



## August 18, 2021 Council Agenda

5622

**Please note, City Hall is closed to the public due to the COVID-19 Pandemic.**

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by video and teleconference, 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.

Email the Council Clerk at [councilclerk@portlandoregon.gov](mailto:councilclerk@portlandoregon.gov) with any questions.

### Meeting Records

Disposition Agenda

Audio Recordings

### Wednesday, August 18, 2021 9:30 am

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**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler  
Commissioner Carmen Rubio  
Commissioner Mingus Mapps  
Commissioner Dan Ryan

Mayor Wheeler presided.

Officers in attendance: Linly Rees, Chief Deputy City Attorney; Megan Lehman, Acting Council Clerk

The Consent Agenda was adopted on a Y-4 roll call.

Council recessed at 11:31 a.m.

### Communications

621

[Request of Tina Barrows to address Council regarding worsening climate conditions and the need to act with urgency](#) (Communication)

**Document number:** 621-2021

**Disposition:** Placed on File

622

[Request of Sharon Nasset to address Council regarding the condition of Portland and the recall](#) (Communication)

**Document number:** 622-2021

**Disposition:** Placed on File

623

[Request of Andrea Lowgren to address Council regarding moving self defense classes away from the Portland Police Bureau and into Portland Parks & Recreation](#) (Communication)

**Document number:** 623-2021

**Disposition:** Placed on File

624

[Request of Richard Rubin to address Council regarding an issue related to a tiny home community](#) (Communication)

**Document number:** 624-2021

**Disposition:** Placed on File

Time Certain

625

[Consider proposal of 340 NW Glisan for Demolition Review and Adjustment Review approval, and Bureau of Development staff recommendation for denial, for a contributing building, the Old Blanchet House at 340 NW Glisan Street in the New Chinatown/ Japantown National Register Historic District \(LU 21-029602 DM AD\)](#)

(Report)

**Document number:** 625-2021

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Development Services (BDS)

**Time certain:** 9:45 am

**Time requested:** 10 minutes

**Disposition:** Findings Adopted

Motion to approve demolition and adjustment and adopt the findings: Moved by Wheeler and seconded by Ryan.

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

626

[Accept the 2020 Annual Report of the Portland Police Bureau](#) (Report)

**Document number:** 626-2021

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

**Time certain:** 9:55 am

**Time requested:** 15 minutes

**Disposition:** Accepted

Motion to accept the report: Moved by Mapps and seconded by Ryan.

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

## Consent Agenda

627

[\\*Authorize a Letter of Agreement between the City and the Professional and Technical Employees Union Local 17 relating to the terms and conditions of represented employees merit pay structure](#) (Emergency Ordinance)

**Document number:** 190526

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Human Resources; Management and Finance

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

628

[\\*Authorize competitive solicitation and price agreements to procure low voltage electrical installation services for an integrated security infrastructure across city facilities for an estimated amount of \\$3,500,000](#) (Emergency Ordinance)

**Document number:** 190527

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Division of Asset Management (DAM); Management and Finance

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

629

[\\*Authorize competitive solicitations and price agreements to procure on-call construction-related services for amount not to exceed \\$11 million](#) (Emergency Ordinance)

**Document number:** 190528

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Division of Asset Management (DAM); Management and Finance

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

630

[\\*Pay property damage claim of Umulkher Abdullahi in the sum of \\$6,474 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

**Document number:** 190529

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance; Revenue and Financial Services; Risk Management

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

631

[\\*Pay property damage claim of Charlie's Produce in the sum of \\$10,285 involving the Portland Bureau of Transportation and Portland Parks & Recreation](#) (Emergency Ordinance)

**Document number:** 190530

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance; Revenue and Financial Services; Risk Management

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

632

[\\*Pay settlement of Ella Chima bodily injury lawsuit in the sum of \\$16,700 resulting from a motor vehicle collision involving Portland Fire & Rescue](#) (Emergency Ordinance)

**Document number:** 190531

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance; Revenue and Financial Services; Risk Management

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

633

[\\*Pay settlement of Dezmon Green property damage claim in the sum of \\$5,341 resulting from a motor vehicle collision involving Portland Fire & Rescue](#) (Emergency Ordinance)

**Document number:** 190532

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance; Revenue and Financial Services; Risk Management

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

634

[\\*Pay settlement of Paul Schlesinger and Janis Rosenfeld property damage claims for the sum of \\$252,400 involving the Portland Water Bureau](#) (Emergency Ordinance)

**Document number:** 190533

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance; Revenue and Financial Services; Risk Management

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

635

[\\*Accept and appropriate a grant in the amount of \\$20,000 from AARP for the 2021 Community Challenge Grant and authorize the Director of the Bureau of Planning and Sustainability to execute an agreement for amount not to exceed \\$5,000 with a local artist to create a mural](#) (Emergency Ordinance)

**Document number:** 190534

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

636

[Authorize Intergovernmental Agreement with Metro for the Annual Waste Reduction Plan for \\$881,883](#)

(Ordinance)

**Document number:** 190542

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Disposition:** Passed to second reading

Passed to second reading September 1, 2021 at 9:30 a.m.

637

[\\*Approve additional small grants funding recommendations made by Children's Levy Allocation Committee](#)

(Emergency Ordinance)

**Document number:** 190535

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Children's Levy

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

## Regular Agenda

638

[Appoint Derek Trost to the Noise Review Board for term to expire September 1, 2024](#) (Report)

**Document number:** 638-2021

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Office of Community & Civic Life

**Time requested:** 15 minutes

**Disposition:** Confirmed

Motion to accept the report: Moved by Ryan and seconded by Rubio.

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

639

[\\*Authorize bid solicitation and contracting with the lowest responsive and responsible bidder for the procurement of water works supplies at an estimated cost of \\$20 million](#) (Emergency Ordinance)

**Document number:** 190536

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

Second reading agenda item 614.

**Disposition:** Passed As Amended

Motion to remove the low bid requirement and provide the bureau flexibility to include corporate responsibility as an evaluation criteria in the solicitation: Moved by Mapps and seconded by Ryan. (Y-4 )

Motion to add an emergency clause so that no further time is lapsed in the execution of the contract necessary to secure essential materials to maintain the City's water works infrastructure: Moved by Mapps and seconded by Wheeler. (Y-4)

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

640

[\\*Amend Joint Office of Homeless Services Intergovernmental Agreement with Multnomah County to authorize FY2021-22 revised budget allocation to the Joint Office of Homeless Services \(amend Contract No. 30005335\)](#)

(Emergency Ordinance)

**Document number:** 190537

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 10 minutes

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea



641

[\\*Authorize a subrecipient contract for \\$440,000 for the provision of services in support of stabilizing tenants](#)  
(Emergency Ordinance)

**Document number:** 190538

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 25 minutes

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

642

[\\*Authorize conveyance of City-owned real property located at 3000 SE Powell Blvd to Home Forward and financing for amount not to exceed \\$33,063,000 to 3000 Powell Limited Partnership or a Home Forward affiliate for development of a new 206-unit affordable housing project](#) (Emergency Ordinance)

**Document number:** 190539

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 15 minutes (1 of 2)

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

643

[\\*Authorize payment to Home Forward Development Enterprises Corporation for an option agreement securing site control of southern portion of 3032 SE Powell in amount not to exceed \\$727,099 \(Emergency Ordinance\)](#)

**Document number:** 190540

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 15 minutes (2 of 2)

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

## Wednesday, August 18, 2021 2:00 pm

**Session Status:** Adjourned

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Mingus Mapps

Commissioner Dan Ryan

Mayor Wheeler presided.

Officers in attendance: Lauren King, Deputy City Attorney; Megan Lehman, Acting Council Clerk

Council adjourned at 3:05 p.m.

## **Time Certain**

644

**Time certain:** 2:00 pm

**Time requested:** 1 hour

**Disposition:** Passed As Amended

YouTube video shown during Item 644: <https://www.youtube.com/watch?v=pWSDAjKo9Mw>.

Motion to amend paragraph D of Exhibit A to change the sentence of imprisonment the court may impose to 30 days: Moved by Wheeler and seconded by Rubio. (Y-4)

**Votes:** Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

Thursday, August 19, 2021 2:00 pm

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Session Status: No session scheduled

## 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. The official vote counts for council action are provided in the official minutes.

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

August 18, 2021      9:30 a.m.

**Wheeler:** August 18, 2021 morning session of Portland city council. Good morning, Megan, please call the roll.

**Clerk :** [roll called]

**Wheeler:** Under Portland city code and state law, the city council is rolling the meeting electronically. All members are attending by video and teleconference. The city made several avenues available to listen to the odd] of this meeting. Available on the city's YouTube, egov pdx, [www.portlandoregon.gov/video](http://www.portlandoregon.gov/video). You can provide written testimony by emailing the council clerk at [cctestimony@PortlandOregon.gov](mailto:cctestimony@PortlandOregon.gov). The council is taking steps as a result of the covid-19 pandemic and the need to limit in-person contact and to promote physical distancing. The pandemic is an emergency that threatens the health, safety and welfare that requires us to meet by electronic communications. Thank you for your patience, understanding, you are becoming experts at zoom technology as we manage through this challenging situation to conduct the city's business. We'll hear from legal counsel on the rules of decorum.

**Linly Rees:** To participate you may sign up in advance with the council clerk for communications to briefly speak about any subject. You may also sign app for public testimony on resolutions or the first readings of ordinances. The published agenda at [PortlandOregon.gov/auditor](http://PortlandOregon.gov/auditor) has when you can sign up for testimony while council is holding electronic meetings. It should address the matter be considered. When testifying, state your name for the record, your address is not necessary. Please disclose if you are a lobbyist, representing an organization, please identify. The officer determines the length of testimony.

Individuals generally have three minutes to testify unless otherwise stated. When the time is up, the presiding officer will ask you to conclude. Refusing to conclude or interrupting other's testimony or council deliberations is not allowed. If there are disruptions, there will be a warning and may result in you being placed on hold or ejected from the remainder of the meeting. Council meetings are recorded.

**Wheeler:** Thank you, first up Megan is communications. That would be item 621.

**Clerk:** Request of Tina Barrows to address council regarding worsening climate conditions and need to act with urgency.

**Wheeler:** Good morning.

**Tina Barrows:** Okay. Hello, city council. Thank you for having me today. And giving me the opportunity to speak. I am pretty nervous. However, I am way more scared about the current and predictive outlook on our climate, on our food production system and our biodiversity. So here I am. My name is Tina Barrows, I guess I forgot in my panic. And yeah, the latest I.P.C.C. Report just got released last week. It states we're at code red to address the climate crisis. It's official that our climate has begun to collapse which poses real threat to human life. This is not on the to-do list for the future. I'm terrified my friends and family will suffer too. In times of war, governments do not hesitate to implement immediate and drastic measures to respond to the crisis at hand. You must do the same now. Multiple organizations have petitioned you to address this crisis with no sufficient action on your part so far. I understand your job is hard and I am sorry if we're creating extra hardship. Today I'm calling in on behalf of the extension rebellion activists delivering a petition to city hall. We hope it won't be forgotten in somebody's office. I would like to read this petition. I'm not sure, can I have camera access to show what is going on?

