name is mo phillips, I am a dad and a husband in the sunnyside neighborhood of southeast Portland, where I am also a songwriter and performer for families and teaching artist with young audiences in the right brand initiative, teaching song writing to thousands of students all over our region for years. My investment into our city and region is long and deep, and so i'm here today to voice my support for the ballot measure to create a fully independent police oversight board. I'm confident this will pass, because I think you realize the need for police oversight with actual teeth. I'm here to encourage you all to consider your legacy and rise to this undeniable moment in history and balance the scales to more equitable justice in the coming weeks and months. By this I mean how to truly divest from the Portland police bureau moving forward and to reinvest in our dreadfully underserved communities, starting with our black communities. When the pandemic hit, I was teaching song writing in a school out in the numbers whose homeless student population was nearly 15%. 95% of the students were on free or reduced lunch. Many of the classrooms I was in lacked not only basic necessities but of course those colorful and engaging resources you would expect to find in any school. In the most basic of terms, bare classrooms without adequate resources are not inviting spaces encouraging kids to survive or succeed or excel. This was not the fault of the teachers or even admin but the fault of city, county, and state officials who see vast sums of money to militarize the police. The obviousness of investing money in our communities as crime reduction and prevention as opposed to continually giving more money to an entity that doesn't actually prevent crime but shows up after it happens and rarely solves said crimes is so glaring as to be embarrassing that we haven't shifted these priorities years and years ago. It's okay to be selfish in this moment and consider how you will be remembered for what you did when it counted if that's what it takes to rise to the moment at hand. Voting yes on this ballot measure is the easiest step in what continues to be the most arduous of crimes. Please hold yourselves and your legacy to a higher standard when setting policy and negotiating the police contract come January. Thank you. And remember, Black Lives Matter.

**Fritz:** thank you.

**Moore-Love:** next is Marcelle Donehower.

**Marcelle Donehower:** hi: Yes, first I just want -- can you hear me okay?

**Fritz:** yes, welcome.

**Donehower:** great. I want to thank commissioner hardesty and her team on this issue. I'm Marcelle Donehower, I live in southeast Portland. I'm testifying today in support of the police accountability charter referral that would establish independent oversight. I see that as such a big benefit for our community. I'm an Oregonian from birth, mother of two, elementary school teacher, recently joined the policy outreach work group for the crc but today's opinions are my own. As a brown woman growing up -- there's my little one, growing up in this overwhelming white state, with an abundance of history rooted in racist policy, I have never felt safe calling on the police or interacting with the police. I've been exercising my first amendment right to free speech and assembly and treated as if I were

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an enemy in war. I do not feel the police are here to protect and serve me. The tactics the police use to control -- hold on, honey. Sorry.

**[CAPTIONER CHANGE]**

**Donehower:** Hold on, honey. I'm sorry. Are inhumane and need to change. The indiscriminate use of tear gas without any accountability to ppb. I have been tear gassed several times for not doing anything illegal. An opb article that just came out today was about the effects of the gas. A substance that has been banned by the u.n. And still is used due to a loophole in our laws. While my altered cycle is one thing in my body is al lettered. Crowd controls tactics, I strongly feel the police accountability measure before you is a step in the right direct on this. The city, country, and world are calling loudly for changes to our systems that perpetuate racism. I urge you to lead the way towards more just systems but please do not stop with just this system. Thank you.

**Fritz:** Thank you. And thank you for taking time away from your family and managing them at the same time as testifying. I appreciate that.

**Moore-Love:** Next is tommy Kiser.

**Tommy Kiser** Hello, commissioners. Tommy Kiser. I have lived in north Portland for 10 years. I am not a lobbyist or recognizing any organization. I am a white male and aside from the recent black lives matter protests I have never had a single encounter with the Portland police bureau in 10 years. I am far from perfect and candidly there were times when I could have used some correction. Clearly undue police focus has been focused on people who don't look like me. I care about all my fellow Portlanders. My son is biracial and it's unlikely he will have the same privilege. I strongly support the proposed resolution. This is a meaningful step towards accountability for justice of those suffered at the hands of the department. This supports good police. We are discouraging those who may join the force more wrong reasons, they have no free pass for violence. Let me remind you this is a great start but only a start. This will help us react properly to incidents of unjust use of force and injury inflicted at the hands of police but we need to continue seeking ways to proactively prevent these incidents. We need to reinvent our city's approach to safety and have properly trained specialist. We can be a model for the change that every city in the u.s. Desperately needs right now. Our city deserves to vote on this measure. I encourage the council move this forward to the ballot. Thanks for listening and special thanks to commissioner hardesty for all you have done for the city and this country throughout your life and career. Your voice for change and truth speaks loudly and resonates. In closing, I will mention that I support naming commissioner hardesty as police commissioner. And looking beyond policing to provide properly trained specialists for many issues we task our police with today. Thank you.

