



August 23, 2023 Council Agenda

5727

City Hall – 1221 SW Fourth Avenue, Portland, OR 97204

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Questions may be directed to councilclerk@portlandoregon.gov

Wednesday, August 23, 2023 9:30 am

Session Status: Recessed

Council in Attendance: Mayor Ted Wheeler

Commissioner Dan Ryan

Commissioner Rene Gonzalez

Commissioner Mingus Mapps

Meeting convened at 9:45 a.m.

Commissioner Ryan presided.

Officers in attendance: Linly Rees, Chief Deputy City Attorney; Keelan McClymont, Council Clerk

Item 700 was pulled from the Consent Agenda and on a Y-4 (Rubio absent) roll call the balance of the Consent Agenda was adopted.

Council recessed at 11:07 a.m.

Communications

689

[Request of Elaine Mildenerger to address Council regarding Columbia Park pools](#) (Communication)

Document number: 689-2023

Disposition: Placed on File

690

[Request of Jess Pipkin to address Council regarding gun violence in SE neighborhood](#) (Communication)

Document number: 690-2023

Disposition: Placed on File

691

[Request of Addie Smith to address Council regarding racism and discrimination](#) (Communication)

Document number: 691-2023

Disposition: Placed on File

692

[Request of Stanley Penkin to address Council regarding Home Share Oregon](#) (Communication)

Document number: 692-2023

Disposition: Placed on File

693

[Request of Ally Parzych to address Council regarding Home Share Oregon](#) (Communication)

Document number: 693-2023

Disposition: Placed on File

Time Certain

694

[Accept Outdoor Dining Program Design Guidelines Report](#) (Report)

Document number: 694-2023

Introduced by: Commissioner Mingus Mapps

Bureau: Transportation

Time certain: 9:45 am

Time requested: 1 hour

Disposition: Accepted

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

Votes: Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

Consent Agenda

695

[*Amend FY 2023-24 budget and appropriate \\$6,621,827 from Intergovernmental Agreement with Multnomah County for emergency shelter expansion and update signature authority \(amend Ordinance 191400\)](#) (Emergency Ordinance)

Document number: 191421

Introduced by: Mayor Ted Wheeler

Disposition: Passed

Votes: Commissioner Rene Gonzalez Yea
Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Absent
Commissioner Dan Ryan Yea
Mayor Ted Wheeler Yea

696

[*Amend price agreements with Job Order Contracting to increase each agreement by amount not to exceed \\$5 million \(amend Price Agreements 31001630, 31001855, and 31001864\)](#) (Emergency Ordinance)

Document number: 191422

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services

Disposition: Passed

Votes: Commissioner Rene Gonzalez Yea
Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Absent
Commissioner Dan Ryan Yea
Mayor Ted Wheeler Yea

697

[*Pay bodily injury and property damage claim of Frank Moscow for \\$18,845 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Document number: 191423

Introduced by: Mayor Ted Wheeler

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

Disposition: Passed

Votes: Commissioner Rene Gonzalez Yea
Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Absent
Commissioner Dan Ryan Yea
Mayor Ted Wheeler Yea

698

[Authorize ninety month lease with Icon IPC Property Owner Pool 3 West, LLC for the Office of Management and Finance Facilities Operations and Maintenance Operations Center at 3315 NW 26th Ave for an estimated annual cost of \\$151,871](#) (Ordinance)

Document number: 191424

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Facilities

Second reading agenda item 669.

Disposition: Passed

Votes: Commissioner Rene Gonzalez Yea
Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Absent
Commissioner Dan Ryan Yea
Mayor Ted Wheeler Yea

699

[Authorize Intergovernmental Agreement with State of Oregon Department of the State Fire Marshal for Regional Hazardous Materials Emergency Response Team Services](#) (Ordinance)

Document number: 191425

Introduced by: Commissioner Rene Gonzalez

Bureau: Portland Fire & Rescue

Second reading agenda item 674.

Disposition: Passed

Votes: Commissioner Rene Gonzalez Yea
Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Absent
Commissioner Dan Ryan Yea
Mayor Ted Wheeler Yea

700

[*Authorize Chief Procurement Officer to execute emergency security services contracts for SmartPark Garages in a cumulative amount not to exceed \\$2,700,000](#) (Emergency Ordinance)

Introduced by: Commissioner Mingus Mapps

Bureau: Transportation

Disposition: Referred to Commissioner of Public Safety

701

[*Authorize competitive solicitation and execution of price agreements in support of the Bureau of Transportation Quick Build Delivery Program for a cumulative amount not to exceed \\$45 million.\(amend Ordinance 191139\)](#) (Emergency Ordinance)

Document number: 191426

Introduced by: Commissioner Mingus Mapps

Bureau: Transportation

Disposition: Passed

Votes: Commissioner Rene Gonzalez Yea
Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Absent
Commissioner Dan Ryan Yea
Mayor Ted Wheeler Yea

702

[Authorize Intergovernmental Agreement with Multnomah County Environmental Health Services for \\$66,441 for enforcement activities of specified animal regulations in FY 2023-24](#) (Ordinance)

Document number: 191427

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability (BPS)

Second reading agenda item 677.

Disposition: Passed

Votes: Commissioner Rene Gonzalez Yea
Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Absent
Commissioner Dan Ryan Yea
Mayor Ted Wheeler Yea

Regular Agenda

703

[*Ratify a Successor Collective Bargaining Agreement with Portland Police Association relating to the terms and conditions of employment of represented employees in the Bureau of Emergency Communications for 2023-2027 \(Emergency Ordinance\)](#)

Document number: 191428

Introduced by: Mayor Ted Wheeler

Bureau: Emergency Communications (9-1-1); Human Resources; Management and Finance

Time requested: 15 minutes

Disposition: Passed

Votes: Commissioner Rene Gonzalez Yea
Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Absent
Commissioner Dan Ryan Yea
Mayor Ted Wheeler Yea

704

[Appoint Kim Lohr and Sean Wallace and reappoint Adam Abplanalp to the Revenue Division Appeals Board \(Report\)](#)

Document number: 704-2023

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue Division

Time requested: 15 minutes

Disposition: Confirmed

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

Votes: Commissioner Rene Gonzalez Yea
Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Absent
Commissioner Dan Ryan Yea
Mayor Ted Wheeler Yea

705

[Approve findings to authorize exemption to competitive bidding requirements and approve use of alternative contracting method of Construction Manager/General Contractor and authorize payment for construction of the North Portland Aquatic Center Project](#) (Ordinance)

Document number: 191429

Introduced by: Commissioner Dan Ryan

Bureau: Parks & Recreation

Second reading agenda item 687.

Disposition: Passed

Votes: Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

706

[Authorize contract with PLACE Studio, LLC for North Park Blocks Extension Project not to exceed \\$1,367,074 \(amend Contract 30008449\)](#) (Ordinance)

Document number: 191430

Introduced by: Commissioner Dan Ryan

Bureau: Parks & Recreation

Second reading agenda item 688.

Disposition: Passed

Votes: Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

Wednesday, August 23, 2023 2:00 pm

Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler

Commissioner Dan Ryan

Commissioner Rene Gonzalez

Commissioner Mingus Mapps

Commissioner Ryan presided.

Officers in attendance: Anne Milligan, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 3:32 p.m. and reconvened at 3:40 p.m.

Council adjourned at 4:18 p.m.

Time Certain

707

[Accept Independent Monitor, LLC report on 2020 Critical Assessment under U.S. Department of Justice Settlement Agreement](#) (Report)

Document number: 707-2023

Introduced by: Mayor Ted Wheeler

Bureau: City Attorney

Time certain: 2:00 pm

Time requested: 90 minutes

Disposition: Accepted

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

Votes: Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

708

[Accept the 2022 Annual Report of the Portland Police Bureau](#) (Report)

Document number: 708-2023

Introduced by: Mayor Ted Wheeler

Bureau: Police

Time certain: 3:30 pm

Time requested: 30 minutes

Disposition: Accepted

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

Votes: Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

Thursday, August 24, 2023 2:00 pm

Session Status: No session scheduled

**Portland City Council Meeting Speaker List
August 23, 2023 - 9:30 a.m.**

Name	Agenda Item
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Keelan McClymont	
Commissioner Rene Gonzalez	
Commissioner Mingus Mapps	
Commissioner Dan Ryan	
Linly Rees	
Elaine Mildenberger	689
Addie Smith	691
Stanley Penkin	692
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Sarah Figliozzi	694
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Portland City Council Meeting Speaker List
August 23, 2023 - 2:00 p.m.

Name	Agenda Item
Mayor Ted Wheeler	
Keelan McClymont	
Commissioner Rene Gonzalez	
Commissioner Mingus Mapps	
Commissioner Dan Ryan	
Nick Mitchell	707
Peter Davidov	707
Philip Eure	707
Matthew Buttice	707
Heidi Brown	707
Chief Charles Lovell	707/708
Marc Poris	707
Dan Handelman Portland Copwatch	707/708
Ashley Schofield	707
Sanga (Demetria) Mkbaklene (Hester)	707

Portland City Council Meeting Closed Caption File

August 23, 2023 – 9:30 a.m.

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, motions, and names of speakers are included in the official minutes.

Speaker: August 23rd, 2023. And this is your morning session of the Portland City Council. Keelan can you please call the roll? Good morning.

Speaker: Gonzales. Here, maps here. Rubio Ryan. Here. Wheeler here.

Speaker: Okay. Thank you. Keelan we'll now hear from legal counsel on the rules of order and decorum. Linly.