**Clerk:** Yep, you have the ability to turn on your camera yourself now.

**Barrows:** Oh, cool. Thank you. Here we go. So dear Portland city council, it has been a year since Portland declared a climate emergency. What part of climate emergency don't you understand? If we don't take radical action immediately, life and human civilization as we know it is facing utter -- we need to rewrite it and we make the system. And you have not yet adequately acted upon various demands from your constituents, we lovingly gift you our vote, as are reminder you must act now. Change Portland's climate target to net-zero

emissions by 2025, immediately create a citizen's assembly to guide you and deny all permits and approvals. Sincerely your friends add extinction rebellion. And that concludes what I have to say. I thank you very much.

**Wheeler:** Thank you, Tina. I did see the folks outside when I road my bike by this morning. Thank you for being here today. And holding us accountable. And please be careful. I also note that people are standing out in the road. So I encourage people to keep their eyes open. Thank you.

**Barrows:** Thank you.

**Wheeler:** Next individual please, Megan.

**Clerk:** Item 622. Request of Sharon Nasset to address council regarding the condition of Portland and recall of mayor Wheeler.

**Sharon Nasset:** Good morning. For the record, my name is Sharon Nasset. Thank you very much for letting me address council this morning. I would like to say that we've already had an election recently. And that is a recall. And so right now, our focus needs to be on pitching in and doing anything that we can that we feel is good. And everything is connected. So anytime you see things that you don't feel are quite right turn around and think of something you can do, even if it's small, to those around you. To get it accomplished. I am saying that we have three of the problems right now from the policies of mayor cats. And we need to readdress them. One is making areas in our town urban renewal or urban removal, not noticing that those spaces were not empty. Second one is packet in and packet out policy when it came to trash in our parks and the removal of trashcans from our parks and the street corners, busy street corners in our neighbors to save money. And the closing of bathrooms as seasonal. I grew up here as a child. And I don't mean to sound like I'm shouting. I grew up here as a child, even as a teenager, 24 hours a day you could go into a bathroom. So mayor cats made them seasonal closing several, as well as not honoring the public ones downtown that had closed, such as pioneer courthouse where old ones underground, four court fountains, Newbury, greyhound bus, metro, the Virginia café, iHop and burger king within a block and several others. She closed several of the bath houses respect some were rather nice, you could pay and sit in a hot tubs and they were nice. The best bathrooms are the ones across the street you currently have from your building at the rose gardens. They are

concrete, open all year around, there aren't doors, you can hear inside and open the stalls. They need to be update -- upgraded with showers. When I was a child you had them in all can I say places. A fundraising would be best to go in 1960s and '70s people weren't using the bathrooms outside. What was the number ratio for people and then do the math. Have a large fundraiser, get coin, get all of the stations, channel 12 have them raise funds. And it was the most break heartening thing you ever did see when you watched them break the concrete that held the trashcans because people kept putting trash in them. On busy streets you will notice a square piece of concrete on flats, those used to have trashcans. So good luck. You all won your elections. Get in there. Do some good. But the bathrooms, the trash, the shower houses and stuff, you know, and oh, urban renewable, wrong, pearl district was not -- the nooks and crannies continuing to do urban renewals in other areas takes the taxes from school, fire and police and raise a pint of beer from 5 to 10 becomes -- bucks, and wrong direction and lowest wage jobs. People come here because they love us. We don't need event areas. So thank you again.

**Wheeler:** Sharon, thank you for being here. I appreciate it. You've given us great ideas. And the park Commissioner is listening intently as well so thank you. Megan, next individual please, I believe 623.

**Clerk:** Request of Andrea Lowgren to address council regarding moving self-defense classes away from the Portland police bureau and into Portland parks and recreation.

**Wheeler:** Good morning.

**Andrea Lowgren:** Good morning. Sorry, get my video going. My name is Andrea Lowgren, representing the women's self-defense program through the Portland police bureau. And I am addressing you to ask for your assistance in moving the program from the police department to parks and recreation. So just a little bit of history. This program was founded in the 1970s as a crime prevention program through some federal grant funding and leadership by some people who had this idea of training women to sort of prevent rape from happening. As you can imagine a lot of development of ideas has happened since 1978. We have a different framework for teaching and the importance for the community. So one of the things that has been a limitation for the program in for quite a number of years is that its association with the police leads people to assume that the people who are instructors in the program

are police officers and that isn't true, they are volunteers. People like me, you've been volunteering for six years and many have been there for a long time. When people show up at the class they are surprised we're not police officer. So one of the things that happens is that anybody who would be afraid of taking a class with a police officer doesn't come to the class. What kinds of groups are we talking about? Sex workers, houseless people, talking about a lot of people of color. People who are disabled, people who are undocumented. People with disabled. And so what we end up with is a program that doesn't adequately address the needs of the most vulnerable people in our community. And I wish that wasn't the case. I wish these people were not afraid of an association of the police but that isn't something we can fix quickly. There is fear partly because of the people, like in the suitcase of sex workers are engaging in something that might be considered a crime. We believe moving the program away from the police department and into parks and recreation will better serve the needs of the community. I presented a petition to mayor Wheeler and Commissioner Rubio with the signatures of current volunteers. And we're asking for your support because we tried to go through this process within the police department and have gotten nowhere and that has been happening good quite a number of years, at least 10. We're looking for a leadership approach. Thank you for letting me address the council today.

**Wheeler:** Andrea, first of all, thank you for bringing that before the council. And I will pledge to work with Commissioner Rubio on this question in our upcoming next budget cycle. And just to put a little context on this. In all fairness of the police bureau was struggling with where to put this program as well. This was very much a conversation within p.p.b. and whether or not they should be the fiscal and organizational sponsors of this or whether it should be done by an outside organization or a different bureau within the city. I want you to know they are not completely oblivious to the concerns you raised. And in fact, I would go so far as to say there was probably some concern on the part of some of the police bureau when we funded it through the police bureau. So I want to thank you for being on instructor. I think it's a really solid program. And that's what we heard from the community is they like the program and want to see the program continue to exist. But I would love to work alongside you and the Commissioner in charge and others to see if there isn't a way to strengthen our



strengthen programs, strengthen our strength programs and do right by the community. So thank you for being here today. And I see Commissioner Rubio has her hand raised as well.

**Rubio:** Thank you, mayor and Andrea for your advocacy, you brought this to your attention in our office. We have scheduled to time to talk. So you know, we connected to parks and we're open to looking at this issue with you. So we look forward to the conversation.

**Lowgren:** I appreciate both of you and your response. This is something that I think will not be a difficult change. And I think might suit everybody, including the police bureau, which I know they are not super enthusiastic about it being a good fit.

**Wheeler:** Thanks. Have a good day. Next individual, 624.

**Clerk:** Request of Richard Rubin to address council regarding an issue related to a tiny home community. He has canceled the request for communication.

**Wheeler:** Very good. Let's jump right into time certain item, actually, let's do the consent agenda. Any items pulled off the consent agenda?

**Clerk:** We've received no requests.

**Wheeler:** Please call the roll.

**Clerk:** [roll called]

**Wheeler:** Aye. The consent agenda is adopted. Let's go to the first time certain item, 625.  
Time certain 9: 45.

**Clerk:** Consider proposal of 340 NW Glisan for Demolition Review and Adjustment Review approval and bureau development, and Bureau of Development staff recommendation for denial, for a contributing building, the Old Blanchet House at 340 NW Glisan Street in the New Chinatown/Japantown National Register Historic District (LU 21-029602)

**Wheeler:** Sorry Megan. I thought that was the end of the sentence you were taking a breath because it's a long sentence. Thank you for that. So Commissioner Ryan, this is a final vote, I believe. I'll turn this over to you.

**Ryan:** I think we turn it over to Linly. Correct?

**Wheeler:** Correct. Linly, good morning.

**Rees:** Good morning. At this point, the findings have been submitted to council. And all that is left is for council to make a motion. I believe the appropriate motion would be something

to the effect, I move that council approve demolition and adjustment and approve the findings.

**Wheeler:** Colleagues, I move that council approve the demolition and adjustment and adopt the findings. Can I get a second, please?

**Ryan:** Second.

**Wheeler:** Commissioner Ryan seconds. Any further discussion? Keelan, please – I'm sorry, Megan, please call the role.

**Clerk:** Mapps.

**Mapps:** Aye.

**Clerk:** Rubio.

**Rubio:** Aye.

**Clerk:** Ryan.

**Ryan:** Aye.

**Clerk:** Wheeler.

**Wheeler:** Aye.

**Wheeler:** Aye. The demolition is approved. The findings are adopted. We can't quite go to the second time certain item, it's early. 638 on the regular agenda.

**Clerk:** Appoint Derek Trost to the noise review board for term to expire September 21st, 2024.

**Wheeler:** Katherine Couch is with us today. Welcome, Katherine, how are you today?

**Katherine Couch:** I am fine. Hello, mayor, Commissioners. I am as you just heard, the program coordinator for the noise program at community and civic life. We're excited about this candidate. Derek Trost, this is the second time he was interviewed. The first time he narrowly didn't get in for acoustic specialist. But he's a wonderful candidate. An architectural and acoustic designer with a professional degree in architect, specializes in recording studios and live morals venues. An active professional musician, performing live and in the studio, which is great because there is a lot of music in Portland. To have somebody on the board who understands is exciting. The term will end September, 2024. And that's my wrap-up, I guess.

**Wheeler:** Very good, thank you, Katherine. Is Derek with us today?

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

**Wheeler:** Colleagues, any comments? If none, I'll entertain a motion, this is a report.

**Ryan:** So moved.

**Wheeler:** We have a motion from Commissioner Ryan. Do we have a second?

**Rubio:** Second.

**Wheeler:** Second from Commissioner Rubio. Any further discussion? Seeing none, call the role, Megan. [roll call vote].

**Clerk:** Mapps.

**Mapps:** I would like to thank Derek for his service to our community. I vote aye.

**Clerk:** Rubio.

**Rubio:** Again, I want to also congratulate Derek on his service to the city. I vote aye.

**Clerk:** Ryan.

**Ryan:** Thank you, Katherine, that was really thorough. And thank you, Derek for your service. Great to have a musician on the noise board. Aye.

**Clerk:** Wheeler.

**Wheeler:** I want to thank you, Katherine, this great appointment. Derek, thank you for sticking with us. And your perseverance is appreciated. You are an outstanding candidate. And the fact that you are expressing willingness to take the time and energy to be part of this important noise review board speaks volumes about your commitment to the community and I appreciate it. I'm more than thrilled that you are stepping forward. I vote aye. The report is accepted. The appointment is approved. Thank you.