**Fritz:** Thank you.

**Moore-Love:** Next is steven brown.

**Fritz:** Can you manage the unmute, steven? Star 6 for the mute. There you go.

**Steven Brown:** I apologize. Good afternoon, mayor wheeler. I am steve brown testifying as a Portland resident. I am a 64-year-old dad. I am here to support commissioner hardesty's ballot measure. I was motivated to testify today because I feel it's extremely urgent to find a firsthand account of the violent actions that I and others have experienced at a low test on sunday, july 26th. I want to speak to the officials at city hall and mayor wheeler. Shortly after 1:00 a.m. On sunday morning after it became apparent the protest were becoming in control I and my daughter decided to exit. We are exiting southwest main people kept calling out, walk, don't run. We crossed fifth amy on main when suddenly I heard people behind me shout "run." I was forcefully hit in the back and knocked to down. I tried to get back up just as I was rising I was grabbed by my left arm and thrown back to the ground. When I looked up from the ground I realized I was surrounded by riot police engaged on a full-on fact. It's a tactic called a bull rush. I only learned later it was the

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Portland police and not the federal agents. When I attempted to get up a third time, I was struck by a baton in the face. The blow caused bruises and cuts to the bridge of my nose. Words cannot describe the chaos in every direction. I looked at men in black reacting with anger. I'm sharing this because this is unacceptable. Portland police are this violent. I do not believe you for a second, mayor wheeler, directed the police to attack these people. I am only come to the conclusion that you the mayor does not have command and control of the Portland police and that they are accountable to no one. In conclusion, I would like to close by stating that it's unacceptable that Portland black community living in fear of the Portland police. I urge you to demonstrate true leadership. I want to go on record I support the commissioner's effort with this ballot measure as a first step towards stopping police brutality in Portland. Thank you for your time and consideration.

**Fritz:** Thank you for your testimony. Obviously, what we have right now is the independent police review system. So, I do encourage you to report what happened and I share commissioner hardesty's desire to do this ballot measure which will provide a different form of accountability. Thank you for your testimony.

**Moore-Love:** Next is mark chasse.

**Mark Chasse;** Hello.

**Fritz:** Welcome.

**Chasse:** My name is mark chasse. My brother james chasse junior was beaten to death by the Portland police in september 2006. I am here today to speak in support of this resolution. I am thankful to see this and grateful to commissioner hardesty for proposing it. I have a couple of ideas how this measure might be improved. Some of what happened to Jim is instructive for why this is so important. The officers who beat my brother to death used so much force that the state medical examiner compared his injuries to those one would get from falling from a skyscraper. They tased him several times. Yet on scene the involved officers and other officers who later arrived, spontaneously created a fictitious narrative about drugs and "serious crimes." that had caused him to be face down on the sidewalks misdirecting and attempting to taint witnesses. They didn't tell the paramedics anything about the use of force. The fact my brother lost consciousness from their beating or their many uses of the taser. The only things they told the paramedics were the script of their theater of lies. At the scene where my brother died, 50 members of local law enforcement appeared. The next morning 15 were at his autopsy. Why? The police prioritized all these resources to start framing the investigation of themselves which was so important to them that they didn't inform our family about his death for several hours after the autopsy. Police covering for themselves is clearly a massive system-wide problem. We waited nearly four years for the top secret internal investigation, the lies and misdirections of the officers who killed my brother should have formed a criminal homicide investigation. Instead the only discipline proposed was losing two weeks pay for not "disclosing to medical personnel what had happened." it was just a technicality. And it didn't address at all that the officers communicated only self-serving lies that directly led to my brother's death. The arbitrator ended up overturning this pathetically inadequate discipline. What I have just described is our police oversight system at work. I know many of you would agree that nothing has changed since my brother was killed. What happened to him is more relevant now than ever because the city still hasn't fixed this massively corrupt system.