Speaker: Good morning, commissioner Ryan. Welcome to the Portland City Council to testify before council in person or virtually. You must sign up in advance on the council agenda at Portland. Dot gov slash council slash agenda information on engaging with the City Council can be found on the council clerk's web page. The presiding officer preserves order and decorum during City Council meetings. The presiding officer determines the length of testimony. Any individuals generally have three minutes to testify unless otherwise stated. A timer will indicate when your time is done. Disruptive conduct such as shouting, refusing to conclude your testimony when your time is up or interrupting others testimony or council deliberations will not be allowed. Or if you cause a disruption, a warning will be given. Further disruption will result in ejection from the meeting. Anyone who fails to leave once ejected, is subject to arrest for trespass. Additionally, counsel may take a short recess and reconvene virtually your testimony today should address the matter being considered when testifying. State your name for the record. Your

address is not necessary. Disclose if you are a lobbyist. If you are representing an organization, please identify it for testifiers. Joining virtually. Please unmute yourself once the council clerk calls your name. Thank you.

Speaker: Thank you. Linly first up is communications Keelan. Can you please call the first item?

Speaker: 689 request of elaine mildenberger to address council regarding columbia park pools lane come right up.

Speaker: Good to see you. Sit the middle chair if you can. And I'm sure the mics are working now, right? Yeah. And when you begin speaking, you have three minutes. Welcome pardon. Oh, you all have three minutes when you begin speaking. Good to see you.

Speaker: Give me about three and a half. So I've come to speak about the columbia park pools that were closed for. I'm not sure what reason. So it's caused a lot of stress in the community and it's put way too much stress on the only two remaining pools in north Portland, which is peninsula and pier park. A friend of mine that has five grandchildren, he has three oldest can swim. One is a lifeguard and the two youngest can't. When he can, he drives to the milwaukee elks park, which is a ways. So I feel that a cruel mistake was made by the previous council and myself and many others are imploring you to reverse their decision. So so, so now we talk about the aquatic center to be built in the next six, seven, eight years with the budget right at \$50 million, which of course over time will increase. People will love it and use it. But right now it's pie in the sky and the columbia park community is asking why their community's city is being told it's their sacrifice that's needed so that another community community can have what our community is being denied. It just doesn't seem fair. It's not just in 2020. We overwhelmingly passed measure 26 to 13. That specifically was to prevent cuts to park programs and to prevent

community centers and pools from being closed in 2022. We overwhelmingly voted to keep that program going again. It's between between 45, \$50 million a year. People voted. That means something. All of homeowners are paying hundreds of dollars a year through their taxes for this program. But the pools were closed anyway. Okay. How does that work? It just seems like the vote means nothing. So north Portland has pier park at the far north end of the community of saint johns, and the next pool is in peninsula park, miles away. Contrary to what we voted in the columbia, right in the middle, the pools were closed. Many would benefit if these pools were repaired and reopened, even if it meant without a roof. So please put your heads together and make this work. And so since the saint johns review article came out, which are all going to be provided with, I've been provided with a copy of the community task force facility assessment. The report indicated that the mechanical systems are sound and serviceable, with the exception of an assessment of the roof structure for so I would like the city to review the task force report and implement its recommendations. So a while back, a statement came out that said for too long our kids have had to leave their community in order to have the amazing opportunities that others have readily available. All I must add our columbia pool facility must be repaired and maintained. The concept of deferred maintenance ice must be removed from the city's vernacular. So thank you all for listening to this and please make this work. There's a lot of people depending on you.

Speaker: Thank you. Thank you. Thank you so much. Elaine mildenberger. Good to have you here. And I'm glad that you're connecting with ken rumbaugh. Ken is connecting with you. Ken knows all things about pools in Portland parks and rec and I do think we need to get to the bottom of what the actual expense is. And I think that's what's coming out really clearly is we need to communicate exactly

what it is. So I appreciate you bringing this to the dais and I know when commissioner Rubio made this decision prior to me having this assignment, it was a tough one. And I just I have been focusing on the future, which you mentioned, the north Portland aquatic center. And I understand what you're saying. I see the long lines at pier park in peninsula due to this closure. It is a sacrifice. And I thank you for being here and so, ken and you are connected right? Yes. Okay. That's helpful. All right. Thank you. Next item is 6.90 colleagues. Was there any other comments on this? Okay 690, please.

Speaker: Request of jess pipkin to address council regarding gun violence in southeast neighborhood. Jess was planning to join online. They haven't arrived. Is jess pipkin here?

Speaker: Okay, why don't we go to 6.91, then 691 request of addie smith to address council regarding racism and discrimination in addie is joining us online. Welcome, addie. See you online. Please unmute. You have three minutes.

Speaker: Sorry about that.

Speaker: It's okay. Welcome

Speaker: Thank you. Hello council. My name is addie smith. I'm speaking before you today to raise awareness about the importance of putting an end to the bigotry, systemic and structural racism and discrimination happening to young black men like my son jaylen in this state by the police and by courts like Multnomah and Washington county, for example, and by those people that work in the building. Stop. I'm telling you all to tell your white friends, neighbors and colleagues to stop and reaching out to you all here. Because if it doesn't end, because if it doesn't end, you're going to see more and more black mothers like me who will not go to the polls and continue to support democrats like president biden, jeff merkley, ron wyden, julie fahey and yourselves and some of those on the

Multnomah County board of commissioners. I know you all think that there is a lesser of two evils in this political parties, but there isn't. I'm telling you that there isn't. And that if you have to and if I have to keep asking that work be done to stop the discrimination, the systemic and structural discrimination by your judges and by your police, you're going to see a world, a united states, that you don't want to see by republicans that are showing you their racism. Oregon in Washington state and california are more racist than what we have seen in the south. And it is time for the media to start publishing about what is being allowed to happen in these states that I don't see a lot of that happening. And I can give you an example of that. I can tell you about judges who are watching child from their benches in Washington county. That didn't make national news. It did not. And he was allowed to leave jail on his own recognizance by chief judge kathleen proctor. Meanwhile, young black men who are accused by ex-girlfriends who when for example, my son broke up with this girl and she lied to the police that he had hurt her and he simply would not allow her into his home. His home, not her home. And he wasn't given a bond that he could afford because she went to the police and lied. And then the courts took it from there. But those same courts allowed judge michael mann to be to walk right out of jail on his own recognizance. And when andrew seltzer, the only person who reported about what happened, reported that he was allowed to walk out of the jail, judge proctor had him come back and pay \$2,000. So he could go home and sit at home and watch more child until his case started. You guys have got to do something about it. I'm going to come back and speak again. Thank you so much, adi.

Speaker: Thanks for being here. Comments. Okay we'll move on to the next test. Did you have a comment?

Speaker: I just wanted to note for hold on commissioner Gonzalez smith yes, Portland City Council has no jurisdiction over Multnomah or Washington county circuit courts. So we have no connection there.

Speaker: I'm glad you mentioned that, mr. Gonzalez, and I want to say this. You guys have lunch with these people. You guys talk with these people. You guys, there is communication that is happening. These are your colleagues. These are your friends. These are your neighbors. These are your peers. Conversations are happening and we know that they are so while I appreciate your response, you know that that response is just an excuse to allow that sort of behavior to continue. Meanwhile, you want us to continue to put people like Biden in office when you have people like Jeff Merkley saying things like SCOTUS needs ethics and want to give you an example and I'm just going to just briefly say this. Okay. I have filed complaints against judges in Multnomah County and Washington county, for example, and I received a response from Rachel Mortimer, who is the executive director at the commission on judicial conduct. And her excuse to me was that she couldn't hold these judges accountable, all because she doesn't have enough funding in the budget. There are too many excuses for systemic and structural racism and discrimination. These are your friends. These are your neighbors. You guys have to do something about it or you're going to see a country that you don't want to see. No one wants Desantis to be president. But guess what? If I continue to have to deal with my son being discriminated against, that's what we're going to get because there is no lesser of two evils. So it's either all of us are going to suffer.

Speaker: Adi, thank you.

Speaker: None of us are going to suffer.

Speaker: Thank you so much. And your passion and your point is so well taken. And yes, we do always need to work with our colleagues who also have governance

roles throughout the system. So I really appreciate your voice today. Thanks for being here. If we could go on now to 692692 and 693 have requested to present together.

Speaker: May I read both of them? Great okay, great. 692 request of Stanley Pankin to address council regarding homeshare, Oregon and item 693 request of Ali Parzick to address council regarding homeshare Oregon.

Speaker: Great welcome. Stanley and Ali will go ahead and give you six minutes total and the floor is yours.

Speaker: Thank you commissioner. Good morning, Mayor Wheeler. And commissioners. And thank you for the opportunity to submit testimony in support of city funding for homeshare, Oregon. My name is Stan Penkin and I am the chair of homeshare, Oregon. Sorry, I cannot be with you in person today, but our development manager, Ali Parsa, is our mission is to increase access to affordable housing through home sharing. What began as a small program has exploded into a proven way to expand access to low income housing while also building financial resilience for some of our most vulnerable homeowners. Homeshare Oregon is an upstream approach to preventing homelessness statewide. We have over 1200 homeowners registering to rent their space spare bedrooms and about 3000 home seekers trying to find affordable housing. The average rent for renters in our program is 750 to \$800. \$1,000 less than the current market rate in urban centers and also less than the rent for more traditional low income housing. Our goal is to empower homeowners and housemates to successfully execute the home sharing program model. Home share is a proven response to increasing access to affordable housing. The reality is that we cannot build ourselves out of our housing crisis anytime soon. But by effectively utilizing the untapped existing inventory, we can house people quickly and without the

enormous cost and time it takes to build new housing. Home share programs are currently being funded by local municipalities in Ohio, New York, Boston, California, Vermont, Maine and more. Last year, Homeshare, Oregon received a \$250,000 grant to pilot our program in Multnomah County, with 1.5 FTE and targeted public education. Advise the participant participation in the program increased 49%. The grant was allocated in late July and hiring was completed in early September. In less than nine months, 83 people were placed at an average cost of \$3,000 per person served upon completion of the pilot home share and partnership with the PSU School of Business capstone project evaluated our success, which included a participant survey and identification of any barriers to using the program effectively so we can respond and improve where needed. Mayor Wheeler and commissioners, you all know that I'm involved in many things across this city. Of all my involvements, Homeshare is closest to my heart and something at which I am extremely passionate and it is having a significant impact. I hope you can help us increase that impact and will now hand this over to Ali. Welcome Ali.