**Couch:** Thank you so much.

**Wheeler:** Thank you.

**Couch:** Have a nice morning. Bye.

**Wheeler:** You too. We're not able to go to the second time certain item. 639 please on the regular agenda. This isn't a nonemergency ordinance. I'm sorry -- second reading. Go ahead and read it. It's the second reading.

**Clerk:** Authorize bid solicitation with the lowest response and responsible bidder for procurement of water works flies at estimated cost of \$20 million.

**Wheeler:** Commissioner Mapps, I wanted you may have an amendment.

**Mapps:** Yes, Mr. Mayor and colleagues, I have a small amendment to this ordinance. I believe the offices; city attorney and clerk have copies of the amendment. Briefly it removes the low bid requirement and adds ordinance language that has been generalized to supervisor the bureau with incorporate responsibility as one of the evaluation criteria in this solicitation. Should my colleagues not have any further questions, I move -- motion to amend the ordinance as written.

**Ryan:** I'll second that.

**Wheeler:** We have a motion from Commissioner Mapps on amendment and a second from Ryan. Any further discussion on the amendment? Seeing none, Megan please call the role on the amendment.

**Clerk:** [roll call vote]

**Wheeler:** Aye. Linly, I have a question for you. I should probably also ask for public testimony since the amendment is substantive, is that correct?

**Rees:** Yeah, I think that's a good idea.

**Wheeler:** It's a little awkward to do testimony after the event but my guess is this isn't too much of a hot button issue. Megan is anybody signed up to testify on the amendment?

**Clerk:** No, no one signed up.

**Wheeler:** Very good. Now that this has been amended, it will move to a second reading as amended. Is that correct, Linly?

**Mapps:** Actually Mr. Mayor, ff my colleagues have no objection, I would like to make this an emergency ordinance so that we could start on this work right away.

**Wheeler:** I'll second that. Any further discussion on that? Seeing none, call the role on --

**Rees:** Mayor? Sorry to interrupt. We need -- Commissioner Mapps, can you state a reason for the emergency to include in the clause?

**Mapps:** Sure. So I would like to add an emergency clause so no further time is lapsed in the execution of the contract necessary to secure the materials to maintain the city's work works infrastructure.

**Wheeler:** That's as compelling as I ever heard. Any further discussion? Seeing none, please call the role on the amendment to add the emergency clause.

**Clerk:** [roll call vote]

**Wheeler:** Aye. The amendment is adopted to the main motion twice amended please call the role.

**Clerk:** [roll call vote]

**Wheeler:** Aye. The ordinance is adopted as amended and Linly, thank you for your guidance on that. I appreciate it. Next up, we can get to the -- yeah, we can go back to the second time certain item, that would be 626.

**Clerk:** Accept the 2020 annual report of the Portland police bureau.

**Wheeler:** Colleagues under the d.o.j. Settlement agreement, the police bureau presents an annual report to the council. The Portland police bureau will present the report at all precincts along with educating the community on certain rights they have when encounter the police. We faced challenges in 2020, nationally as well as in the city. P.p.b. Was at the forefront of many of those challenges. This report is p.p.b.'s summary of the issues they faced on behalf of the city. As a city, we need to overcome the challenges and make Portland a place where all community members know the police are there to protect and serve each and every one of them. The city is committed to police reform and I look forward to hearing the chief's report for 2020. Consist with our practice, we do not take oral testimony on reports. I want to acknowledge and appreciate the written testimony that was received by Dan Handelman on this report. Thank you, dan. Chief Lovell is with us today to present the report. Welcome, Chief Lovell.

**Chief Lovell:** Hello, mayor and members of council. Glad to be with you today. I'm going to talk a little bit about 2020 and our annual report from 2020. Good morning, Chief Chuck Lovell happy to be here today with everyone to present Portland police bureau 2020 annual report. As you all know, last year was a year like any other. At the police bureau we had five factors that impacted us. The covid-19 pandemic, 117 nights of events, budget cuts, heightening tensions between political factions and critical staffing shortage. A few accomplishments, early on we're concerned if a high number of employees contracted covid-19 we'd be challenged to respond to 911 calls. I'm really proud of our work. We immediately implemented a team to work with professionals to obtain protective gear. We had to transition employees to remote working conditions and IT really helped in making this successful. In regard to our equity work, we revised the 5 year racial equity plan and created

the equity training position. We expanded our data portal adding new dashboards. We started training to implement the active bystandership training, known as ABLE. Wellness is a concern for ensuring good mental, emotional, and physical health. We have a new wellness committee and started a restoration project to help our employees. I implemented an office of community engagement comprised of a bilingual and diverse group of personnel. They participated in our advisory councils, partnered with sunshine to distribute more than 5,000 food boxes and attended as many community events as they could during the pandemic. They also responded to meeting requests from the office of youth violence prevention and trying to mitigate gun violence. Unfortunately, by the beginning of this year, we couldn't sustain it due to our staffing. So the officers had to return to the precincts. I am proud of the community policing work they did in 2020. Two new councils were created in 2020. The community led Latino advisory council was formed and the bureau created the equity advisory council. Lastly, we looked for ways to communicate to more communities, especially in terms of public safety and covid messaging and expanded use of safe languages. I'm going to focus on three challenges, crowd control, staffing and crime. Last year's crowd control events impacted our trust and legitimacy from the community. Thereby effecting response time to people calling for emergency help. As you know, Portland was on a national stage we had a lot of people live streaming these event on social media channels. We had the president tweeting about it and national news media focused on Portland. There were mistakes made during our response. There were some things we did not do well and we need to change. As a bureau, we misinterpreted what constitutes active regression versus passive exist, to justify actions taken by or taken against individuals. We can and must do better. Our job as leaders is to ensure our employees have the proper tools, training, and resources to do what we ask them to do. Last year the shifting landscape creating an environment where we had to remain fluent. We needed to frequently address decision making around crowd control munitions and other environments. Sometimes there was confusion, miscommunication, or not enough communication. Last year impacted the employees greatly. The rapid response team eventually resigned this year and more officers resign than at any time in modern history. Many were injured, threatened, and doxed. And the change of shifts, groups gathered at precincts and officers had to be escorted in and out of work. The nightly crowd

management places unforeseen stresses on systems and p.p.b., to include documentation, review, and analysis of force events. Each application of force requires a report that must be reviewed and analyzed by three analysts. This eventually took us out of substantial compliance with the city's settlement agreement. Our critical staffing shortage. We currently have 803 sworn members out of an authorized 916. By the end of this month that number will be in the 700s. We had 145 sworn members leave in the last year. Our upcoming challenge is retention. Next year 84 sworn employees are eligible to retire. Staffing impacts our response times. There are many critical incident such as shootings or homicides where we need many officers at the scene. The rise in gun violence means the officers are responding and can affect response times to other crimes. It also affects response times because we have to take officers from other precincts seems to respond to calls for service. We're limited to doing missions to try to focus on prolific thieves, chronic livability issues and more the community wants. It impacts our ability to conduct community policing. We hear from our community they wanted to see, talk to us and have us walk around neighborhoods and businesses. We see a wealth of experience going to other agencies. Units search as special emergency response reaction team or explosive disposal unit takes years of training. Experts in gun violence, training and forensics all leave in the past year.

One of the most important elements in police work having supervisors with experience to make critical decisions we're losing that institutional knowledge that makes great supervisors. Staffing impacts investigations as well. We've tried to shore up our detective division, by adding officers, which impacts patrol. But with record mum of shootings and dramatic increase in homicides we've needed to add personnel. Low staffing impacts the psycho of officers and officers are going call to call to call and interacting with people in crisis. Newer officers don't have experience going to community meetings, talking to folks not in crisis or visiting with an advisory committee or neighborhood committee and are seeing a one dimensional part of police work. This affects our budget. We use overtime to make minimum staffing and precincts if we can. The last challenge I want to discuss today is crime. Already 891 confirmed shooting incidents. 130% increase over the 388 reported in 2019. There are 53 murders and one justifiable homicide. In 2020 murder increased more than 100% over the prior ten year average. 2020 was the fifth year with an increase in aggravated assault rate. It's

important to note 58 people died in traffic crashes on Portland streets in 2020. Property crime increased in 2020, as well. And notable increase of arson, vandalism, and burglary. Motor vehicle parts and stolen vehicles. Thank you for your time today. I want to continue our dedication and pledge to serve the city. We ask members of city council help us recruit the next generation. We need your help to encourage and support those we need to fill sworn and nonsworn roles in the police bureau. Individuals of all back grounds and experiences help provide value to our agency and community. Thank you.

**Wheeler:** Thank you, chief. If colleagues have questions? I've got one. Chief, I think the reasonable severance see the need for a police bureau as personnel, resources, tools, and training necessary to its role in reducing criminal activity in addition to that, people see the need for common sense improvements, reforms, changes and you've identified changes in this report that you think we need to make. The public wants an effective police bureau and a bureau that is accountable and transparent to the public it serves and it doesn't seem to me the police are neutrally objectives these seem to be things we should be able to work together between bureau and council, between city and community and what do you see the strategy going forward to bring the community together ensure we have an effective police bureau.

**Chief Lovell:** I like the fact you couch reforms as people need to work together and police need to work on problems with the community together. That is to me the way we need to start steer stepping and building back to that trust and legitimacy we're striving for in the community.

**Wheeler:** I wanted to acknowledge you and your leadership during a challenging time for Portland police bureau and policing locally as well as nationally police have been under pressure and asked to do a lot. I want each and every one of our officers to know we do respect them and that we work to ensure we have adequate personnel and resources and tools and training for our men and women to be able to do their job effectively and collectively, I'm speaking to you as chief I believe collectively we need to work to address the very real concerns raised by the community and rise to the challenges to serve in this community. Thank you for your service. I appreciate the partnership. I know that this is an issue that is important to the community. We have a ton of work to do. We're going to do it



together and I encourage us to continue to engage people in the community across the thought spectrum in terms of how we should improve policing and I look forward to this report. Next up is Mr. Ryan.

**Ryan:** Good morning. Thank you for the report. I was struck with, I think, staffing concerns and how many are departing and then then, what I was also stuck with me is that you asked you want partnership with the next generation, tell me about that because it looks like a great opportunity and building the next generation of the police force. Give me more narrative on what that looks like in terms of partnership.

**Chief Lovell:** I think one of the biggest things is environment, too. We have people leaving and going to other places and other police jobs some that that are starting at the bottom. Some of them I've talked to, I want to work in an environment where I feel valued and to me one of the important things we can do is people feel valued and feel the work they're doing and contributions they're making to the city are valued, wanted, and respected by leadership. I think that is a huge thing to keep in perspective and I think resources are important. That Council's per view than mine. I'm going to advocate for resources necessary to do the work we ask officers to do and I think sometimes thought process of police reform and defunding and taking away money doesn't take into account there is a certain resource need to fulfill public safety requirements and goals of the city. That is important for us to keep in our minds and I think, outreach. We have circles and fears of influence. We have people we think will be great police officers and show them this is a good place to work and this might be a place they want to consider being part of.