**Moore-Love:** That's two minutes.

**Chasse:** Ok. Can I just say my proposals?

**Fritz:** Yes, please do, mr. Chasse.

**Chasse:** Thank you first, I am concerned about whether the independence of this group can be maintained. I've been following the police pretty closely for years now. And I think we can be sure that there are some who are already strategizing for how the police might

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control this organization. Could board members be elected? In part this might help ensure citizen representation in the long run. It's hard to tell how in-depth the risk of police co-opting this board has been considered in the proposal. Secondly, the severability clause that's in the agreement, I actually noticed that there were a couple of things in there that made it seem like it could have more to it. So, I have written testimony if somebody could look at it that would be great. And third, I think the proposal could more directly address that the oversight system is failed. I read the whole thing, obviously. And at the beginning of it was I was looking for that and I didn't really see that. I think others would understand it. So anyway, this is a historic opportunity to repair Portland's police oversight system. Let's take it. If it will require a little more work, do it soon or this may never happen. Thank you.

**Fritz:** Thank you, commissioner Hardesty?

**Hardesty:** Thank you, madam president and thank you, mark, for your testimony. I want to say that a process that is open, transparent, will not -- does not stand a chance of being co-opted. My experience shows that it's the things that happen behind closed doors without public input, without the public's ability to weigh the pros and cons that are subject to being taken over by a special interest. We did consider elections, but elections become problematic because those with more resources have the ability to get elected to more things than people with less resources. And so, I would hope that you would work with us as we put the commission together to make sure that we put all the safe guards in place that we can to make sure that this continues to be a community-led process. And let me also say that our community has not forgotten your brother and the horrible death that he had. And it should never ever, ever have happened, nor should it continue to be happening. I appreciate you being here.

**Chasse:** Thank you.

**Fritz:** Thank you for sharing what must still be very painful, and I am sorry for your loss.

**Chasse:** Thank you.

**Moore-Love:** Next is Jaydra Perfetti.

**Jaydra Perfetti:** Ok. I think i'm unmuted. Hello. My name is Jaydra Perfetti. I grew up in Portland and I currently live and own a business in southeast. I encourage the city council to approve this number 633. The way policing is currently structured in our city and state needs to change. We need to take the very important job of holding police accountable for their conduct out of the hands of the police department and put it into the hands of a truly independent body. I work in the anti-fraud profession. And when we talk about why fraud occurs, we do so in the context of something called the fraud triangle. One side of the triangle is opportunity. One side is financial pressure. One side is rationalization. So when there's opportunity to steal cash or misuse assets, and somebody feels financial pressure, if they can rationalize taking the money, that's when fraud is most likely to occur. I see the issue of police misconduct and lack of accountability in a similar way. The current police policies provide the opportunity for police officers to take inappropriate actions. The training we provide to police that teaches them to see all citizens as inherently dangerous and the officer's life is constantly under threat provides the pressure to take actions disproportionate to the actual threat level they experience. Qualified immunity and other legal precedents provide the rationalization for police officers to continue to abuse members of the public. The way the current system is structured creates the environment where police officers are not held accountable for their actions. We need many things to help resolve this issue. One of which is this number 633 to help correct at least the holding of officers account for their misconduct. Just a different way to look at the issue. Thanks for your time.

**Fritz:** Thank you.

**Moore-Love:** Next is Peter Christeleit



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**Peter Christeleit:** Can you hear me?