Speaker: Thanks for being here.

Speaker: Good morning. My name is Ali Parzick and I am the development manager at Homeshare, Oregon. Thank you for allowing me to provide a continuation of an overview of our organized session this morning. So as Dan mentioned, barriers to the use of our programs centered on technological limitations by participants as well as staffing challenges to meet participant demand. So 27% of our homeowners signed up for the program. Um, because they were mortgage burdened, 19% signed up because they wanted to support affordable housing in their community is 73% were over the age of 55. 63% were women. 53% received social security benefits, 26% were from BIPOC communities, and 34% of all participants had either experienced homelessness or housing

insecurity. So this data reinforced our thesis that home sharing is preventing foreclosure and building financial resilience while also providing low income housing. Today we are requesting 1 million per year for the next two years to fund a tech upgrade and five ftes with administrative support to increase homeowner participants by 30. In the city of Portland. This will allow us to meet current participation demand, enhance our data tracking system, um, increase public education efforts and recruit more homeowners and provide the much needed shelter for many in need in the city. Homeshare, Oregon understands there is no more cost effective solution to expanding access to affordable housing than home sharing. While our continued investments need to be made in housing production, this cannot be the only approach as it supports antiquated policies which created the supply demand issue we are currently facing today. The vision a home for everyone needs to evolve and expand so we can expand, respond successfully to the current crisis. We can't build a home for everyone, but we can expand access access significantly to housing by putting to work the underutilized housing stock. Currently available. We are asking for the city's support, so we can better serve our participants aggressively target the city of Portland for expansion and increase home owner participation by 30. Home sharing is the most cost effective approach to affordable housing crisis, which is contributed to the rising number of displaced people. We are an upstream organization, as dan mentioned, preventing homelessness as well as foreclosure before it happens is. Thank you for your consideration. We look forward to getting to know each of you and understanding how our relationship can grow stronger in years to come.

Speaker: Thank you so much, ali. Colleagues, any questions, comments? Ali, I just want to thank you both, both you and stan for being here. I have to say, in real time, it hit me how this benefits also the homeowner. I haven't heard that

testimony with such clarity before. And I want to just also mention how important it is that we always look at different strategies for different types of people who are homeless. I often use the example of my brother who was chronically homeless, who had triple diagnosis and was suffering, and he wasn't really able. He needed services to help with mental health and behavioral health services before they would move into a studio apartment, for example. And I don't think any of the homeowners would have wanted them in their home at that time. However, my mother, who is on fixed income and had some health issues, was suddenly in a crisis of being could have been homeless. Luckily, there was organic system at our church in san diego where she was able to pay way below market. So it really was kind of this system without having a great agency like you involve. So I do hope that we continue to look at different strategies for different types of folks who are on the verge of being homeless. I do have a question. Have you been working with the joint office at the county to get into their budget? Yes okay. I just wanted to hear that. Okay. Thanks so much for being here. Thanks for putting that out. And I'm sure you're also talking to our partners at the county, correct? All right.

Speaker: Yes, to that, dan, commissioner.

Speaker: Oh, hello, stan. Yep. I didn't hear what you said.

Speaker: I said yes to that. We are talking to joint office and the county as well. Great great.

Speaker: Well, wonderful presentation. Thanks for being here. Thank you. Okay, Keelan, let's move on to consent. I think there's one item that's been pulled off, item 700. Okay all right. So with that being pulled off consent, please call the roll.

Speaker: Gonzalez, I maps. Hi, Ryan. Hi, Wheeler. Hi

Speaker: Okay, great. Our first time certain is somewhere in here.

Speaker: 694.

Speaker: Thank you. So please read 694. Except outdoor dining program design guidelines report. Welcome commissioner Ryan, this is me. I'm going to hand this over to commissioner Mapps commissioner Mapps. Please take it away. Great

Speaker: Thank you very much. Colleagues this item comes to us from the bureau of transport station. As you know, since the pandemic, many restaurants in Portland have added outdoor dining options in the public right of way. The report before us today proposes two things. First, this report recommends that the city's outdoor dining program be made permanent. And second, this report proposes updates to the rules that govern the design and placement of tables, chairs and dining sheds in the public right of way. Now, the goal of these guidelines is to improve safety and accessibility in the public right of way, while also supporting businesses and neighborhood vitality. This report does not create any new financial burdens for the city or business owners. However next month, council will review propose adjustments to the fee schedule for the city's outdoor dining program. Here today, we have some staff from pbot, including art pierce, policy planning and projects group director for pbot. We also have david mceldowney right of way management and permitting division manager with pbot and we have sarah figliuzzi, a public realm and street activation section manager at pbot. Welcome pbot take it away.

Speaker: Great. Thank you, commissioner. Again, art pierce, director of policy planning and projects at pbot. Very pleased to bring this item before you today. We're presenting today is a specific guidelines for the outdoor dining program and really to move this towards a more consistent and predictable program as as you may recall, during covid, we opened up street uses to a whole variety of opportunities. And this was one that business owners really valued and really was a lifeline for our economic resiliency during the period. But it's becoming an expected

part and a really enjoyed part of our civic life here in Portland. And in particular, I want to thank council as we're heading into this. This wouldn't have been possible if council hadn't allocated arpa funds to support us through this period, both supporting businesses and subsidizing the cost of this program. But also supporting the undertaking of this study and the staff work that is taking to now create a program that I think will be evergreen and lasting for many years. So next slide. But I think a key question, why is pbob doing this? And I think it's really important for us to remember that streets make up about 40% of the land in our city. It is a set of real estate that we have a set of options to deliberate on and can make policy choices about what's best for the mobility needs for the city, as well as the economic and civic life of the city. And we think that this is an opportunity for pbob and for the city to really show its values, particularly in bringing community back together after a number of hard years. And public space is how a community embodies its its culture, its connection. When someone who went to the flaming lips last night and could see the excitement of everyone here at pioneer square and knowing that that needs to happen throughout the city, we need to be able to create places, particularly as we densify our streets and our communities, that there is places for connection, places for dialog, places to see people that are similar to you, and also people that are different from from you and the choices that we can make about how we allocate street space is part of our public policy choice for how we are creating a culture and a community and particularly, I think after three hard years, this is an opportunity for us to produce spaces and opportunities for community to come together and find connection and resilience as we are sort of remaking Portland in this post pandemic era. Out of the myriad of solutions that we were offering to businesses and community through out the pandemic, the pbob team has distilled this down into two to long term program

proposals. Street plaza program, which we will be coming back later on this this fall with more details on how we propose to continue that program and then what we're bringing to you today around the specifics of outdoor dining program, which is really primarily focused on the individual business relationships with with a business or a couple of businesses along the street. So i'll pass this on to my colleagues who are going to tell you more about the program. Thank you.

Speaker: City Council. So sarah vigliotti, you are all very familiar with the proliferation of outdoor dining during covid, but Portland really has a long history in terms of allowing outdoor seating and in street dining structures, we had a robust conversation about sidewalk rules in 2008 with a community the creation of the street seat pilot program in 2012, Portland was one of the first three major cities piloting parklet on the street and then the adoption of pbot livable street strategy in 2017. So when the covid hit, pbot was really set up and prepared to be able to react quickly to provide options for businesses and a number of different permit options so that they could use the public right of way. And the response from the public was very overwhelming, very supportive. And that continues today. One side behind I am.

Speaker: Thank you. Thank you.

Speaker: So this past spring, over 1000 Portlanders told pbot that outdoor dining was good for Portland. The survey asked about overall support for the program and also asked for opinions about key design changes or operational requirements. Over 80% of respondents said that they agreed that outdoor dining was good for Portland businesses and it was good for Portland neighborhoods. Can I ask a question on that slide?

Speaker: Yeah, great, great. Numbers can you define community and who actually responded?

Speaker: Yeah, it was an online survey that was done in April and May that was sent out to all of passed permit holders as well as current permit holders, all of our list. And then it was amplified out by the street trust to get community participation so targeted the small businesses for the most part that that asked for their permits for the restaurants and then it went beyond that. It I would say the majority of responses actually came from community members we had and the community was defined by the outreach that street trust did it was on their list, but it was also sent out through the multiple ways in which pbot communicates out to our partners.