**Ryan:** I think the ending got to my question a bit culture change is on the ground. There is a lot of opportunities to hire new people to the police force and I want to thank you. I do note that you have police officers that are out and identify as nonbinary. I think that is really important so I just wanted to get more of a sense of who and where are you targeting recruits? Maybe it looks different in the past. Can you speak to that a little bit?

**Chief Lovell:** Yeah. We want I police force that represents the community. We want to be inviting. We want people to know there is a place for them here, they'll be welcome. And that is one of the ways we do a lot of outreach to potential employees. We have plans for safer communities. They've been a big advocate for news hiring and through our Latino advisory

council we have a good link to the Latino and Latinx community. We can do outreach, too. It's looking for opportunities to welcome and invite people in and let them know we want them and they're called and questions about career here.

**Wheeler:** Commissioner Rubio?

**Rubio:** Thank you. I appreciate the resources have been threatened and this is happening while we're responding to community needs that needs more transparency. We're hearing from Portlanders we want both things we want to feel safe and trusting of the community safety system and have one that is transparent and values wellbeing of all Portlanders at the core of this is trust, as mentioned and this is critical to get to serving our citizens. My question is a follow up question about staffing. And you've been clear about needing more staffing in budget in reference to 145 officers that left this year. I want to understand more about this in the context of the current vacancies that you mentioned. How can, can you help us understand connection you see between funding and retention? And then, how that will move towards reforms that you may have.

**Chief Lovell:** Sure. And I think last year we had a budget cut to hire people. We typically use salary savings from vacancies to pay overtime to meet needs on the street and last year we had vacant positions and not funding to fill. The part of the struggle is difficult to hire people and get them through hiring process and off probation so lead time is long for hiring a fully functional, able to work the streets by themselves police officer and that is some of the struggle last year and there is some worry that further restrictions will lower our authorized strength as well if we remove positions off the books that are currently authorized but not funded. Those I think are some of the struggles opposed and in regard to staffing and funding and I think there is a psychological piece to it, too. For people to feel supported, they want to feel like they're given tools needed and given ability to have cover that we need on the street and staffing to keep us safe when we do our work. Those are the things that ties together.

**Rubio:** What roles do you feel like leadership plays in that? Interest of retention as well? And I'm speaking as a former leader as well and I understand how difficult it is and I'm curious about your thoughts and the role of leadership.

**Chief Lovell:** A lot of it has to do with like I said making people feel valued and letting people know the work you're doing is important and needed and that is in the same context that

work needs to be approved and to be changed and we need to look at ways to make it better. The role is still important. To the extent leadership can send that message to employees, and the bureau and throughout the city is important.

**Wheeler:** Thank you, Commissioner Rubio. Commissioner Mapps?

**Mapps:** Thank you, chief for the presentation. There is a lot to chew on. Just so on here, I just have a couple actual questions I wanted to check in with you on. How many police officers do we need in order to meet minimum staffing requirements? For the city?

**Chief Lovell:** For me, it depends on what we're being asked to do. I he'll -- feel like we need 1100 officers. Right now we don't have a full time traffic division. A city our size should have a pull time traffic division. We're dealing with overdoses and fentanyl and things of that nature and roll back into patrols to answer calls for service. I think there work to be done in community divisions we no longer have. I think we move the needle and alleviate chronic issues like neighborhood response teams that are popular in the community. And community groups and members like the detailed attention they can give so ability to meet minimum staffing and have other units to do those bodies of work is important.

**Mapps:** That is helpful. I know you mentioned this. How many police officers do we have today? We need 1100 to meet our needs. How many do we have today?

**Chief Lovell:** We have 803 as of today.

**Mapps:** 803. And do you have any intuition about what that number is likely to be a year from now?

**Chief Lovell:** I know in two weeks we have about eight more people leaving to some of the senior staff folks here at the police bureau. And have 84 how. Some have left early that are eligible to retire in July next year, we will see another potential cliff as far as retirements so we're going to see fewer than today. That for sure. Whatever we can do to look at ways to retain those employees, would be important.

**Mapps:** So this seems like we're down 300? 400 bodies compared to where we need to be?

**Chief Lovell:** Yes that. Is my estimate.

**Mapps:** Okay. Thank you.

**Wheeler:** If I may as well, this has been a subject of great discussion between the chief and staff and my team. And obviously we aren't going to be able to bring 300 officers on had one

fell swoop. We need to present the council with a thoughtful strategy over some number of years to bringing staffing levels up to the point we feel we can be effective. I think tomorrow I'm getting my next briefing on that subject and I look forward to developing consensus around how we're going to bring our staffing levels up to minimum requirements at least.

**Mapps:** Thank you for that clarification.

**Wheeler:** Commissioner Rubio.

**Rubio:** I just want to just make a comment that we're very interested in the part of that. Any conversation around that. And I am interested in, on looking at that nexus about retention and funding and how will additional resources move this towards a direction of reform that we want. That remains an open question to me I'd love to dig into.

**Wheeler:** Thank you and I appreciated that as well. Making sure we are resources and tools and training and appropriate number of personnel and owe I do look forward to that. This strikes me to bring the community together and there is a division about police, in police. You know? Reform and owe I look forward to helping develop that concern. I look forward to making sure we're providing council statements and this is a solid investment based on fact. I appreciate everything you're saying here. Any other questions before I entertain a motion? Colleagues motion to accept the report.

**Mapps:** So moved.

**Wheeler:** Is that Commissioner Mapps?

**Mapps:** Yes.

**Wheeler:** Commissioner Mapps moved. Can I get a second?

**Ryan:** I'll second.

**Wheeler:** Seconded. Megan please call the roll on the report.

**Clerk:** Mapps?

**Mapps:** I want to thank the chief and everyone at the police bureau and volunteers in betting this together and I want to recognize the important work police officers do and this highlights the immediate for important reform. We have work to do. I appreciate your leadership. And I pledge commitment to work with you to getting this right. I vote aye.

**Clerk:** Rubio?

**Rubio:** I want to thank the chief and mayor for bringing this forward and thank you, heave for your leadership. It has been a really full year for Portland and I'm interested in hearing questions and finding a way to accept the vote. I vote aye.

**Clerk:** Ryan.

**Ryan:** Thank you mayor Wheeler and police Commissioner Wheeler and chief labell for the report. I appreciate the way you framed it and enjoyed our dialogue. I had a chance to meet two new recruits and another one just came on board. I give these words to say they happen to be female and two of color and they're excited to do community policing. They want to serve the city in a way that I think' majority of Portlanders would be thrilled with them going on the police force. My question is how to take this challenge and turn it into opportunity for change? I think to have people with fire in their belly, love this city and serve it. The council is there to support evolution. Most people are for reform and like improvements so you speak in that language. So I'm here to vote aye. Thank you.

**Wheeler:** If the public wants to see the report where can they find it?

**Chief Lovell:** It is on our web page and we're doing precinct meetings. We to the first last night on zoom. And have been advertised. We have one tonight and one tomorrow night.

**Wheeler:** Thank you, chief. I vote aye. Report is accepted. Thank you.

**Chief Lovell:** Thank you.

**Wheeler:** With that, Megan we'll move back to regular agenda. And I believe 640 is our next item this is an emergency ordinance.

**Clerk:** Joint office of services and agreement to authorize fy2021-22 revised allocation joint office of homeless services.

**Wheeler:** Commissioner Ryan.

**Ryan:** Thank you. Joint office is a pivotal partner in a response for individuals and families experiencing homelessness including during covid-19 and oversees our city's investment in preventing and ending homelessness and in turn support the city intends to authorize city council approved budget allocation to joint office of homeless services. Funding will up or the implementation through a home for everyone collaborative including supporting capacity and programming and other safety services. Diverse, homelessness efforts. Additional funding is available to support covid-19 emergency responses including rent assistance and

shelters to adhere to physical distancing procedures that tend to come and with changing forecast and we can implement those. I want to welcome Jennifer Chang and Mike Johnson here to answer any questions.

**Jennifer Chang:** If morning and thank you. If morning mayor and Commissioners my name Jennifer Chang with Portland housing bureau. And there, I serve as the contract manager of joint office iga between city and county and Commissioner Ryan provided a great overview authorizing annual budget for joint office for year 21-22 includes 29 million city funds and remaining federal funds including regular year allocation funds and this helping to provide emergency shelters as well as rent assistance to households that need it. I am here to answer questions you may have and we have Adam Brown from joint office of homeless services.

**Wheeler:** Maybe Commissioner Ryan this, is a question for you or for joint office there has been a lot of discussion over the last year about where is the property al between long term stable housing for people who are on our streets verses needs to get people to more humane alternatives and I mean access to toilets and running water and towards housing or mental health or substance abuse or domestic survivorship services. Does this reflect any change in the balance between longer term housing stabilization verses need to get people into more humane circumstances than what our constituents are concerned about, ted?

**Ryan:** Sure. As you know from having this role prior to me and being on home front executive committee there has been robust dialogue about the tension that is at the table when you put those together and what you've seen based on our dialogue at meetings and work sessions that we've been united in knowing there is a gap between those in unsanctioned camping in a city not built for unsanctioned and city receiving services so there is that gap so we're addressing that gap by investments that we're making and framing in the just shelter but services to the ground or in early stages of getting those going so when you see with the way we're targeting investment and seeing is a discussion that we have had at the meetings, we're looking at metro here, today, it's leaning in to more and more services that can get to our houseless residents as quickly as possible to build resilience and they go together because when someone is receiving services behavioral health and they're placed in longer housing I'm sure retention rates will go up and we'll adjust to learn as we go along so I

just give you that because I know I ed in those savings. If you want to add anything go ahead and have the floor.

**Adam Brown:** Good morning everyone. Thank you. And thank you mayor for your question and so, I think just to the base budget that looks this year like it did last year and we know that this issues are pressing for the community and top priority for us allocations for distancing shelters and so already considerable investments in this budget in the joint office has what this is city funding that is coming over for joint office but joint office is county site budget and other funding sources that make more investments and issues they care about raising.

**Wheeler:** Thank you for your leadership on this. And the work you've been doing to find humane alternatives to unsanctioned camps we're seeing today, I appreciate your leadership on that front and it's worth noting we're talking about the general fund contribution to joint office and there are separate allocations and we haven't mentioned the go together lars helping find strategies to support people moving from this streets into shelter or into housing and things like mental health services and the like and so what I would like the community to take away from this is that there is pieces around services that start with last item indicated keeping people housing. Particularly people holding on to housing with something, a tenuous grip and then, the longer term goal here is to make sure we find and stabilize housing for a vulnerable population on streets. So these have to come together in a way that makes sense so I want to applaud everybody thank you. If there is no further discussion on this, this is emergency ordinance I'll ask Megan if there is public testimony?