**Fritz:** Yes, we can.

**Christeleit:** I'm peter. I am a resident in north Portland. A professional in the energy industry, a husband, and a dad and a scholar, white with many additional privileges. I urge you to vote yes to allow Portlanders to establish community police oversight in order to provide true police accountability and most importantly, reduce police violence against an over policing of black and indigenous communities and people of color. Community oversight of ppb is long overdue and someone with a graduate degree in economics, numbers and facts drive important decisions. Let's consider some numbers. Last year a report put out by the ppb itself found 73% of the community members for the study believed ppb considers race and ethnicity when enforcing the law. The report also found that excessive use of force was the top barrier to creating an effective police force according to community members. Additionally 46% of officers believed that change is not possible. There's serious problems when one in two officers don't believe they can't be fixed. If change is not possible within the ppb, excessive force is the key obstacle to an effective police force and the ppb is seen as racist then perhaps true citizen oversight can be a tool to begin to address these team seemingly 234 tractable obstacles. The proposed funding for the use of tax dollars the small annual cost to the ppb budget which will become smaller over time should reduce the cost of lawsuits against the ppb and more importantly it's a small price to play to protect community lives in danger today without true oversight. I will urge you to give oversight of the ppb to commissioner hardesty. I believe she has done the hard work, has a proven track record and will make reforms even when the national spotlight shifts. Please honor all of us out there in the street demanding justice and make the right decision today. I yield my time.

**Fritz:** Thank.

**Moore-Love:** Next is Noah Grunzweig

**Noah Grunzweig:** Thank you for the opportunity to support this proposal. I would like to say that the trump administration has shown us more clearly who wants less police accountability and why. The racist influencers and ideology behind the trump administration are ignoring the local and state authorities and compelling public support for further dismantling of accountability for both federal and local law enforcement. All of you have resoundly rejected this. Each of you can see, ppa and at least in the beginning some of yourselves. The same criminalizing narratives and the same tactics prior to federal appearance. So maybe you can see more clearly the influencers and ideologies that you yourselves do not want that have compelled our existing legislation, arbitration, collective bargaining agreements and police policies. Each of you has expressed an understanding of the solution of reforming and/or reimagining public safety has been and continues to be intensely resisted by much of the aforementioned structures and stakeholders. Measure 633 and its timing of its implementation is an essential step towards dismantling the systems and influences that prevent healthier and more equitable public health and safety. While I ask you all to unanimously approve measure 633, I will add that in reviewing the proposal over the last couple of days there are some items that I would personally like to see clarified or amended in the november ballot. I'll touch on a few. It's in my written testimony. The nature of the board I would love to see public interviews of board candidates with a public comment period before city council decides on the appointments. I think that speaks a little to what was said a couple people ago. The restriction of membership. I would love to see added a restriction of active or former military prison or private security agencies, prison or law enforcement lobbying agencies and their families.

**Moore-Love:** That's two minutes.

**Grunweig:** Ok. Great. The rest is in my public testimony. Thank you all.

**Fritz:** Thank you very much.

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**Moore-Love:** Next is paul fraser.

**Paul Frazier:** Hello. My name is paul Frazier. He/him. I love this and I love the work that commissioner hardesty and eudaly are doing. I in debt for your work. I am new to this fight but want to fight hard. Mr. Mayor, you haven't gotten your bureau under control. The ppb attacked again sunday morning. Hand it over. We need far better police oversight, but it has to work. I want to make sure this will. Assuming we get the changes, we need at the local and state level I want to highlight five specific events that demonstrate the need for accountability. Sadly there are likely thousands more. If possible, to hear from commissioner hardesty and attorney staff on this impact this would have had on these events. I hope all the answers to these questions are yes. If not, lets get there. The repeated tear gassing, bull rushing of protestors expressing their first amendment rights, observing observers since may 2020. The repeated shooting of people without de-escalation. On 2019 when mr. Hendrickson was killed 20 seconds after police arrived. The attack in august while protests are were chanting who do you protect, who do you serve? The ppb left vehicles in the crowd, then deployed flash bang grenades and bullets. The chief then said "he will you meet me at three at 3:00 p.m. We are going to fight. And I come with the intention to fight and you get mad because I kicked your butt and you go back and you wail off and complain. As you said earlier ppb is biased. It's taken too long and the city is asking for over \$500 minimum. These are public interest. Release them now and all other public requests now. We need transparent see. Fourth, the involvement of ppb in west linn's targeted harassment and illegal arrest of a black community member, number five, the killing of kendra james. Reduce and hold the police accountable. Thank you for your actions and time. I urge you to pass this and keep the pressure up. Black lives matter.