Speaker: It's helpful when we know what the targeted audience is. Thanks

Speaker: All right. So as we talk about modify this pandemic response program into a permanent program, it's really been a process of formalizing what has been working and then focusing in on those issues that we recognize need to be changed. What's not working. And so by formalizing the program, pbot will continue to issue sidewalk permits as well as in parking lane permits. However, based on feedback from city staff, from neighborhood, from business partners, as well as our partner bureaus, we are recognizing, recommending a number of proposed revised design guidelines that address safety issues, clearer permit holder responsibilities and a pbot enforcement strategy. This product also features our partner bureau comments, which is fire and bs, to ensure that these guidelines meet their concerns, such as clearance to hydrants, clearance to building side water connections, ladder placement, issues around blocking stormwater swales. But on the design guidelines which have you all have in your report packet, the new program does come with a new set of revised design guidelines heavily focused on visual diagrams that explain critical clearance accessible safety and dimension issues. While these screenshots are far too small for any of you to see

commissioner members, these are page pages 19 and 23 in the report. So you can see to see those details that are provided. So up close you'll see that the pages provide detailed illustrations to businesses or their contractors to be able to understand items about where the installations can be located, minimum and maximum roof and wall heights clearance required from such items as the hydrants, utility access points, stormwater drainage dimensions, setbacks from green street facilities, etcetera. And we know that Portland streets must balance the needs of many competing uses as well as the needs of our partner bureaus. And these guidelines attempt to address that balance. Many of the key changes in the new design guidelines are focused on safety issues and increased visibility, particularly at intersections. We want to ensure that bulky installed options at cornerstone aren't block visibility of road users, that walls are low enough, so low enough so that people can see can be seen when they're crossing the street that roofs and umbrellas are not blocking the view of stop signs. And then other of the design changes are focused on accessibility, requiring that accessing all platforms or ramps are required for year long installations and prohibiting over sidewalk structures to remove the sidewalk barriers. Pinch points, ensure that fires ladder access is still available and adding the added benefit of improving visibility of the neighbor shop storefronts. The esthetics of street seats have also been a theme in our public feedback, so while we know that beauty is in the eye of the beholder, we do believe that there are strategies that we can use to improve the esthetics of these installations on our streets for sizing the program will support business owners who are looking for program permanence before they upgrade their installations, provide platform design guidance on how to ensure clear gutters and stormwater drainage will minimize pooling and blockages along the gutters. Clear articulation of owner maintenance responsibilities such as removing graffiti,

keeping installations free of debris, leaves and litter, will clarify roles and in later slides we'll touch on incentives and financial support that pbot is providing. During our interviews with restaurant owners, we heard a range of different operational and seasonal needs as well as comfort with different price points. So as such, the revised program is designed to allow for that flexibility with the option of four different permit types with a range of prices. The new outdoor dining program will introduce a new permit option, a seasonal street seat, which will be available for businesses for seven months of the year. It will allow them to use lighter weight materials that will be easier to install and to remove and to store during the winter and then at a lower price point in 2024, the fees will range from \$360 to \$2000 for an annual permit for a typical two parking spaces or 40ft. If it was a sidewalk seating. But we will go into more detail on those on upcoming slides. And now I'm going to pass it along to dave who will talk about the important education permitting and enforcement strategies that his team works on.

Speaker: Thank you. Good morning. Mayor and commissioners david mceldowney right-of-way permitting right-of-way management and permitting. Next slide. This slide will give you a sense of the proposed timelines during this last winter and spring we worked on the outdoor dining program and guidelines, proposed fees and conducted public engagement. Now, in late summer we're formalizing this work with report to City Council and we'll come back in on September 27th with the rule and code changes with approval of the design guidelines and fees, the application window will open in mid October. Labor and seasonal permit applications will open somewhere between January and February. Additionally, we'll be providing outreach and education on with existing and past permit holders and the community at large. Probably around the beginning of October, with the goal of all existing installations being compliant by April of 2024. Next slide. This is a good

segue to talk about some strategies for encouraging compliance of approximately the 200 plus street seats that are out there today. They were estimating that at least 70% have compliance concerns means that's either through visibility or accessible quality issues. The good news is that pbob has tools to support them. We'll be conducting targeted communications to businesses on requirements, resources and timing. We'll have plans available for layout and construction of new installations, as well as lists of contractors who are able to assist with that work. Pbob will be using arpa funds to subsidize a significant portion of the permit fees for the business. Those that participate in the 24, 20, 24 permitting cycle. And lastly, we're happy to announce that pbob will be using arpa funds to set up a financial assistance program for businesses to create new year round installations or bring existing installations into compliance. Next slide. To speak to that last point a little bit more, the program will provide \$2,500 in funding for up to 200 businesses participating in the year round street seat installations. We anticipate that this program will capture more than 80% of the businesses participating in the 2024 permitting cycle. And it should be noted that the business support program will have priority for bipoc businesses. Next slide. And working through the various elements of the outdoor dining program, it was clear that businesses are facing challenging times both economically and environmentally. It was apparent that not every situation would be able to be addressed through the design guidelines and recognition of that. Pbob is developing both temporary and permanent program features to assist businesses wanting to participate in the program. Some flexibility on design guidelines. Compliance will be available for existing installations if they are not key safety issues and programs. Staff will work with businesses to communicate about the exception process as well. The design guidelines don't allow for locked spaces. Some businesses expressed a desire to be able to secure

their installation options when not in operation due to negatively or due to issues that negatively impact their business. Pbot is responding by temporarily allowing locked spaces during the period that the emergency declaration for coordinate efforts to clean public spaces is in place. Next slide. This slide is an example of typical fees for a 40 linear foot sidewalk cafe or two parking spaces. Pbot has been able to subsidize fees during covid during the covid indoor dining restrictions and partially subsidized fees during the fiscal years, 20 2022 and 2023, using federal pandemic relief funds under the American rescue plan act or arpa permit fees for sidewalk x or sidewalk and parking lane use are necessary for individual business support during application submittal review of design plans and site eligibility. Customer service. Business education and communication throughout the year. A compliance review and inspections and enforcement efforts. Pbot will be continuing to partially subsidize outdoor dining fees through 2024, slowly bringing rates back up to where they were prior to covid for 2025. Next slide. And lastly, on September 27th, pbot will bring back to council the necessary code and rule changes needed for the program to include the final fee schedule. And that concludes my portion.

Speaker: Thank you so much, commissioner. Any invited testimony?

Speaker: Yeah, I believe we have several folks who have invited to testify today. I believe we're supposed to start out with our design chairs. Do we have brian mccarter? I think, in person. Hi, brian. Come on up. And then I think we should have vice chair sandra robinson, virtually. Thank you.

Speaker: And then just curious, Keelan, do we also have public testimony today on this report?

Speaker: Thank you, commissioners, for the time here. I also have my colleague, sandra robinson, our co chair. And, sandra, you're there.

Speaker: Yeah, yeah, there she is.

Speaker: She's on. Okay. So we would just like to as a commission, we want to give maximum kudos to pbot for taking the initiative on this act of street based public realm in our city. We got to review this on a presentation from nick falbo from pbot. We made a few minor suggestions on design consistency and safety near intersections and they've responded pretty favorably to that. And next slide we wanted to take this opportunity city to make a few additional observations, actions today. Next slide these types of street interventions are most successful when they're in addition on and as an enhancement to a adjacent active uses in the ground floors of buildings. Next slide. And these circumstances with these street cafe patios and plazas are well represented around Portland. And it makes sense if you think about it. You don't see great street cafe patios up up against a building with no windows, no awnings, no good signage, none of that street friendly stuff. So we think that there's a real tie between successful cafe patios and street plazas and good ground floors of buildings. Chandra, you want to take the next slide? You bet.

Speaker: Thanks for having us. I'm really glad to get to be here to talk about what is really important about Portland and you know, what pbot is doing with this new policy is really carving out new open space for community enjoyment. Next slide, please. The design commission really has a reciprocal responsibility in this endeavor. We ensure that the ground floor of adjacent buildings really floods the new street spaces with vitality, with people, with activity and that's really one of the things that makes Portland park. So next slide, a really sort of useful way maybe of thinking about this. The parking lanes are used differently over time because of the flexibility in their design uses in the ground floor of buildings that the design commission use can also evolve if their design anticipate that kind of change. So imagine having a taller ceiling height or more windows or other protection and

signage that directs people from those store entrances out to the street and vice versa. And all of those things really matter to kind of create this activity. Vitality couch street so in both ground floor and parking lanes, flexibility really means adaptability for the things that we don't know are coming in the future with the changes that will come that we can anticipate. Next slide. And then finally, as a reminder, from out of state of the city, our stated city that we did in March with this new mixed use project in lents was approved by the design commission in a single hearing because the developer and their architect understood and applied our zoning code and design guidelines to this really outstanding building with both ground floor retail and ground floor residential. And so when this type of thing happens for developers and designers, it really we, we really think that it brings all the best things out of Portland and makes all of these streets the best for pedestrians and for cars and for people who are living and working and recreating in those buildings. So thank you very much for giving us this time.

Speaker: Great. Thank you, sandra, is that all for.

Speaker: Actually, I believe we have more invited testimony today by kurt hoffman. Do we have kurt hoffmann hoffman in the room. Hey, kurt. How you doing? Oh and we have several I might defer to staff here. We I think we have several restaurant owners should they come up in a group or should they come up one after another?

Speaker: We're all friendly. Um it's.

Speaker: I'm sorry. The list is on the slide. The list is on the slide. Okay. I'm not sure what that means. Solo or. Come on up. We'll. We'll figure it out. And if we don't run out of chairs, we can do it in batches. Okay. Welcome i'll let you just welcome kurt. I'll let you start off and maybe we could start out with everyone introducing themselves, and then you can each make your presentation.

Speaker: My name is kurt hoffman. I own a company called chefstable in Portland. We partner with and support about about 31 different restaurants locally and then a new food cart pod. Okay.

Speaker: And my name is catherine benvenuti and I'm a former business owner in Portland who's representing kelly towner. I'll be one of her managers at a southeast clinton restaurant that will be opening in October. Great

Speaker: My name is jasper shen. I own a small restaurant in north Portland called xlb. Great

Speaker: Welcome.

Speaker: Tell us your story.