**Clerk:** In one signed up for this item.

**Wheeler:** Kind of surprised by that. This is an emergency ordinance please call roll.

**Clerk:** Mapps?

**Mapps:** Aye.

**Clerk:** Rubio?

**Rubio:** I want to thank you, Commissioner Ryan for leadership and housing bureau staff and joint office for work on this. These are critical services and I vote aye.

**Clerk:** Ryan?

**Ryan:** Thank you. Thank you Jennifer and Adam for being here. This is a good conversation and I vote aye.

**Clerk:** Wheeler?

**Wheeler:** This may be a good time to mention before council had an opportunity to meet with a group of mayors from cross the country and meeting posted by congressman and your subject was is that the growth of homelessness not just west coast but across the country. How local jurisdictions are responding and what kind of support that congress came to support. I came out with a sense of optimism because I'm understanding this is being seen as molt just a local humanitarian catastrophe but national so colleagues I felt based on that conversation that there are people fighting hard to help us overcome obstacles around homelessness and I thought I'd share that with you this morning. Commissioner Ryan. Thank you for this ordinance and to your team. And to housing bureau. Adam thank you for the work you do and this problem will be with us, you have a city council working together and supporting you and others in terms of delivery services. We need to work together because public doesn't care who responsible. And as proof of that there is an op ed around mental health services and they pertain to people living on--

**Ryan:** Ladies and gentlemen, mayor is frozen. Looks like Commissioner Rubio, are you frozen, too? What do we do Commissioner Mapps?

**Mapps:** He's back. They're back.

**Wheeler:** Is my internet off again?

**Ryan:** Yes. City internet failing us.

**Ryan:** Okay. Megan, are you there? Do we take a tiny recess?

**Ryan:** There it is.

**Wheeler:** So I vote aye and ordinance is adopted. Can you hear me at all?

**Ryan:** We missed a little bit of it. You landed it. Yes.

**Wheeler:** Did you get my vote?

**Clerk:** Yes, thank you.

**Wheeler:** Abysmal internet leads to mediocre. I vote aye. Ordinance is adopted. Next item is 641.



**Clerk:** Authorize a subsequent contract for pro vision of services in support of stabilizing tenants.

**Wheeler:** Commissioner Ryan?

**Ryan:** Yes. Ordinance would allow to enter into a report for pro vision of free legal representation to low income tenants facing eviction for service of the rental services office. Review panel was unanimous and panel included a tie verse range of our percentages and from numerous BIPOC communities. With that, I'll turn this over to Christina. From rental services office. Please take it away.

**Matthew Tschabold:** Hi, Commissioner. Before Christina and Breonne, I wanted to share remarks that wasn't on the sheet. So I apologize. I just wanted to share with council that I am pleased that housing bureau is able to identify the funding to implement this ram and right to council exist around the country and so you are new manager our coordinator you have met before, Christina Dirks will answer questions you may have. Thank you.

**Breonne DeDecker:** Thank you, do you want to share screen? Thank you for wonderful, interesting discussions. The eviction legal defense program will increase access to legal representation for low income tenants and particularly households that are most vulnerable. PHB will be contracting and there is an engagement plan to reach outreach councils and we'll use ARPA funding to provide eligible tenants with rental assistance. Ensuring tenants have access to rep a growing movement and three states and eight cities have right to counsel programs. A key difference is that a right to council means income eligible tenants have a right to a lawyer guaranteed and many of these programs include education and outreach for tenants and land lords and often require plan lords to notify rights of counsel. Go to next slide. Investing in defense comes are tenants and increases stability for renters. Data from the program showed 93% avoided an eviction. Did we go off power point?

**Christina Dirks:** Sorry. We're having technical difficulties I'll be with you had in one minute.

**DeDecker:** Thank you.

**Ryan:** Doing a great job.

**Dirks:** Thank you.

**Ryan:** There we go.

**Dirks:** Is this back?

**Ryan:** Yes.

**DeDecker:** Thank you.

**Dirks:** Sorry about that.

**DeDecker:** No worries. It's hard in this promote environment. So data from program showed 93% of tenants avoided an eviction and in Philadelphia represented tenants twice as likely to receive a favorable judgment report and New York City eviction filings dropped by 41% following enactment. So the program saves cities money. A return on investment study performed estimated city would save \$12.74 for every dollar spent and these would accrue from reducing spending on far more expensive services for individuals and families following eviction such as shelter costs and in patient costs and has additional impacts such as improved education outcomes and family and community stability. Following release of the study, Philadelphia city council voted to enact and fund right to council program so with this outlay. I'll turn the presentation over to Christina.

**Dirks:** Good morning. I'm rental policy program coordinator and thank you for your patience, and now it's not advancing, because that's how my morning is going. So, national studies have shown that household headed by women and with children, these findings care out in Portland. Communities of color rent, work in service industry and earn less than annual income needed to afford the medium rent in the city. We know there is no neighborhood affordable to a single mother headed household. Evictions push renters into poverty and exacerbate the hardships experienced by our vulnerable populations and have proven impacts and make it harder to find save and affordable replacement housing. By increasing access to legal counsel, when facing eviction this program aims to protect these renters from lasting long term impacts of eviction. Tenants with legal counsel see significantly better outcomes during eviction proceeding. And here, we have shown that rates of representation. You'll see 5,000 eviction filings had the county. Before there is any funding and at that time 3% of tenants were represented and we've projected out 422 in filings to account for what we expect is going to be the increase filings due to nonpayment of rent when deterred rent becomes available. With that number and infusion of funds we're able to scale up the legal defense program to project out to give a sense --.

**Ryan:** She's frozen. Can you take over?

**DeDecker:** Yes. 2024 will be a little bit hard, Christina? Are you back?

**Dirks:** Yes. To I freeze?

**DeDecker:** You froze so you're at 2024.

**Dirks:** Thank you. So we've projected out to show council what the program rates of representation would be with funding before you with Oregon law center and without ARPA infusion of funds. And you'll see there that we have anticipation it will be higher but there are more unknown variables. And paced on a filing of 5504 pilings in 2024 with ram budget we'll be able to find one in every three tenants. We have the same information in a different depiction, 2019 with no program fund, 2022 fully funded and then, 2024 to this budget for you today. Who are to receive those rates in the program and this effort is going to focus on door knocking based on real time piling data, targeting neighborhoods with large BIPOC neighborhoods as well as thank you placement. After a thorough process with involvement the bureau selected Oregon law center that has extensive experience representing will he income tenants in eviction court and landlord and tenant matters with deep connections in the community. And can help build trust. And the eviction legal defense program will allow them to scale up the intake and capacity to touch on more households and provide services. With that we have an invited panel. Becky Strauss at Oregon law center is here and dr. Lisa Bates from Portland state university. And I'd like to turn it over to Becky Strauss.

**Becky Strauss:** Thank you Christina and members of the city council. I use she, her pronouns and attorney with Oregon law center. Thank you for the opportunity to testify in support of this contract for eviction legal defense program. And as you know the mission is to achieve justice for low income communities providing a full range of the highest quality legal services and helping families is a critical part of the work. Without it is difficult or impossible to hold down a job, keep children in school and access neighborhood amenities and access to save and affordable housing have become one of the most important issues and these are more acute. In this context to understand nuances of the crisis with, our sister organization legal aid services of Oregon or lasso, our offices have prioritize eviction defense work and have expanded our capacity for the voices we're using funds from the county and awarded a grant here another bond and to set up a program and providing legal services to every single tenant when contacts us with an eviction court case. And we're excited about the contract

that would bring this forward and we're looking forward to work with the framework and program bolsters our optimism we can sustain these stability services going forward and have built infrastructure to do so and art of the program includes docket watch and data collection aspect. We're amassing an unprecedented amount of information and implementation of pandemic related of convictions and how tenants are faring with the eviction and more. We're partnering with PSU you'll hear from had in a bit to help us analyze and visualize data. We're using this as a basis to trouble shoot to our findings illustrate the need for this program. As pandemic era moratorium lacks eviction cases have ramped up. And tenants have a viable legal defense but had attorney to advise them or raise defenses on their behalf. So they're losing and getting displaced or two they're facing eviction for nonpayment and helping with an attorney to delay eviction, third scenario that related and relevant to expansion under this Portland contract is related to terminations other than nonpayment of rent. We've been seeing tenants facing thank you placement for other reasons, specifically no cause or others and large numbers of these cases are unlawful. The notice of rights to tenants was omitted. The right amount of time not included for the tenant to move out. And this system relies on tenants to know their rights in court. Without a lawyer set up for failure, Christina provided 201 numbers. Mums for the year showing that land lords represented in about half of the eviction cases and tenants had an attorney in about 6% of the cases. That data is a couple weeks old. And legal services relies on a tenant to reach out to offices or another office for help. And wheels turn without intervention has might prevent further inflow into our homeless services systems. With this contract the city will step into this space and support a program to tenants in multiple points including upstream and could target outreach to victims most likely to suffer irreversible harm. And Oregon law center has program infrastructure to hit the ground running with these funds and are excited to get the work. Thank you for the opportunity to testify.

**Dirks:** Thank you. Next we'd like to have Dr. Lisa Bates from Portland state university testify.

**Lisa Bates:** Good morning everyone. I've been working with Becky Strauss, and Oregon law center for some time to try to shed light on what's happening with evictions, nationally, our knowledge and data about eviction landscape is very spotty has it's raising questions about what has happened what will happen and very few places have the ability to track that in

realtime. And so, can't tell us how we can move forward now. So this means that here in, our city we're not able to have real insight into one active mechanism that happened eviction as a form of displacement that most heavily affects black women, all amends with children and people with disabilities and as Becky shared our recent update of data is there are only 8% in the county. It's a bigger gap than the state as a whole. So we need to have realtime tracking of cases that we're monitoring the wave of evictions that is coming and it coming and we're able to provide daily support to provide a weekly update and also, to add process information see how tenants are able to access services and to understand what's happening for pokes of color, families with kids, folks with disabilities, and to link up to round out equity analysis. This will help to continue to refine and build this practice of different interventions. And we'll be able to work with the city and service partners on this updating and on a larger evaluation when there are cases to do that under stating people best served and so I look forward to being able to share our pace line reporting on what's happening in 2021 in evictions.