**Fritz:** Thank you.

**Moore-Love::** Next is Stephan lewis.

**Stephan Lewis:** This is Stephan lewis. I am a lifelong Portlander. I wear a lot of hats so I am going to go kind of fast if I can, one of my hats is I am with the maplewood neighborhood association as a board member. So I will read part of the statement from us. Maplewood neighborhood association joined many members in our community challenge for change in the way we are policed. We know that black lives matter. We know that systems need change to benefit the marginalized. We know white national I am and systems that support them are a threat to our community. We know that tangible actions need to take be taken to address these i. We know that the step taken today in referring this issue to voters is a step in the right direction. We look forward to police accountability being a part of continued discussions in our community with something tangible to help focus the conversation. We encourage Portland community members to attend their neighborhood associations meetings and participate in discussions around these issues as we move forward together. I would also like to mention that the sweeney transportation committee last week was able to curve out some time to have a conversation about policing in southwest Portland as it relates to transportation. It's actually a very unique model throughout the city in that southwest Portland only has two police officers at any given time outside of a shift change when there may be four. In that over the last few years, we have seen a drastic reduction of targeting bipoc members of our community. And we are based on that conversation we are having a breakout session on people who are interested or able to find more information about that. And sweeney neighborhood and participate and we're hoping to have specific guests and possibly recommend some motions or statements to the transportation committee for referral and discussion. Should be something that's really good. So with that and the fact we've been here for three hours now, I will cede the rest of my time. Black lives matter.

**Fritz:** Thank you.

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**Moore-Love:** The last person I show signed up is arthur Ooghe.

**Arthur Ooghe:** Good evening. Thank you. Can you hear me?

**Fritz:** Welcome. Yes.

**Ooghe:** Yes, hello. I am a white middle aged man with blood lines going back to Pocahontas. I have never been profiled and the exception proves the rule, I think. Yes, please vote to pass this measure. From the very beginning of this country, checks and balances has been effectively the only means to keep tyranny at bay. That's mostly what I have to say. It's just been going on for a very long time. I would like to thank ms. Hardesty. She's done extremely good work. And I remember her from her k-boo interviews. And I think it would be a very good idea for the mayor to surrender his control, what little of it he might have, to her. That's all. Thank you.

**Fritz:** Thank you, arthur and thank you Karla, for helping us get through the list of testimony. I am going to hand the gavel back to mayor wheeler.

**Wheeler:** Thank you, madam president Fritz, we appreciate your taking over the role there for me. I appreciate it. I had to do some multitasking. Before we get to the roll, is there any further discussion on the resolution as amended? Are there further questions of the council? Let me go to the right page. I am not on the right page. I don't see anybody's hands raised. All right. Thank you, everybody, for your testimony. Karla, please call the roll.

**Moore-Love:** Is this on the amendments?

**Wheeler:** You are right. We have the amend on the table. Call the roll on the amendment, commissioner Fritz's amendment.

**Moore-Love:** Sorry. I'm lost here.

**Hardesty:** I believe we voted to put the amendment on the table. Is that correct?

**Moore-Love:** We did. I found it in my notes. Thank you, commissioner.

**Wheeler:** So do we need to vote on the amendment or have we completed that, Karla?

**Moore-Love:** We are done with the hardesty.

**Wheeler:** It's already on the table.

**Moore-Love:** Yes.

**Wheeler:** Good. Thank you. It's been so long.

**Moore-Love:** Me, too.

**Wheeler:** To the main motion as amended, Karla, please call the roll.

[Roll Taken]

**Moore-Love:** Certainly. Hardesty.

**Hardesty:** First let me just thank the large number of people who signed up, showed up, and waited over three hours to testify. I am very, very appreciative for you being here and having your voice heard. I also want to correct something that I may have inadvertently said during public testimony. I want to be clear that this body is about holding police accountable for appropriate behavior as community police officers, and not an investigatory entity that will be investigating criminal activity outside of their charge with the Portland police bureau. And so if I said something that made that unclear, I just want to clarify that. Because we don't want any misunderstandings about what this measure will do and won't do. Let me also say that it's only the beginning. And almost two months, we were able to cut funding from the bureau by removing the gun violence team, school resource officers, transit police, redirecting some money from the Portland police bureau budget that came from the marijuana tax dollars. And redirect some of those funds for police alternative programs like strengthening the Portland street response, from one pilot to six. What's next? As many people said today, this is not the end of police reform or the end of reimagining what community safety looks like. Next we will be completing the review of all the Portland police bureau specialty units as was directed by the mayor's budget note and the budget we just recently passed. In addition, we will be convening a