Speaker: I just wanted to talk about two specific aspects of the proposed changes that I think are worth mentioning. I think the progressive pricing structure is important, especially for downtown restaurant. It's in the downtown core. Previously, anywhere there's metered parking, street seat fees were related to lost parking revenue. And this changes it. So in this specific area we have three restaurants. We work with and year on year compared to 19 and now it's the only area where we have restaurants where we're down an average of 20. So the downtown core is still struggling. This kind of pricing not only helps existing restaurants, but I think importantly makes pricing more affordable to restaurants with lesser means. Who should have as much access to this kind of amenity for their guests as anybody else? I think the second benefit just has to do with safety and accessibility, because the reduced fees allows these cart pods to have, for instance, to be ada accessible, whereas before the design guidelines, or at least what became the interpretation of the design guidelines made it a little bit difficult for people in wheelchairs and so forth to access the platform. So I think it has to

principal impacts that I think are a huge benefit. I can go I'm I'm going to read something from kelly.

Speaker: She's opening a restaurant in southeast clinton. And kelly asked me to provide testimony with how important the proposed pricing structure is. For the first time, restaurant owners like her, the proposed pricing will allow her to offer substantial outdoor seating at a reasonable budget, which is unbelievably important for the viability of her small business. Before working for kelly, I was a small business owner in downtown Portland and I eventually had to close my business due to the financial struggles of covid and safety in downtown Portland restaurant owners operate on razor thin margins and any extra financial support keeps restaurants throughout our city alive. The proposed pricing and permit options will make it easier for restaurant owners to afford outdoor seating and necessary annual maintenance and improvements to outdoor structures. Great. Thank you.

Speaker: Yeah, and I just wanted to just reiterate some of the things that these everybody has already said is the importance of the outdoor seating and the street seating and how it got us through a very tough time with the pandemic.

Speaker: But even without the pandemic, restaurants have always notoriously had razor thin margins and any anything any small bit that could make extra revenue is super important to keeping the restaurants alive, having accessibility to new restaurants and helping create vibrant neighborhoods and increasing tourism and business in housing and so many other things. Thank you.

Speaker: And colleagues, any questions ? I believe we have one more batch of invited testimony.

Speaker: I think we should get through the invited testimony and go to public. Thank you so much for being here.

Speaker: Thank you. Excellent I would ask the rest of the folks who have been invited to testify to come on up today. So I pull up a chair or wait for the pull up a chair. We'll get you a chair. Always room for one more. Do you want to go fast?

Speaker: Do we do you want to introduce first or one by one?

Speaker: Sure. What? Just so we know who we're who we're chatting with, why don't we start out by everyone introducing yourselves, and then you can take the presentation in whatever order. Makes sense.

Speaker: Okay. My name is jessica silverman. I'm a partner at grassa. We have three Portland locations in northwest southwest and southeast. Great.

Speaker: Brian steelman. And I'm a partner with keno taqueria. Great henry miller, and I'm the director of grants and program impact at the street trust.

Speaker: All right.

Speaker: Hello, I'm jay clark and I'm the director of public affairs for the Portland metro chamber. And I'm here today on behalf of our 2100 members. Great

Speaker: Thanks for being here today. And i'll turn the presentation over to you. Okay.

Speaker: Street seats have been crucially important to my business and other businesses like mine, both throughout the pandemic and now the grocery location at southwest 12th and Washington likely would not have been able to survive. The convergence of covid and the vacancies downtown, if not for quick pivots to the healthy business program and clear communication by pbot for food and beverage businesses. Each additional seat we can offer guests increases revenue potential exponentially on top of that street side, visibility is one of the best forms of marketing. The outdoor dining program impacts both in a meaningful way driving revenue to businesses, many of which are still working to get back to pre-pandemic levels. As you know, food and beverage costs have increased substantially over the

last few years and continue to trend upward. And as operators, we're doing our best not to raise prices. The economics of street seats are unbelievably positive. Pbot proposed pricing structure will allow us to divert funds that previously would have been earmarked for the permit fees to the structures themselves, ensuring roofs for year round usage and investment in attractive spaces that add to the city's character. The proposed pricing, the varied offering from seasonal to year round street seat options, us and the educational and compliance resources will be especially impacted role in maintaining the diversity of food and beverage offering offerings in Portland. Since these changes will allow smaller cafes and restaurants to be able to keep these seating areas when they otherwise would not be able to. From my perspective, during the pandemic, pbot was one of the most impactful agencies in responding quickly to offer solutions to allow us to operate in a time of uncertainty. We I'm encouraged that pbot continues to work to propose solutions to support the success of businesses in our city.

Speaker: Thank you for this opportunity. I'm going to read something I wrote reflecting back on 2020 and 2021 as a restaurant operator. There are very few things that pop up in my memory is victories being restaurants. We were not able to work from home or keep our windows boarded up like city hall did for two plus years. We had to walk a very tenuous high wire act of keeping employees employed but also safe without really knowing what that meant. We had to evolve insanely fast to keep our businesses alive. And three years later, for restaurants that were able to survive, this has led to some wonderful changes in the way many restaurants operate, including online ordering, better pay and working conditions for employees, more efficiency and many other positive changes while operating in real time in 2020 and 2021, there were not silver linings. It was purely survival mode and working through fears every week there were new restrictions on

variants, wildfires, etcetera. We darkly joked about what the sandwich was going to be that week. One of the few bright and innovative positives during that time was pbot having the flexibility and courage to open up the healthy business permits. This was the type of progressive thinking we needed from our city. I think we as residents of the city, all realized how important our local retail shops and restaurants are to the fabric of our city. When many of us had to shut down for a few weeks or months during covid, the vibrancy of the city was gone. These small businesses clogged the city back to life and pbot helped make that possible. Now now, most of the residents in Portland love the feel of the increased vibrancy that the street seats bring to our city, making it feel more alive. We need assurance that this program will last into the future. There is no doubt that many structures need to be improved, both structurally and visually. At porthcurno, we literally had a tent for two plus years, which was not the most attractive thing to look at on mississippi avenue. We did finally build something beautiful recently that fits all the new guidelines and enhances the street, allows for a better ada patio seating and is safe to do this. We had to spend a lot of money and therefore it feels very important to have assurance that this program will not be cut in the near future. As businesses, we often need to make budget decisions. Looking at the next 5 or 20 years, not the next single year. So please consider lengthening the time period that this program is greenlit. It has already been three years that the street seats has been allowed and the sky is not fallen. In fact, it is one of the things that added vibrancy and safety to our city during a time when there has been a lot to fear about the safety on our streets. The street seats also create jobs in a real way. When you consider how many more customers allows for businesses across the whole city. So please take that into consideration when looking at this program now and in the future. Hopefully there can be some money allotted through prosper, Portland or other

means for businesses that have the space to create the street seat but do not have the means to build one. Many restaurants continue to struggle and creating a path for those restaurants to enhance their sight, to build stronger business would be an amazing resource with tangible results. And just a little side note, our or our street seat was activated two weeks ago on August 12th in a way that I hadn't even thought of when the boys and girls club was looking for more spots for their entrepreneurial lemonade day program, which maybe you've heard of. This was the first year they've done it and they're growing it big time. Next year. And we were chosen as one of the sites at and our street seat was like, right on the sidewalk and just created this amazing atmosphere for on that Saturday afternoon. So it was pretty sweet. Yeah awesome.

Speaker: I'm going to try to not be a little bit redundant because I have a lot of the same words to say. I'm here to underscore the street trust support for pbot outdoor dining program. Our organization is firmly behind city initiatives that not only bolster local businesses but also cultivate thriving neighborhoods by optimizing the use of public space, having actively engaged in pbot community, sounding board and spoken with over a dozen businesses across the city since the start of the pandemic. I also have a column with street roots, so I've covered this issue. There I can say with confidence that this program, along with the public street plaza program, has not only sustained beloved small businesses, it has ignited the imaginations of Portlanders who are looking for new ways to get more value out of the public right of way. I am one of those people. After two years of dates spent drinking wine at dining area, waiting for coffee in front of the commissary cafe and sharing hummus and little shallow meal shelter, I proposed to my girlfriend sarah three weeks ago in the public plaza outside the clinton street theater. We're really big rocky horror picture show fans. Fortunately she said, yes,

we were able to celebrate it with champagne and another nearby outdoor dining area. It was great that it was outdoors because as I was spilling a lot of the champagne, it is incredible to think that only four years ago, the places that shaped my relationship with my fiancée were nothing more than turn lanes and parking spaces. As fans of the outdoor dining program and believers in pbOT role as caretakers of the public right of way, the street trust also wants to draw attention to the outdated funding mechanisms that make it so difficult for transportation agencies to start great programs like this one. Even as we celebrate this program, we are looking forward to the day when no community in Oregon has to be asked to give up healthy businesses and vibrant streets for parking revenue. Thank you. Again, Jay Clark.

Speaker: The Portland metro chamber is supportive of the work that pbOT has outlined in this report. Support for the outdoor dining program and the proposed new guidelines and updated fee schedule. We're pleased to see that Portland's outdoor dining program is becoming a permanent and sustainable option available to our local businesses. First, I'd like to thank pbOT for being a good partner with the business community on this report. They have made a noticeable effort over the past six months to ensure that the voice of the business community were heard and represented at the chamber. We worked with pbOT to share the public opinion survey that they previously mentioned, asking for direct feedback on this program, we hosted a listening session with our members and also pbOT presented to our small business council. They've also done an excellent job of keeping our staff informed as this is progressed, there are several aspects of this report that we at the chamber find favorable. First, the obvious safety pbOT has expressed to me that, of course the number one reason for the updated guidelines has to be safety and we appreciate them never losing sight of that, ensuring that these installations do

not cause obstructions to street signage, bike lanes or handicap accessibility must always be kept in mind. We're also very supportive of the multi tiered fee structure that pbot is proposing to go forward. It goes without saying that so many of our local businesses, especially those in the central downtown, are struggling for a variety of reasons that I know everyone on this council is well versed on anything that we can do to allow more flexibility and options for our restaurants, bars and broader small business community to thrive is, of course, wholeheartedly endorsed by all our organization. We view the outdoor dining as yet another tool in the tool kit for local businesses, and we're pleased to see that the proposed new fee structure allows for more of a la carte approach to permits. Local businesses can better suit what fits them and their needs. We're also pleased that pbot will be proposing measures to help offset some of these costs in 2024 to help businesses transition from the drastically reduced covid aurora fee structure to a more sustainable model. Outdoor cafes have become an essential addition to Portland's renewed neighborhoods and will now be a permanent fixture of Portland's livability. The Portland metro chamber considers this program an important piece in ensuring the economic stability of our local businesses and in the revitalization and full recovery of our central downtown. On a lighter note, we're also pleased that these guidelines will ensure quality esthetics for these structures. What was once an emergency response chance to surviving covid is now turned into another kind of quirky trademark of Portland that both visitors and residents alike have noticed. We look forward to working with pbot and the council as this moves forward and thank you for your time. Thank you.