**Dirks:** Thank you. We have Ian Davie from home forward.

**Ian Davie:** Thank you mayor and Commissioners. And thank you to others who have testified in support of social justice my name Ian Davie and the vice services commission advises council on landlord and I spent eight years in the south Bronx neighborhood in New York City. We know that based on data, two thirds of cases that a court are due to nonpayment of rent and know nonpayment of rent is just another way of saying eviction to pay rent another way of saying people live in chronic poverty and experience emergencies. And our society continues to say this is okay and this assistance takes the first step so then another problem we're able to solve with this is the court. We use terms like notice to cure, right to peaceful enjoyment and those terms are slightly better than the Latin terms, *ex parte*, for example. I argue those words are petter than words that somehow haven't changed since medieval times. Landlord and tenant are examples there. The point is that this is a complicated system. And lawyers can ensure access. So you saw had of the statistics, bigger cities and states have paired legal defense and rent assistance for years and in my experience in New York this had little impact and some states 38% are represented up are one percent and evictions by city marshals declined by 41% since 2013 and 83% of tenants are able to remain in their homes, their downstream impacts for communities, black and brown folks, renters with disabilities.

And I believe housing is a human right. I see how society have not done work to perfect and ensure that right and each of you are seen walking around our communities how our society hasn't protected that right and this program takes a pretty solid step in the right direction. I end with support and I thank you for your leadership, thank you.

**Ryan:** Thank you. I believe that is it.

**Wheeler:** Thank you Commissioner Ryan. Thank you everybody who received. Before, I'll ask if anyone has questions to the panel at this point f not I'll ask if there is public testimony on this item? Megan?

**Clerk:** Yes. One person on the call.

**Wheeler:** Why don't we let them testify? Three minutes.

**Clerk:** Great. Edith Gillis.

**Wheeler:** Good morning.

**Edith Gillis:** Good morning can you hear me? Okay. So, I wanted to say that I am really grateful you're doing something to address housing and human rights and investing money, taking time and to listen and we need legal representation. I am trying to testify about item 641 and 642 but my doctor called me and I had to go off line. So I'm confused is it too late to testify on 641 and 642 and 643?

**Wheeler:** We're on item 641 right now.

**Gillis:** Thank you. Yes. Please encourage and include this and make sure that the physical location and access to it is bread throughout the city. And in more places and also, I'd like us to have a percentage of land lords taking money in grocery stores paying for this and training on not just how to use the law to screw tenants but good neighbors and good citizens.

**Wheeler:** Thank you. This is an emergency ordinance if there nothing else, Megan, please call roll.

**Clerk:** Mapps?

**Mapps:** I'd like to hank Commissioner Ryan for bringing this item forward and keeping Portlanders housed. I vote aye.

**Clerk:** Rubio?

**Rubio:** I want to thank Commissioner Ryan and staff and Oregon law center and those who served for your work on this. This such an important and critical service and has real life

consequences for the community. And these eviction defense services will be critical in coming months. Increasingly. We're in a time where it's critical. We're doing all we can if we want values as Ian said, seeing housing as a human right. I'm committed and I know my colleagues are, too. Just do see this work taking shape. I vote aye.

**Clerk:** Ryan.

**Ryan:** Yes. Thank you housing bureau leadership. This is a wonderful panel. The slide show did have compelling data which brought home further and I'm grateful we have PSU on board so we can look at 2024 had was concerning to look at that data so we'll be able to track that. You're mentioning you can get some level setting data, soon this, is the right investment and right time. I vote aye.

**Clerk:** Wheeler.

**Wheeler:** Thank you. I appreciate everyone had testified. I'm happy to vote aye. Next item.

**Clerk:** Mayor would you like me to read 642 and 643 together?

**Wheeler:** Yes. That would be great.

**Clerk:** Perfect. Authorize conveyance of city owned real property located at 3,000 Powell boulevard to home forward and financing for amount in the to exceed \$33,63,000 to limited partnership for affordable housing project. And authorize payment for option agreement securing site control of southern portion of 3032 southeast Powell an amount not to exceed \$272,099.

**Wheeler:** Thank you.

**Ryan:** Yes. Colleagues this is exciting. 3,000 development is a funding for joint office of homeless services to provide housing for most vulnerable residents. This is a unique project to 3,000 southeast power project will provide housing for residents in inner southeast Portland and los to major retailers to full service groceries and pharmacy ground school, and chief plan high school and mere the community music center and we thank the developer to increase housing opportunities including communities of color and people experiencing houselessness during this time. And Portland housing bureau does have to include site control for homeownership. And please take it away, Shannon.

**Shannon Callahan:** Thank you. And good morning hair. Shannon Callahan and polling me will be the executive director of forward. Megan would you mind pulling up power point if

you can. As noted today we're seeking your approval for financing and purchase option of a portion of the property for future development. And this is a Portland housing pond project, the 8th project to begin construction joining two other properties that are already open and providing affordable homes and the Portland housing bureau purchased this site as part of our commitment for housing opportunity as well as transportation acts and you can see it joins five projects to reach commitment for that transportation alignment. Next slide please. In addition providing many opportunities for new residents as Commissioner Ryan noted, being close to grocery stores, parks, schools, and other amenities. And including access issues from Powell designated a state highway, creating connectivity to the neighborhood from the property as well as soil filled in many decades ago, which required environmental work and deeper foundation. Working with home forward, we worked to overcome these challenges because of the possibility to create housing with an environment with many amenities to overcome challenges including a private easement we've decided to purchase the property to resolve those easement issues and because it will provide a better development with more light, air, space for landscaping, trees, gardens and play ground and overall better living environment and community for the residents. Property will be a new, four story building with emphasis on family housing and serving people exiting homelessness and provide 206 new units, housing 354 people and provide 30 units of supportive housing and 68 deeply affordable units to serve households that make less than 30% of area median income. And that remainder of the 138 units serve amend incomes less than 60% of area medium income. Next slide please rents will start as low as \$483 and many of those will with unsubsidized by vouchers reducing amount a resident pays to make that housing affordable for extremely low incomes and seeking followed certification from earth advantage and each unit will include air conditioned living areas for residents. Construction will expect to welcome residents' home in June 2023. Next slide. In addition to physical comforts the building will provide services like food security assistance, youth services, and employment services and supportive services will be funded by the joint office of homeless services housing pond funds make this project possible. But they also leverage an additional \$49 million from tax credits provided by housing advocates and funded by bank of America. Next slide. We're also asking you to approve purchase option of 3032 southeast Powell will be used



by home forward part of the new rental affordable housing development but once home forward developed that property and no longer needs another portion during construction phase, the Portland housing bureau will initiate purchase and use the southern portion for future homeownership development. This graphic depicts new vehicle access as well as remainder of the lot developed for homeownership. I would like to thank the team at the Portland housing bureau and city attorney for working through the challenges this development presented. And to express gratitude to Michael and team for their commitment. It's been a site full of challenges, and it took their time, expertise, staffing and financial resources to overcome. Home order step forward to purchase this site and address easement issues. Thank you for being good partners and your commitment. Thank you, Michael.

**Michael Bounocore:** Thank you. Mayor Wheeler, Commissioners good morning I'm executive director of home forward and will be brief. Shannon covered the important points but I do want to return appreciation. This project called upon different areas of expertise between city and home forward to overcome significant barriers and housing created there will everybody generations and be beautiful. We're planning a ground breaking September 30th at 11: 30 if you haven't gotten invitations you will and I hope to see you there if you're not able to come, I encourage you to step in and take in how big a piece of land that and give a sense of the promise of housing that will be there so we look forward to housing 206 more households with affordable housing in this great location. Thank you for support and Portland housing for partnership. I'm joined today by two colleagues who worked hard to get this together. And I'll stop. Thank you. .

**Callahan:** That concludes our presentation Commissioner.

**Ryan:** Thank you. Mayor? Back to you.

**Wheeler:** All right. Thank you very much. Thank you, all for the presentation. Appreciate it very much. That was enlightening. Colleagues do you have questions on either 642 or 643 before asking for public testimony? Megan do we have testimony?

**Clerk:** We just have Edith on the call for that item.

**Wheeler:** Edith, go ahead for combined 642 and 643.

**Gillis:** I'm concerned that 38 units are for 30% of the poorer people. And it still adds rent just for studio of \$483 a month, which is too high. I'd like to you change numbers for those 30% to

make it so 138 at average and have it be 68 that are for that. And then, so, you're going to have a majority of them be for those who have less and instead of paying middle man for buffer between high rent which is way too high here just cap. A less, don't are middle men take money out. And when you'll have more housing at affordable prices and this is not affordable. It's too high. And 30% or one person is more than twice my prose from taxes and so make sure criteria better meets other criteria the city claims are priorities on public health. And are better design for insulation and appropriate healthy temperatures indoors and outdoors and my home forward complex two people tied from heat. We don't know how many more. Who checking on them? Make sure you have vegetated books is so you're reversing the heat island that now and could be listed as what we see proposed. Instead, have green gardens more trees, and do more to affordable rent. As far as 643, please require they overall have more returns are tax dollars for the city. And have that money savings going towards providing more housing for those who pay lower rents. That is all very to say. Thank you.

**Wheeler:** Does that conclude public testimony?

**Clerk:** It did.

**Wheeler:** Very good. Megan please call role. 642.

**Clerk:** Mapps?

**Mapps:** I would like to start by thanking Commissioner Ryan and housing bureau and home forward taking on this project and I am excited about the housing piece of this and affordable units and family sized apartments. Really great work, everybody and hi honor to vote yes on this.

**Clerk:** Rubio.

**Rubio:** I want to thank housing bureau and home forward for continuing to work on this project since 2017 and I'd like to thank community members that helped shape this project and I'm happy to see partners to ensure that president cents dents receive support and I look forward to seeing the projects continuing to take shape. I vote aye.

**Clerk:** Ryan.

**Ryan:** Thank you, good to see you here. Thank you for your work of late. You've been in our thoughts as you continue to lead. And I've learned about how much leveraging this takes to

pull projects off and housing bureau really does partner with many to make this work and seeing through the operator engaged, on the ground floor that is a great testament to the work that goes in to the community so I'm excited about this project and I vote aye.

**Clerk:** Wheeler.

**Wheeler:** Happy to vote aye next item, 643.

**Clerk:** Mapps?

**Mapps:** Aye.

**Clerk:** Rubio.

**Rubio:** Aye.

**Clerk:** Ryan?

**Ryan:** Speaking of leveraging, there we go. I vote aye.

**Clerk:** Wheeler?

**Wheeler:** Aye. Ordinance is adopted. Megan that completes our business for the morning is that correct?

**Clerk:** Correct.

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

**At 11:31 a.m., Council recessed.**

## 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. The official vote counts for council action are provided in the official minutes.

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

August 18, 2021      2:00 p.m.

**Wheeler:** This is the Wednesday August 18th afternoon session. Please read the roll.

**Clerk:** [roll called].

**Wheeler:** All members are attending by remote and tele conference. Meetings available on the city's YouTube channel. E-mail the council clerk. Council is taking these steps as a result of the COVID-19 pandemic and the need to limit in-person contact and promote personal distancing. The pandemic threatens health, safety, and welfare. Thank you for your patience while we manage these challenging times.