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group to look at the fall bump, and review Portland police bureau budget and context of the fall bump and whether or not recommendations will be made to continue to reduce funding in the Portland police bureau budget. We have a lot of community members that are committed to review account budget in preparation for the fall bump. And I am very thrilled that they want to volunteer their time to help with that. In addition to that, I understand -- I want to be really clear. Change is hard. And I understand that for some these changes may be daunting. They may seem overwhelming. But I want to assure Portland that this is about community accountability and community safety. As long as we have a police force, and I know there are advocates for abolition, and even if you agree with abolition, abolition won't happen tomorrow. So we should have a system to hold our police accountable to community standards and norms. Again, I want to reiterate to Portland police officers and their families there should be nothing to fear in this reform if they're committed to serving the community. This new measure will make them better and will make new officers who join them better. This is about being accountable to each of us, the officers, and the community. I encourage us to embrace this opportunity to make our community safer, together piece by piece we will have the opportunity to build a new, more just community that will include safety of every member, not at the expense of anyone else. I also want to do a very quick shout-out to emory mort who has been a strong revolutionary, visionary volunteer out in our community and appreciate taking the time to testify here today. I rarely say anything nicely about my hard working staff when we come to the city council for deliberation. But I would be remiss if I didn't applaud derrick bradley for the incredible work that he did to engage each council office, every executive leader within each council's office, and to ensure that everyone was deeply heard and their recommendations for improvements made this ballot measure so much stronger. I want a shout-out to commissioner Fritz who has been my biggest champion and supporter who made sure we did it right and in a way that would be respectful of all perspectives. So I want to honor you, commissioner Fritz, for that. I have a very long list of people that I am supposed to thank. But due to the lateness of the hour, I will just post those thank yous in my social media. But each of the individuals that helped united states to get to this day -- us to get to this day I say thank you. I want to say thank you each and every one of you. [telephone noise] that's not the worst zoom bomb I have experienced. I think that one is probably ok. Again, I want to thank all of my colleagues, thank everyone are everybody for testifying, and last but not least, matt mcnelly in my office for all his incredible community organizing work, callie edwards, my chief of staff because she's absolutely fabulous. And last but not least, the tens of thousands of people that continue to demand that we do something more than talk, that we take decisive visionary, bold action to ensure that this is a city that regardless of where you started life, we will ensure that you are treated with respect and dignity, especially by public servants who are sworn to protect and serve. I am very happy to vote aye.

**Eudaly:** I want to thank everyone who came to testify today. Some of the testimony was very compelling, and moving. I want to acknowledge how frustrating and infuriating it is that city council, past city councils have bargained away so much power over the years that we often cannot achieve things that our entire council would like to make happen. So this ballot referral will change the charter if it passes. We also need changes in state law, changes, we need to bargain in our police contract and we need to change city code in order to ultimately achieve the transformation that we all want. So while we are responsible for moving this forward, there are a lot of pieces of it that are entirely within our control. I want to say that I do share some of the concerns expressed by the auditor, and I am just going to trust that commissioner hardesty and her team and me as a city council will be mindful of some of the potential pit falls of this process. And adjust as we move forward. I do support referring this to the voters. And the steps we need to take to implement it if it

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does pass. At the same time I support making changes to the existing system to improve it for both ipr staff and community members who need to bring complaints against the police. We will have the system for at least 18 months, possibly much longer. And so I would, I am committed to working with my colleagues to make any improvements we can in the meantime. Particularly because as of monday, ipr had received 79 complaints from generated from protest activity. And that is a year's worth of complaints in just a few weeks is my understanding from the auditor's office. Ipr staff have to comply with state law and the union contract. I was struck with the article in "willamette week" and her description of the challenges and frustrations of working within that system. It's clear that change is necessary and I don't believe that current staff at ipr are the problem. I think it's the system that we have forced them to work within. So we should be doing everything we can to enable ipr staff to provide better service to the community by enacting changes to city code and elsewhere while we work on these more comprehensive reforms that commissioner hardesty is leading on. Thank you to commissioner hardesty. Her diligent staff, and the tens of, well, the legions of individuals and organizations that have contributed to making these reforms possible and the tens of thousands of Portlanders who have and continue demand justice and the transformation of our system. I vote aye.