Speaker: Should we? That works.

Speaker: Does that wrap up?

Speaker: That concludes my testimony.

Speaker: Great.

Speaker: Thank you so much for being here. We're going to move to public testimony. Do we have some we have one person signed up.

Speaker: Mary sipe. Welcome, mary.

Speaker: Good morning. Thank you. Sorry good morning, commissioners. Am I too close to this?

Speaker: Yeah, we can hear you.

Speaker: For the record, my name is mary sipe, and I am the chair of the city's noise review board and the a past pearl district neighborhood association board member. However, my comments today are not as a representative of the noise review board or the dna. I'm speaking as a community member, but most certainly drawing on my experiences in both of these positions ones. I do want to make it very clear that I strongly support this program and that my comments are simply suggestions to make you aware and also to make this even a better program. I understand that this report today is only about the outdoor dining program and that the street plaza program report will be presented to you later in the fall. However, my comments are applicable to both programs, so I ask that the city commissioner, the City Council and pbot keep that in mind. Some of the outdoor dining locations and the proposed existing street plazas, such as one located on northwest 13th avenue, are in very close proximity to residential dwellings. A number of restaurants with the healthy business permits have installed speakers in their outdoor dining locations over the past two years. The noise office and the noise review board have received complaints from neighbors about the disruption to their ability to work from home and just enjoy their homes due to the music playing from these speakers, all day and late into the night. While the noise code title 18 addresses some amplified sounds, it's been challenging for the noise office

to address amplified sounds in the right of way. They often need the assistance of under title 14 from the police bureau and as you know, their resources are very limited. On page seven of the report under use and operations, it states amplified music may be prohibited and that a noise variance permit is generally required for amplified music. I would like to suggest that the wording be changed to something like installation of outdoor speakers is strictly prohibited at locations within 500ft of residential dwellings, and that amplified music events must apply for a noise variance permit. This would avoid creating a problem for the noise office to attempt to address. Also over the past two years, the community has struggled with some negative impacts with disorderly conduct in the public right of way where some of these outdoor dining areas or street plazas are located. There is a cluster of restaurants and bars along northwest 13th avenue where the street has been closed and there are 2 to 3 very large, large outdoor dining decks in the public right of way drunken, disorderly patrons by the hundreds congregate in the street, disturbing residents and making for a very unsafe situation. Often the owners of the restaurants can only manage customers within their restaurant. They cannot manage people in the public right of way. The city is responsible for making sure these locations are safe. A couple of seconds. So pbot. I would ask to work them, to work with the Portland police bureau to establish some oversight at location like on northwest 13th avenue. I do want to thank sarah for reaching out to me yesterday when she saw that I had signed up for public testimony and helping to arrange a meeting with pbot and the noise office and possibly at some point with the Portland police bureau to discuss how the city can ensure livability and safety for the community with these outdoor dining programs. Thank you. And I look forward to more productive conversations. Thank you, mary.

Speaker: And that wraps up public testimony. Testimony. Okay that any more from the commissioner in charge or should we just go into discussion?

Speaker: I think we can go into discussion. Okay. All right, colleagues.

Speaker: Good, good.

Speaker: Yeah. All right. Go ahead and call the rule.

Speaker: Oh, this is a report you want to ask for somebody to make a motion.

Speaker: So moved.

Speaker: Second it thanks.

Speaker: Okay. Gonzalez

Speaker: I vote to accept.

Speaker: I just want to thank everyone who worked to get us to this moment. I'm really proud of the work that has gone into this program and this presentation. I hadn't really quite thought of it or the presentations today really were powerful to me, partly because there truly are not many bright spots that come out of the pandemic. But it is truly, I think, fair and accurate to say that our outdoor dining program is a truly special and innovative program. That is part of what makes post-pandemic Portland really great. I also very much appreciate all of the testimony we heard today from the public, especially the business owners. And i. It's powerful to also hear some of the concerns from residents to we pledge here at pbot to work with you, which is why I'm proud to vote. I thank you, Ryan.

Speaker: Yes, thank you all for being here. That was a really excellent report. And I have to say the stories were compelling. It's hard to top the one that turned into a marriage. But the fact is, I think we all have those stories of where we were cooped up and we finally got out to see a friend or a colleague and, you know, we'd start off with our mask on and we had to eat. And suddenly it just felt so good. So there aren't a lot of examples, I think, where we get compliments for being agile,

responsive, creative, turn something around quickly and thank you. Pbot you did all of that and more and you did it with community and you could really tell the partnerships were thorough with both the business community and with those that were frequenting the establishments. I thought the concerns that were lifted were ones that you're all addressing. I've heard from people with mobility challenges that, you know, we just don't have really wide sidewalks like new york city, for example. So we do have that challenge. And also the esthetics and the improvements that we're that we're working on. So anyway, I'm really proud of this program and I do think that like any good program, we have to keep evaluating it and keep approving it and making sure it's accessible to all small businesses because again, your profit margins are very tight. We believe you and we need you. I vote. I

Speaker: Wheeler yeah, I want to thank the restaurant owners who came in today to testify and all the restaurant owners who worked really hard over the past several years to make this program a success.

Speaker: I want to thank the people at pbot this really was our our restaurant industry, our culinary industry coming together and showing a lot of innovation and a lot of determination, frankly, to outlast covid. And it's a great program. And I agree with people who say this needs to be sustainable and affordable for all of the, uh, for all the restaurants that that are taking part in this particular program. So that's it. I'm happy to vote I on the report. Thank you. Thank you, mayor.

Speaker: Okay. And so it is passed the report is passed. Thank you all for being here. It was great to have all the testimony and the community voice. Let's move on to the next item, which is 703.

Speaker: Ratify ratify a successor collective bargaining agreement with Portland police association relating to the terms and conditions of employment of represent employees in the bureau of emergency communications for 2023 through 2027.

Speaker: Okay.

Speaker: Thank you. Well, negotiating this, mary, you're want to be muted.

Speaker: Perhaps. Here we go. Okay. Welcome the floor is yours now.

Speaker: Can you hear me?

Speaker: The mayor. Oh, there are you. I'm going to hand this over to you. Okay, great. Wasn't in the script bargaining agreement.

Speaker: Got it. Mayor go. Can you hear me?

Speaker: Yeah, we can hear you.

Speaker: Okay. While negotiating this collective bargaining agreement, both parties negotiated with shared interests of strengthening recruitment as well as retention and accountability expanded training, and improving the health and well being of represented employees within the bureau of emergency communications. I believe we have labor relations coordinator anne-marie kevorkian. Maddie, as well as director bob cozzie from the bureau of emergency communications to walk us all through the ordinance. Welcome, anne-marie and bob. Thank you.

Speaker: Good morning, mayor and commissioners. I'm pleased to present this ordinance to you this morning. Again, I'm joined by director cozzie and my labor relations colleague, sydney. Sydney, can this is an ordinance to ratify the successor collective bargaining agreement with the Portland police association, representing the terms and conditions of the employment of the represented employees in the bureau of emergency communication missions. So our dispatchers just a brief overview. You I think the mayor highlighted already that we had some shared interests, the first being a four year labor agreement, also strengthening

recruitment and retention, strengthening accountability, expanding training, certifying new staff and health and wellness of employees. As so this agreement focuses on all of those goals and allows for some additional premium pay incentives, focusing on training and certification to highlight that would be an increase in the coach and lead premium pays and extension or excuse me, an accreditation pay which focuses on organizational excellence, a premium pay through the department of public safety standard training for intermediate and advanced telecommunicator pay. We also acknowledge the language differential pay that was adopted by ordinance a couple of years ago will allow for a 2% across the board increase beginning in July of 2024, as well as the double overtime extension previously approved by the council in July of this year. We also made some additional adjustments to the language that shore up some accountability and provide some guidelines for how investigations will will take place in the bureau. Ppa was an excellent collaborator, collaborative partner as part of this process and we committed to using shared interests to work through complex issues that the bureau has been dealing with for the better part of decades. Some very proud of the relationship that we built and the good work done by both the boec bargaining team, by the pba's bargaining team, by boec ops management, including the supervisors, and of course, through our labor relations team to get down to kind of brass tacks. The thing that people are most interested in is what is the cost of this? So the total recurring fiscal impact in ongoing is approximate \$1.3 million. That represents all ongoing costs as of year for the costs associated for this will be paid for in part by the training pipeline\$ however, and that gives boec a longer runway in covering some of the additional new costs associated. But this is not a sustainable solution. So I just want to make that clear. The boec excuse me, the bureau will request one time comp set aside to help with an increase from cola

in the spring bump. And then we're also asking for council authorization to direct the city budget office to adjust the current appropriate level target for fiscal year 2425. Lastly, I just want to say again again thank you to the bargaining teams, the ppa boec management and supervisors and council all for the time effort and energy put into the successful completion of this agreement. And if you have questions, we're here to answer.