**Lauren King:** Good afternoon. You may sign up in advance with the council clerk's office for communications to briefly speak about any subject. The council agenda contains information about how and when you may sign up for testimony while the council is holding electronic meetings. When testifying please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. The presiding officer determines the length of testimony. If there are disruptions a warning will be given and may result until the person being placed on hold or ejected from the meeting.

**Wheeler:** Thank you. We only have one item on our agenda this afternoon. That item is number 644 please.

**Clerk:** Add unlawful Street Takeover and Unlawful Staging of a Street Takeover Event Code to define conduct, specify offenses and authorize vehicle towing.

**Wheeler:** Portland has been experiencing a rise in what's called street sliding. Before we continue I want to play just a brief video for you of a recent street take over event where

street sliding is an example of this type of event for folks not familiar with what we're talking about today. (video) (no audio).

**Wheeler:** Thank you. So colleagues, street take over events are a dangerous activity that creates the risk of death or serious bodily injury to both participants as well as to the public. Over the last two years not only have there been indications that the frequency and spread have increased but so have the number of onlookers. One wrong move can cause and risk injuries as well as deaths. Street take overs also block traffic, interfere with safe passage of Portland community members. They have impeded with emergency vehicles such as police cars, fire trucks and ambulances. It's for this reason, I'm bringing up this the proposed ordinance today. To summarize the ordinance for three reasons. First street takeovers and street races are dangerous that can cause injuries and deaths. Second street takeovers threaten others who do not participate in them. Surrounding cities have toughen their enforcement and prevented those events from occurring in those locations. There's concurrently been an increase in street take over events in the city of Portland. This ordinance will do four specific things. Will it provide police bureau with enforcement tools it will also provide the educational offerings to provide first time arrestees insight of the real life consequences of injuring or killing someone with a vehicle. The dangers and legal consequences of these events for boning the drivers and onlookers. And those needing emergency services stuck in traffic. From my perspective there's a sense of urgency to this. We expect more of these keeps of events. I hope my colleagues would pass this with me on a unanimous basis. I've had some very positive conversations with my colleagues. One area is six months in jail or imprisonment. Furthermore communing. Colleagues, I have an amendment to the ordinance to change the orders from six months to thirty days. Specifically I would like to move this motion. I would like to move that six months be deleted and replaced with thirty days. Can I please get a second for that amendment?

**Rubio:** So moved.

**Wheeler:** Any further discussion on this amendment? Seeing none. Is there any testimony on the amendment?

**Clerk:** [roll called].

**Wheeler:** The amendment passes. If folks do testify please note that that has been changed from six month it thirty days. We have some invited testimony today we're go to go start with city attorney Robert Taylor and deputy chief Chris Davis.

**Robert Taylor:** I'm the Portland city attorney. The mayor covered this very well in his opening remarks. I just want to highlight a couple things from what the code provision does and what the ordinance does. It really focuses on two specific types of conduct that we are seeing in Portland. The first and both of which were shown in the individual yes. The conduct of the drivers operating the vehicles in the curved direction. The people who use their cars or advocating others to block bridges. It create a code of conduct. As the council just did with their amendment, the penalty would be a maximum of thirty days imprisonment, a fine not to exceed five hundred dollars. The code also provides the district attorney to use diversity ergs for first time offenders. That's a possibility for foam use a person thing and the negative impact it can have and how it can harm people. The other important thing this code provision does is allows police to make an arrest for this type both for the drivers and people staging the event. When the arrest has been made, the cars can be towed. We believe that's an important perspective of that aspect. Additionally, as the mayor mention, based on some feedback we got there's 'provision for the police department to undergo training within thirty days and every six months. There are several cities in watching done that have their own code violation. Hopefully this sends a strong message that you can't do it in Portland, just like you can't do it in those other cities in Washington. Chief, Davis?

**Chris Davis:** Thank you. Just to ground us in how serious this issue has become for us, since July 5, 2021 in the city of Portland relating or this street closure exhibition of speed type of activity. These events have grown over time. We've been experiencing them; we have been able to direct resources to the problem and take off a few people at the margins. But we believe this ordinance gives us an important tool to deal with not only the people engaged in the dangerous driving, but the people who are facilitating the event. The people who are shutting down the roads and organizing the events.

We are seeing a lot of hostility towards our own enforcement efforts we encounter at these events. We face resistance when people try to make stops. They teak off at high speeds. We do have the ability to go back and do follow-up at a time that is safer for everyone. This

ordinance will allow to us do as well. Maybe photographic evidence of people who are blocking the streets and facilitating the streets for follow-up later on. A couple of things touched on the requirement for public messengering. We believe that's a very important component. The nominal fee is a lot less than the fine. Upon completing the class, the courts are asked to dismiss the fine. The higher ed driver's class put on by our own divers. A concern is toeing. It's \$200, the financial impact who gets their car towed is about a 2-dollar bill and 24-dollar a day storage. It's not cheap but not thousands of dollars unless you leave your car in storage. Finally related to towing, what we see with some of the vehicles involved in these. We don't know that some people involved in this event it's connected to more serious criminal activity elsewhere.

**Wheeler:** Thank you. Colleagues we have some invited testimony and I'd -- as you know, I have my list some of these people may or may not be here. Some may have substituted other folks up. I'll go through the list. If the folks are there if you could just jump in. The first gentleman I have on my list is Ron. Ron, are you out there? Next I have Seth Schmedemann.

**Mapps:** Ron is here.

**Wheeler:** Ron, are you able to unmute? Megan, can you work with Ron? We'll move to the second person to keep this moving. Is Seth here?

**Seth Schmedemann:** Thank you for the time. Thank you for having me. I can't add a whole lot more about the danger. I operate a company calmed logistics, two warehouse locations. For the past two years at least, we've seen a large increase in this activity. There's been a couple fatalities in front of our billing alone. The activity is dangerous, as what was mentioned there's also a lot of racing that happens. They have gone to the extent of painting a quart per of a mile drag strip in front of our facilities. It's organized. Some evenings are heavier than others. A large concern of mean is the nature of the spectators. Beyond the danger of the activity itself, the folk that's come out to watch. They line the streets, lock entrances to all the buildings throughout the business park. Leave trash. We run a four hour operation, it's not safe for trucks to be entering this racing area. A lot of times we simply had had to close operations. Our video cameras catch footage of it. There's probably fifty or sixty spectators. They set up tents, sell hamburgers. It's a full on speck tackle. It's unsafe for the spectators, the workers that are in these facilities. It's very disruptive and unsafe. I'm really glad that the

council is taking up the issue and we have the opportunity to be heard. The fact b that this is going on, I'm pleased that it's being seen.

**Wheeler:** Thank you very much, Seth. We appreciate you being here. Ron, try again. Ron, why don't you log off and rejoin the meeting and click on the button that says computer audio. We will move on to Kate Merrill from the Central Eastside.

**Kate Merrill:** When they came to Portland police and pbot and the mayor's office in 2019 it was because there were street take overs. If these had just been car shows, we would be happy to work with the organizers and able to provide ample access to our streets. We reached out several times to them and never received a response. Cars were blocking intersections making it difficult for parking to get. I one was clocked at going over one hundred miles per hour. Businesses had to change operations or close down early because of lack of access to their stores. We also heard from our neighbors heard that they chased down camper with their cars. This is unsafe to human life. It's been going on for too long. During cove individual, we're proposing a safe alternative. Thanks for having me.

**Wheeler:** Thanks Kate. Ron, let's try you again and see if this works.

**Ron Huegli:** Do you have me now?

**Wheeler:** Yes, fantastic!

**Huegli:** I'm the manager of Portland international race way. I was asked to solve this problem for these gatherings. I wish that were possible but I don't see that happening yet. Time. Ten p.m. These gatherings almost always take place after testimony people. Liability, it's a city park and no out said weapon or alcohol is permitted. You would need police officers to monitor these events. These are things that they do not appear to be interested in following. Incentive. I feel there's little to no participation in PIR and the gatherings will still go on outside of the facility. Taking these activities off of the public streets give them a sense of security they serve. I welcome new participate to participate at the race track. I don't see them participating in these abilities to abide by state code.

**Wheeler:** Appreciate that very much. Jeff Nua.

**Jeff Nua:** My name is Jeff. I'm the general manager for foods north America here on marine drive. We have two facilities. We employ about 600 employees. Our mainstream manufacturing facilities, it's about a football field away from each other. We've received



hundreds and hundreds of complaints. The employees that work the night shifts are scared shitless. They don't know with the fatalities, there have been two fatalities, one right in front of one of our facilities. The employees are scared. It also impact our business, hiring has he effected the hearing. Once the candidates find out that the activities on Friday, Saturday, and Sunday, once they know p these activities, nobody has a desire or interest to come and work. These are really needy times for us. Number two is retention. For those that we bring in the door, we are beginning to see an incline of people leaving. All they need to do is be exposed to these activities, there's no desire to work out here. Just recently we had to invest \$120,000 in building a fence just to keep the street racers as using our driveways as turnarounds. Was it necessary for our employees? It's a full sense of security. We have to leave the main doors open in case of accident. But we had to put it in for them to let them know we care and we are listening. I'm glad I'm part of this today. I have a work force, that I'm sorry, is scared shitless when they are going home. They really really are. The videos on youtube, that's the talk of the town in the hallways. Interesting times on marine drive. We're battling covid, street racing, there's memorials up and down marine drive because of some unfortunate fatalities and the incline of graffiti, wow, serious concerns. I know we're here to discuss the street racing. It's out of control. We're scared. I'm thankful, you gave me two or three minutes to voice how our employees feel.

**Wheeler:** Thank you Jeff appreciate you being here. Next is Paul Taylor.

**Paul Taylor:** Hello Mr. Mayor. I'm going to second what Jeff said. This a critical matter for our businesses. We support it 100% and respectfully implore all of you to support this very important measure. Thank you very much.

**Wheeler:** Bill Ballenberg, you're next. Are you able to unmute?

**Bill Ballenberg:** Thank you for having me this often. I'm learning an awful lot. Many represent businesses. This problem has dpon on a lot longer than I knew. We are quite new residents of Portland; I didn't know until the other night when I heard a bunch of racquet souped up cars. When I learned that the council was considering a law to outlaw this. I was amazed that there wasn't one already. It seems to me what we have isn't the possibility of an accident, we have major problems and fatalities waiting to happen. The fact that isn't already a crime is really remarkable. I really feel that it needs to be. I appreciate the council moving forward with this,

police, and I did her his response. I understand it's starting to evolve quickly. I understand staffing is an issue, but I think police need to be involved swiftly and firmly with this law. We are just homeowners in the Richmond neighborhood. Thanks for letting me testify today.