**Moore-Love:** Fritz.

**Fritz:** Well, thank you, commissioner hardesty, for your leadership on this. Thank you for the shout-out and to derrick bradley for listening to me staff and me and incorporating many of our suggestions in the ballot measure. I appreciate that very much. I appreciate your leadership for the past 30 years on this. So for people who say this is coming quickly, I don't think those years are all that quick actually. And I appreciate that the testimony about the process the vera katz did in the year 2000. This is how long this has been going on, how long the city council has been struggling and addressing with each contract, trying to get things changed to make things better. I remember in 2010, in march, I missed my father's funeral because commissioner hardesty, then jo ann hardesty, and the community along with dr. Haynes and dr. Dan handelmann were trying to get some changes in the independent police review system. And we only narrowly got a few of the ones we wanted with the 3-2 vote which I why I couldn't go after my dad fell and died. So this has been a long time in the making. And the three mayors that I have worked with have all worked to address the challenges and police act and community safety. And I frankly don't know if this is going to work. I will say that straight up. As I have mentioned before, we changed the charter in 2012 to acknowledge that there are 52 weeks in a year and therefore 26 page checks rather than 27. And it was overwhelmingly accepted by voters. The police union, police officers union and the firefighters union all appealed it and it was overturned in arbitration. And this shows the violence and racism that is inherent in the system. We have a system that's systemic racism, institutional racism, and a system that sets up with a preeminence of contract law and property law. And the people who have owned this country or took over this country stole it, and controlled the legal agenda for centuries. It sets up to stop reform. And that's something we have to accept and deal with. And we know that the current system is not -- is failing to hold the officers who do not follow the policies and who violate the community members' rights and kill them. It's not holding them accountable. So we've tried. I agree with commissioner eudaly. We believe we have to work on supporting the staff in the independent police review department and the auditor's office and assisting them and maybe looking at are there any changes that are possible and desirable in the next 18 months. This is an all hands, this is a full court press I believe is the right term. Every member of the council and so many members of the community. We all have our parts to play and we are all doing different parts. And under the leadership of commissioner hardesty and mayor wheeler we are working and on multiple fronts. We need to negotiate changes in the contract that are in the interest of the public and therefore

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inherently lead to police officers who must realize that the changes need to happen to rebuild trust with the community and heal the relationships. And this is like many of the discussions that we have had over the past 10 years, on racism and on ways to address racism, these conversations are uncomfortable for many people. And emotions and the injustice of things that have happened and continue to happen is very high on everybody's mind especially right now. And so we have to not be afraid of talking about it. We have to not be afraid of making difficult choices. And we have to all hold ourselves as well as each other accountable for working together to do the things that are in the best interests of the people of Portland. That's who we all work for, the police, the city council, we all work for the people of Portland. And I do thank tim crail as well as the staff in the city attorney's office who have worked with derrick and commissioner hardesty to as far as possible make the proposal as most likely to succeed. And I also just remind everybody now it's going to the ballot. Other than putting this on the ballot we have haven't done anything today. And there's going to be many different things. And p.s., 98 days. It's a very short campaign. Especially during a pandemic to try to get people to understand what are the issues, what can they do about it. And what are the right measures and candidates to support on the november ballot. So we're all got a lot of work to do. And there's a lot of us to do it. So i'm hopeful that we can do that work over the next 98 days and get the right outcomes. I am very pleased to vote aye.