Speaker: Thank you. Anne marie, mayor, are there any anything else? No

Speaker: I don't know if we have public testimony or not.

Speaker: Yeah, no one signed up. Okay.

Speaker: Sounds good. Okay. Keelan go ahead and call the roll. Gonzalez started this get resolved so timely.

Speaker: We've had a number of successful bargaining experiences in recent months with our public safety professionals. I so appreciative of the work done and our human resource team and our bargaining team and certainly leadership inside of boec. This is a win for the city. It's leading to significant investment in training, some improvements in accountability and at a reasonable cost. I vote aye wholeheartedly. I maps.

Speaker: I want to congratulate and thank boec bob. Commissioner gonzales as the uh, the ppa for negotiating this. I think these discussions might have begun when I was still at the table. I know it was challenging. I'm really impressed at the way that folks came together to reach this really constructive and productive outcome. Um, and colleagues, I'm not quite sure about this, but I believe once we pass this, um, labor agreement right here, we might actually be caught up on our labor negotiations, which in my two and a half years on council, I don't think that, I think that's the first time it's happened for me where we haven't had an ongoing labor negotiation and process. So this is a very exciting moment and I vote i.

Speaker: Ryan yes, I was looking at your face.

Speaker: Anne-marie commissioner Mapps was saying that. So that's true.

Speaker: Well, almost. We have the community health division that's almost done with Portland fire. But yeah, but yes. All right.

Speaker: Well, anyway, I just want to say thank you, keyword team for working this out. And I really. Good work.

Speaker: I vote I thank you. Thanks for being here.

Speaker: Yep. Okay okay. Now we'll move on to 700 zero four Keelan a point.

Speaker: Kim law and sean wallace and reappoint adam abplanalp to the revenue division appeals board.

Speaker: Mayor Wheeler.

Speaker: Colleagues, the revenue division appeals board hears and decides appeals of determinations issued by the revenue division. There are currently three vacancies on the board. This report reappoints one member and it appoints two new members to fill the vacancies. We have audit section manager matthew thorpe here to present the report, as well as introduce our appointees. Welcome, matthew.

Speaker: Thank you. And good morning, mayor and commissioners.

Speaker: I'm matthew thorpe. I use he him pronouns and I'm the audit section manager with the revenue division. The mayor mentioned briefly the function of the board, but wanted to provide more detail for the revenue division appeals board, formerly known as the business license appeals board, is a five member volunteer board comprised of members of the public. These three positions are appointed by the commissioner in charge of the revenue division and subject to approval by City Council and serve three year terms with staggered end dates. The pandemic has created a disconnect in the terms so these appointments are structured to fill the existing terms as if there were no interruption and the revenue

division intends to keep future board appointments. Current when a business files their city business tax return. The revenue division will review or audit the filed return and when adjustments are needed to be made, the revenue division will propose corrections to the return and the taxpayer could protest these adjustments with the revenue division and explain why the return was correct. As filed and provide additional support for their claim. Um, if the revenue division does not accept the taxpayer's explanation or evidence, a final determination is issued by the revenue division, which will include a detailed explanation for the adjustments and the relevant code or law that supports the final determination. Even if the taxpayer still disagrees, they can appeal to the revenue division appeals board or the board will review the facts of the case here and review testimony and then make a decision whether or not the revenue division's adjustments were correct. These decisions are final and there is no additional administrative appeals available since the revenue division also administers the city's transient lodging tax utility license fee and clean energy surcharge, as well as the local business and personal taxes for metro and Multnomah County. The revenue division appeals board may also review the cases for these programs. Portland city code requires that appointments to the revenue division appeals board be made to provide an appropriate level of expertise in accounting methods and tax law. The three potential appointees meet the qualified persons required by the code and should serve the public. The city of Portland and our partner agencies will in any matters coming before the board today, I'd like to introduce the two new members to the board. Kim law and sean wallace. Kim law is a state and local tax principal with the lapp llp, a local cpa firm, and she has 30 years of experience in state and local taxation in. She has previously worked as a state auditor. The tax department of several fortune 500 companies, as well as two other accounting firms, she has a

bachelor's degree in accounting from the university of Washington. She provides state tax education to various entities, including co-teaching a course on state taxation for the Washington state tax conference. She is interested in serving on the board to facilitate the timely resolution of appeals and assisting in the application of tax rules in an educated and impartial manner. She looks forward to using her expertise to help others in interpreting and understanding the tax rules and regulations. Sean wallace is a shareholder at perkins and co, a Portland cpa firm. He has 13 years of progressive experience working as a cpa, advising clients on federal, state and local tax matters. His prior experience, specific to local tax matters, includes representing the Oregon society of cpas as an advisor on the implementation of the new metro supportive housing services taxes. He graduated from the university of Oregon with bachelor's degrees in spanish and accounting. He is interested in serving on the board to have the opportunity to apply the knowledge he's gained working with the state and local tax codes to their fair and accurate application of the rules and regulations actions. The revenue division believes kim and sean would make excellent board members. I'll skip over the details for adam appel now since he is a reappointment, but if you need more information, his biography and statement of interest is in your packets. Adam has served the public and city well in the past and we strongly support his reappointment to the revenue division has done significant outreach to conduct to increase the diversity of this board, to meet the requirements of this position. This outreach has been targeted to individuals that have strong expertise in accounting as well as federal state and local tax laws. We've worked with tiffany penson in the human resources department and reached out to local accounting and tax professional organizations, including the Oregon society of cpas, to specifically

identify individuals that could add to the board's diversity. Thank you for your time and I'm happy to answer any questions you may have. Thank you.

Speaker: Matthew. Mayor, is there anything else?

Speaker: No. Okay.

Speaker: Do we have colleagues? Do is there any public testimony?

Speaker: Keelan no one's signed up.

Speaker: All right, colleagues, do you have any questions or comments?

Speaker: No, but I would move that. We accept the report.

Speaker: That's next. I was going to get there. So anyway, if there's no more deliberation, then can I ask for a motion to accept the report? So moved. All right. I'll second it. So no further discussion. Keelan. Go ahead and call the roll.

Speaker: Gonzalez Mapps I want to thank matthew for that.

Speaker: Well, the mayor and matthew for bringing this forward. Matthew I actually found your presentation really helpful. This is not a space I know you particularly well. Also I really want to express my appreciation to kim, sean and adam for agreeing to serve on this important board. I vote aye.

Speaker: Ryan yes, matthew, thank you for that thorough presentation and stewarding this very important volunteer board.

Speaker: And thank you for the three hardworking volunteers that have stepped up. I vote aye.

Speaker: Wheeler matthew, thank you for bringing three really outstanding people for this.

Speaker: This is just great and I love it when we have such highly qualified people willing to serve on our boards. I want to thank our new appointees, kim, laura and sean wallace, for joining the board. And of course, I want to thank adam abplanalp

for his continued service. I appreciate you all sharing your time and your talent as well as your service to the city. I vote I thank you.

Speaker: The report is accepted and Keelan. Next item, please.

Speaker: Item 705 approve findings to authorize exemption to competitive bidding requirements and approve use of alternative contracting method of construction manager general contractor and authorize payment for construction of the north Portland aquatic center project.

Speaker: Thank you Keelan colleagues, we've already received a presentation on this. This is the second reading. So if there is no further discussion, go ahead and call the roll.

Speaker: Gonzalez Mapps Ryan Wheeler hi Keelan that passes.

Speaker: Next item. Item 706 authorize contract with place studio llc for north park blocks extension project not to exceed \$1,367,074.

Speaker: Colleagues, this is also a second reading.

Speaker: We had a presentation on last week. If there's no further discussion, we'll go ahead and call the roll.

Speaker: Gonzalez Mapps Ryan hi. Wheeler hi.

Speaker: Okay. Well, thank you, everyone that passes, everyone. Thank you for this morning session. We had a little bit of oh, there's one more item that you pulled from consent. 700, right?

Speaker: Yeah. Yeah. 700 authorized chief procurement officer to execute a emergency security services contract for smart park garages and accumulative amount not to exceed \$2,700,000.

Speaker: Colleagues, this item was pulled from consent by a member of the public. I'm going to pull it back to my office. Okay. Thank you so much, commissioner Mapps.

Speaker: Okay. With that being said, that concludes this morning's session. Thank you all for being here. And we'll see you at 2:00. The session ended.

Portland City Council Meeting Closed Caption File

August 23, 2023 – 2:00 p.m.

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, motions, and names of speakers are included in the official minutes.

Speaker: Today is August 23rd, 2023, and this is the afternoon session of the Portland City Council meeting. Keelan. Can you please call the roll?

Speaker: Good afternoon, Gonzales here. Mapps here. Rubio Ryan, here. Wheeler here.

Speaker: We will now hear from legal counsel on the rules of order and decorum.

Speaker: Welcome to the Portland City Council to testify before council in person or virtually. You must sign up in advance on the council agenda at [Portland.gov/council/agenda](https://portland.gov/council/agenda) information on engaging with City Council can be found on the council clerk's web page. The presiding officer preserves order and decorum during City Council meetings. The presiding officer determines the length of testimony individuals generally have three minutes to testify unless otherwise stated, a timer will indicate when your time is done. Disruptive conduct such as shouting, refusing to conclude your testimony when your time is up or interrupting others testimony or council deliberations will not be allowed. And if you cause a disruption, a warning will be given further disruption will result in ejection from the meeting. Anyone who fails to leave once ejected, is subject to arrest for trespass. Additionally counsel may take a short recess and reconvene virtually your testimony today should address the matter being considered when testifying. State your name for the record. Your address is not necessary. Disclose if you are a

lobbyist. If you are representing an organization, please identify it for testifiers joining virtually. Please unmute yourself. Once the council clerk calls your name. Thank you.