**Wheeler:** Michael Roberts, thanks for being here.

**Michael Roberts:** My name is Michael Roberts and I'm a sergeant with the Portland police bureau. I've been tasked with trying to address this issue since last October. Other historical approach on street racing, looking back it looks about they are years, we've been dealing with, I feel what we found is it would come back. One of the reasons why is that we are the only agency in this area that doesn't have a protective measure to keep people safe against street racing. This is what brought me to Robert Taylor and having conversations with my chief's office to look at this from every angle to have an effect. We've tried to be thorough with our research, we've looked at it through the equity lenses. That's how we came up with this diversion program that we will implement. We believe that with communication and education component of this we will be able to have an effect on the future. As you all know, staffing is what it is, so without the proper tools in place, we aren't able to accomplish these smaller issues which make living in a community valuable. They are really valuable tasks we have to accomplish. If you have questions or want to know what we've done historically, our successes and failures, I'm happy to share those before I go. I'd also like to appreciate all of the testifiers and coming to the table to speak. I've spent countless hours on the phone trying to help people understand our approach. Thanks for standing up for yourselves and letting the City know what you need.

**Wheeler:** Can you for all you are doing for the committee. Are you able to stick around after we hear the last three testifiers?

**Roberts:** I'm here all afternoon.

**Wheeler:** We won't keep you that long. I promise. Next up we have Scott Reis.

**Scott Reis:** It thank you for having me here today I appreciate it. I sent you an email the other day before I knew about this ordinance. I'm a St. Johns resident speaking from my own experience and what I've witnessed -- I'm in support of this ordinance. In July 9th and 10th this was the first time I had an encounter with the street sliding. I play tennis and I was watching my team play tennis by Benson high school and all of a sudden behind me I heard

this screeching and I saw a car going in circles. I didn't know this existed until this time. But it was really scary and I started to run down the sidewalk to get away from it. Then I stopped and watched and it spun in like 6 or 7 circles. Then it sped off really fast. There were bikers in the bike lane quickly getting off the street and onto the sidewalk. We were all wondering what happened. The next day – broad daylight – on Columbia Blvd. and interstate I was driving and traffic stopped all of a sudden and up ahead there was a car doing the circles right in the middle of the street and everyone pulled over. Two days in a row I saw this. The other day I was at my house and I heard that same noise. Later on on the Facebook page, I saw people talking about it. It was right by the baseball field where elders to Thai chi. I'm just worried about the safety of the community. Mine is about what's happening in daylight. Others here are talking about what's happening at night. It's all very scary. I support this and the police and all of the help they need to deal with this. I wanted to share my opinion. Thank you.

**Wheeler:** We have two more people. Johan Hellman, you are up next.

**Johan Hellman:** I'm the public affairs director. I commend the mayor and staff for bringing this proposal forward and address this critically important safety issue. There have been head on collisions, people have been surrounded and harassed and they have witnessed multiple incidents of graffiti and assault and harassment. Railroad employees are critical to maintaining some semblance of normal during the pandemic. For our employees working in North Portland Street takeovers impede them from doing their work. They can't even move safely from home to work. It's so bad in many cases, we shuttle employees in and out of the area. The measure before you improves safety. We compel to you support critical workers by passing this measure. Thanks for your leadership and consideration.

**Wheeler:** Next up, Matthew Markstaller.

**Matthew Markstaller:** Thank you, I represent Daimler Trucks North American. We have 3000 people in 20 buildings. I second everything I heard today, but I won't go over it again. This is just a small part of the crime we've seen increase over the last few years. It's out of control. We see people fleeing the police force. The police force have their hands tied. There are so many issues and tools they need that are bound up by federal and state issues. If we see this and

any other issue that city council can give them tools with, I urge you to do it and those as well. We need to get crime down to a manageable way. Thank you.

**Wheeler:** We have one more person on the attendee side, will you move him over? Alonzo Plater.

**Clerk:** Yes, moving him now.

**Alonzo Plater:** Thank you, mayor. Good afternoon, mayor, and commissioner Ryan. Pleasure to be here today. I'm the vice president for Columbia sportswear. I'm so happy to see that we're having this conversation today and all the testimony that we've heard is really on point. Columbia sportswear is a family brand you're large facility houses about 650 employees. We grow that as we get closer to our peak season around another 100 or so employees to 750. Our employees work from 5:30 am all the way up to 1:30 or 2 am. So when we talk about the prime time for this activity from a street takeover perspective, we see that increasing large danger for our employees and all employees going to and from work on marine drive. From food trucks driving over 100 miles per hour, driving without headlights. We have employees refusing to come to work at night when we know the conditions are right for racing. We've also had a number of occasions when people are trapped at work because it's too dangerous. We've taken action and shut our facility down causing us multimillions of dollars in revenue. The struggle is real so I won't go further into that but recruiting and retention and what this means for the area is really damaging. I appreciate the testimony from Office Michael Roberts, we've done a lot of work with him to give him and the team tools they need to resolve this. On behalf of all of the businesses in this area that are all standing together on this I applaud us. I want to thank everyone for spending time on this. We support this ordinance. Thank you.

**Wheeler:** Let's move on to public testimony.

**Clerk:** We have three individuals on the call.

**Wheeler:** Very good. Why don't we go ahead and get right to them.

**Clerk:** First is Timothy Swales.

**Wheeler:** Good afternoon.

**Timothy Swales:** I joined late, but I don't agree with the ordinance, Multnomah County should not rely on jail as punishment, so the second offense has a \$500 fine and 6 months in jail or something like that. I live in the area where the Portland police came the first time around

because they thought it was Black Lives Matter. The police showed up because we had a traffic division, but we still have sworn officers that should show up if there is a crime and multiple businesses show up if there is a crime. But I don't have any faith in the police. I was attacked by the Portland police and nothing has been done with that. I don't have anything more to say. I can't stand you Ted Wheeler. I do have that to say. I hope the other commissioners hear that we need good leadership. Nothing has changed since last year.

**Wheeler:** Thank you for your perspective. Next up, Megan.

**Clerk:** Victoria Preisler.

**Victoria Preisler:** I live on portsmith avenue. I'm a homeowner and have been here since 2017. I'm strongly considering moving due the racing on our streets. I've joined all of the meetings for about a year. Have a sign on my street from pbob. I have canvassed my own neighborhood to put signs out. I am still awoken by drivers do doughnuts. We had pbob join one of the calls months ago. They have put in signs to watch your speeds. I feel our city must take swift and serious action. We're not getting help from the groups who's can take action. I'm an advocate for cameras that take pictures and give tickets. I pray that question put in speed bumps and barriers to force people to slow down. One child was killed. Speed bumps were put on Willis but children walk to school in many other areas. With schools opening in the fall again, thank goodness, there will be more children walking around getting to school, they deserve to make it to school and home safely. I would not even let my nephews out of my sight, for fear of them being killed outside of my home. I'm here to ask for continued action.

**Wheeler:** Thank you.

**Clerk:** One last individual. Edith Gillis.

**Edith Gillis:** My heart goes out to those people who are terrified and have been harmed by reckless and dangerous driving and police failure to protect our communities. What we do have, we're not using to address this. We're not using traffic photo enforcement and speed. We're not using better engineering for fire trucks to go at an appropriate speed in an emergency to prevent his dangerous driving. Police have taken home better pay with benefits with more resources, more surveillance, more agencies supporting them. They've not been able to do their job and reducing violence and having all these along the roads and

having these deaths. People know risk and that has not stopped it. They are not addressing the cause. If you know police will be paid more money to stop people's freedom of speech and of press when people have the mandate to hold government and police accountable for police brutality. Then police won't show up to stop street racing, gun violence when they get paid more to stop and harass non-violent protesters. We do not address the cause when you have punishment after the fact. None of this responds to research. You are not having the people they would trust and tell honestly why they do it and what they would do instead. You are not having community involvement. All around the world we have research showing that people don't do things to communities they love. We have created a top down of people not respecting each other and this is seen in this reckless activity. We already have always against reckless driving, and that has not stopped it. However, I do not want this to prevent people from providing safety and protecting people in case of an accident. We need this weekend to have the public use their vehicles, and bikes and bodies. We need to have people stop the fascists. We can't have the police stop the fascists. When you use the same laws to go against those who protect the city and are more effective. And not against those that are dangerous. Address the real cause. Get police out of the street business and do address the underlying causes. Use good community development and get rid of the cops and their involvement in this. Their violence and corruption.

**Wheeler:** You're a minute over here. Can you wrap it up, please?

**Gillis:** I was done.

**Wheeler:** That ends public testimony. Very good. That completes the presentation and public testimony. The sergeant and others are here to answer any questions you may have. I believe we may be ready to call the roll. First I'll ask if anyone has any questions or thoughts or comments. Not seeing any, so with that, call the roll.

**Clerk:** Mapps.

**Mapps:** I want to thank everyone who testified today. Gave us an important insight on this growing problem. I want to congratulate the mayor who has been working hard on this. I think this is an important step towards solving and growing a public problem. That's why today I'm glad to vote aye.

**Rubio:** Thank you mayoral Wheeler for your leadership on this. I appreciate the urgency and the need for its immediate application. It's effecting workers and people attempting to safely use city streets. It does raise some questions for the longer term as well. If our goal is to lower the goal of max incarceration it raises the question of justice practices and punitive consequences. I'm very appreciate active of the mayor's willingness to engage and collaborate with my team on this ordinance. I'm pleased with the conversations that ruled not only in more public. This is a reasonable approach while still maintaining to look for resolutions on a case-by-case basis. A few different community leaders and youth organization have been looking for ways to make this a safer community. I'm interested in exploring these with my colleagues in the coming weeks. For those reasons, I vote aye.

**Ryan:** Thank you, mayor Wheeler, for bringing this moderance to the dais today. Also for the very compelling testimony that we heard. I think the purpose is to update the city code to provide enforcement tools for the police bureau to reduce sliding events in the public right of way. I think we should align with our neighboring cities. For 30 years this has been in rise, especially over the last 18 months. These events are with people in the middle, as we saw in the videos. It's scary how many times it looks like someone will be hit. One wrong move and the driver will go into the crowd risking injury and death. The noise is extreme and it's a sleep deprivation for my neighbors. Thanks to the emails and phone calls and nudges. I say thanks for your patience, this is in the about time category, I do appreciate the amendment. I think that's in good construct. It's about time for our city to act and address these events that threaten the lives of all Portlanders. I vote aye.

**Wheeler:** I believe this is a necessary step to having safer streets in Portland. The passing of this ordinance we're on the right track from preventing these events from happening in the first place. This issue will not magically go away. It's an evolving matter that I've sure will be revisiting down the road. Thank you to those who testified and my colleagues on city council. This was a good collaboration. I appreciate the way that we all had the opportunity to work together on this and the way that our staff has worked together. That speaks volumes about the nature of the work that we're doing collaboratively and collectively. I want to take a brief moment to thank my staff for their work on this ordinance. I vote aye. The amendment is adopted. And believe it or not. That concludes our agenda for today. We are adjourned. Thank

you very much.

**At 3:05 p.m., Council adjourned.**