**Moore-Love:** Wheeler.

**Wheeler:** Thank you, commissioner Fritz, because I wanted to bring us back full circle and remind people that we are actually not passing any reforms or any substantive changes whatsoever today. This is the first step. This is referring this to the ballot. And there's clearly more work that needs to be done, and a number of people raised good objections which I will get to in a moment. First of all, this is an emotional time. This is a highly divisive time that I have hearing consistent themes from people throughout the community. Whether they testified today or not. What I am hearing from people is they want a police bureau that provides public safety for everyone in the community and they want better ties to the community from our police bureau. I also hear people say they want the police bureau to be more reflective of the community that they serve. So that includes everything from hiring, training, promotions within the bureau. And then I hear from folks that they expect the police bureau to be accountable to the public that it serves. And this really gets in a significant way to that item. The accountability piece of this. And I don't want to leave this hearing today without saying that there's an important role for the men and women of the Portland police bureau, including nonsworn staff, to play in this. I have a lot of respect for the work they do. They bring a lot of experience and expertise to this question. They know what works and they know what doesn't work. And I will tell you that I have heard from a number of people in the bureau that they feel that their bureau is being held back by some of the structural impediments that we struggle with as a city council to be able to make the kind of changes that we want to make. So there is an opportunity here to include them in this conversation as well. I've been very outspoken about and supportive of the need to significantly strengthen the Portland police bureau's accountability system for our officers, with a specific eye towards improving civilian oversight. And, again, this gets at the heart of that matter. I want to thank commissioner hardesty for spearheading this needed conversation in our community. And amongst those of us who were members of the council this is a very important conversation. This is a very important step that we're taking. I also want to thank our auditor, mary hull caballero. And director ross caldwell and the clarity she brought to this afternoon's hearings. I want to be clear. From my perspective the concerns that she raised are legitimate concerns. And for this proposal to be enacted successfully, her concerns must be addressed throughout this process. So I hope there continues to be a good working relationship and a collaborative process in particular

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commissioner Hardesty, between you and your team and the auditor and her team and IPR. And service to the Portland community the auditor began the work of reforming IPR well prior to the pandemic. And she and her team were slated to present a suite of fixes to the state legislature. Let's be clear. Much of what the community has been demanding of civilian oversight, things like transparency of police misconduct cases, can only be provided through legislative changes at the state level. There's nothing about this proposal that changes that. That means we still have to continue to come together and we still have to work and push hard to have those legislative changes happen. This is a significant obstacle. It's one I believe we can overcome but it needs to be said that is a legitimate obstacle that stands in the way of the success of this proposal. There's also legitimate concern that by pushing the charter amendment, we as a council are potentially -- and I underscore potentially -- the community to make changes much sooner just through a vote of the city council and changing codes. So I hope as this process goes forward, we have the opportunity to bring code back to the city council as the work that identifies specific code changes that we could enact more quickly than waiting for a ballot measure and a charter review and an extensive process. I believe there are probably some things that we could do in the near term that I will look forward to that process unfolding and having the work group come forward with those potential opportunities. Pastor Matt Hennessy shared some written testimony just before this hearing that I would urge my colleagues to read. He raises what I believe are legitimate issues that should be considered as this process moves forward. And I want to thank Pastor Hennessy for bringing that information forward. I hear and I understand the important value in making a clean break from the existing system. And commissioner Hardesty you and I have had the opportunity and our staff to talk about the importance of that. Both symbolically and from a practical perspective. And so there is a desire here to chart an entirely new course. I want to be clear. I understand as my colleagues have stated that there is significant risk in this proposal. Commissioner Fritz stated it the most clearly when she said, I don't know if this will work. There is risk here. Make no mistake about it. But I am willing to take that risk. Because this question of police accountability is central to the conversations that are driving thousands of people on to the streets of this city virtually each and every day. At the end of the day, we're asking the public to decide. And so there's a lot of work that has to be done between now and November at the end of the day, it's the public that gets to decide. Thumbs up or thumbs down. Let's give it our best shot. Let's work together. Let's see if we can get some of the unanswered questions and concerns addressed prior to this going on in the ballot. And commissioner Hardesty, I look forward to your continued leadership in the work that you are going to do on this effort along with all of us as we move this towards the November ballot. I am counting on commissioner Hardesty and her leadership to ensure that the aspirations of this proposal become realized aspirations. We have three elected officials including the auditor who have expressed over time a commitment to strengthening civilian oversight of the Portland police bureau. I hope going forward we will collaborate and leverage the strengths of our respective offices as the details of this new system come into view. With that I vote aye. The resolution as amended is adopted. And commissioner Hardesty, thanks again to you and your team for your leadership on this. And unless there's any further business, we are adjourned. Thank you, everyone.

**At 6:57 p.m., Council adjourned.**