Speaker: Thank you so much. So now we are here in Keelan. Please read the first item on our afternoon agenda 707. Except independent monitor llc report on 2020 critical assessment under us department of justice settlement agreement. Thank you Keelan. Mayor Wheeler, i'll hand this over to you for the introduction of the item and presentation.

Speaker: Great. Thank you. And commissioner Ryan, thank you again for presiding this afternoon. Colleagues as part of its settlement agreement with the department of justice, the city agreed to commission an independent assessment of the city's response to the 2020 protests and riots in the last year or so. Nick mitchell and his team at inter at independent monitor, llc have been working diligently to understand from multiple perspectives the events that occurred during this difficult time in our city's history. I will also briefly note that my office is hosting a virtual public forum tonight. The independent monitor llc team will present their report to the public and answer questions. You can find the registration link and copies of related documents on the city's trending topics website and on the mayor's office website. As well as on social media. With that, I am very pleased to hand this over to mr. Mitchell and his team to present their findings and recommendations. Welcome.

Speaker: Thank you very much, mayor Wheeler. Am I the appropriate distance from the microphone? Audio clear.

Speaker: Sound good to me? Okay. Very good.

Speaker: Good. Here we are in dependent monitor llc. We are very pleased to be with you this afternoon to have this opportunity to present our findings and

recommendations as mayor Wheeler indicated, my name is nick mitchell. I think our plan here for is to i'll introduce myself briefly. I'll hand it over to the other members of the team to briefly introduce themselves as we have a reasonably short slide deck that will walk through the that goes over in at a sort of a summary level our key findings and recommends actions from our year long review of the city's handling of the 2020 protests and riots. And then we will be happy to take any questions that that you may have. Again, nick mitchell I am an attorney who has worked with jurisdictions at the state, local and federal levels on police and jail reform. I'm currently the court appointed monitor of a us department of justice consent decree with the county of los angeles and the los angeles county sheriff department. And i'll turn it over to my co-panelists to briefly introduce themselves.

Speaker: Good afternoon. My name is peter davidoff. I have 30 plus years of law enforcement experience, much of it dealing with the training and evaluation of use of force and response by law enforcement agencies to public order.

Speaker: Good afternoon. Thank you for the invitation. My name is philip. You're a consulting ant working on this project. I've spent much of the past two decades working in police oversight, heading up the city oversight agency in Washington, dc, starting that up, and then also starting up the new york inspector general's office. That had oversight over nypd. We're glad to bring our collective experience to this project, though.

Speaker: Good afternoon. I'm dr. Matthew bts. I'm kind of a public policy background currently be the policy director for denver's office of the independent monitor. It's a civilian agency that oversees the denver police and sheriff departments.

Speaker: So we were retained in may of 2022 to do you a review of the city's handling of the protests and riots of 2020. And we were retained specifically in

response to a scope of work that was negotiated between the city officials and representatives from the us department of justice and sort of to set the stage for our findings and recommendations. I'll briefly outline what we were retained to do. One, we were retained to evaluate the effectiveness of pbs's crowd management training, to evaluate the city's response to the protests of 2020. The effective use of the incident command system, including criteria used for declaring unlawful assemblies or riots in the city for authorizing munitions of various kinds and evaluating communication during during 2020, we were hired to evaluate strategies used by the city and strategies that were not used and should have been used to look into communication and leadership and then sort of globally, any other factors that we identified during our investigate action that impacted the city's response. And the i'll refer to or we'll refer in this presentation to the review period, which is really a period that began at the end of may 2020. And ran through mid November. So the period of greatest disruption on the streets of Portland and how we did this project is that we reviewed pbs's directives standard operating procedures and training materials for multiple years worth of training material. Nils given the length of the review period and the number of days we honed in on a sample of days is 43 operating periods, and we analyzed the operating plans of the police bureau activity logs, force reports, arrest records and after action reports, we examined materials associated with administrative investigations into complaints about police conduct. We analyzed extensive video of pbot officer conduct and probably most importantly, interviewed dozens of officers, command personnel, community members, other Portland municipal employees, elected officials and regional partners representatives from other regional government agencies and law enforcement agencies and so from that sort of collective body of evidence, we issued a report just a couple of weeks ago that I hope has been made available to

you if you don't have it, we certainly can make sure that you do get copies is the beginning of the report. I think it was our view as we dug into this project that there had been a lot said about what happened in Portland, much of it was tainted from our perspective by politics. You know, Portland became a sort of a national talking point on nightly news programs in 2020. Highly politicized discussion of the nature of the protests and riots that were happening and of the response by the municipal government. So we wanted to begin our report out with a more sort of fact intensive recounting of what actually happened on the streets. We're not going to go through all of that here, but we will highlight just a few sort of key facts that set the stage for the analysis that appears in the in the body of the report. So the protest ran from may 29th through mid-November. They were large daytime protests that were generally peaceful and often smaller crowds at night, with some participants engaging in violence and destructive behavior. During the review period, the federal government sent more than 700 federal officers to Portland, which from our review of the available evidence, significantly escalated. The level of street conflict. The police response was was largely handled by the rapid response team, which is now now disbanded. Though the response was also in part handled by officers who were deemed mobile field forces. Officers within the ppb during the review period, there were more than 1000 arrests made. Most of which were for relatively low level public order crimes. Next slide protesters and officers both experienced significant and in some cases grievous injuries during the events in question. There was more than \$15 million of damage to public and private property that resulted from the riot or destructive behavior. The city's response to the protest caused it to fall out of compliance with its own consent decree with the department of justice. And in June 2021, the members of the city, which was the public order team, resigned and moss, after a member was criminally charged,

associated with the use of force against a community member who was not engaged in any violence. Next slide. During the review period, ppb documented more than 6000 estimated uses of force as some of the early uses of force, particularly in June, led to restrictions imposed posed from within the municipal government by mayor Wheeler as well as restrictions imposed by united states district court judge on the kinds of force that could or could not be used by the ppb. There were other restrictions which we walked through in some detail in the report that limited cooperation within Portland's municipal government and with federal agencies. Next slide. We start the analysis in our report at sort of the highest level focusing on city leadership and ppb command and identifying both what worked well. And I think in particular some areas that could have been handled in a different manner. And our first main finding in the report actually flowed from our interviews with members of the Portland community. When we talked to members of the community in Portland, we heard a wide range of emotions expressed. We heard anger at the ppb associated with use of force used during the protests and riots. We heard some anger about the kinds of abuse that officers sustained when they were out in the street. But one of the most sort of common expressions of emotion that we heard from Portlanders was surprise and a sense of surprise about what they perceived to be a militarized response by the Portland police bureau. And a sense of not being prepared for what crowd control role might look like at the hands of or by the Portland police bureau. So it was our view and as we sort of dug into why we were encountered so much surprise in the community that there had not been sufficient efforts to bring the community in to understand and the approach to crowd control that the police bureau had had embraced. There weren't sort of crowd control. Citizens academy, there were not organized attempts to create a sense of mutual understanding with the residents of the city about

about the kinds of munitions that would be used, the strategies that would be employed, and the techniques that would be used. And it was our conclusion that that lack of preparation set the stage for the loss of public trust that occurred in 2020. We also found that there was insufficient internal oversight of our by pbs's executives, our was a team, again, it's now it's now defunct, but it was a team of public order specialists that had actually achieved some measure of acclaim around the country and to some extent around the world as being reasonably progressive. Live for a public order policing perspective. There was a lot of sort of home grown pride in the city within the police bureau, and a fair amount of deference for the city by ppb executives. When we inquired about the kinds of scrutiny and oversight that that ppb executives were exercising over the city, it was our conclusion that there was insufficient oversight of the training provided to the city. The deployment of the irt and just general operations of that public order team. And we believe that internal scrutiny of police specialty units is extremely important for making sure that they function effectively and in a manner consistent with the agency's overall goals and policies. We found that ppb executives did not visit the field or debrief with officers often enough during the events of 2020. That was a frequent complaint we heard from police officers, a sense that they were out in the field for prolonged deployments and were not seeing enough of their command personnel visiting with them, assessing their operational readiness, their well-being and so on. And so forth. And to the credit of police leadership, that was something that police leaders here independently identified as problematic and have committed to fixing a very important component of the incident command system and public order policing is this concept of priming police officers before they're deployed into the field. So gathering sort of mustering together and having a supervisor charge the officers, if you will, with the rules of engagement, the use of force standards that

apply encouraging everyone to de-escalate when possible, it's very important that all officers are on the same page about those those core concepts. And from our review and investigation, we found that that was not consistently happening across all of the operational periods, which may have resulted in some of the negative use of force outcomes that we saw in 2020. We also found that ppb leaders did not always enforce consistent rules of engagement with protest crowds is that this was actually a complaint we heard both from some protesters, from officers and even from partner agencies that on some nights protesters would be allowed to approach municipal buildings or police buildings freely. On other nights, getting too close would result in deployment of munitions such as tear gas and when those sort of rules of engagement are not consistent on a night to night basis, it can cause officers and community members to begin to doubt the sort of logic and legitimacy of the department's approach. And then I suppose, zooming out for a second, we also found that the city didn't do enough to preserve its network of mutual aid partners in the years before. After the events in question erupted in 2020. So there were ample warnings in the years before 2020 that the network of mutual aid partners that the city has long relied upon was in danger of fraying the city. Given the authorized strength of the police bureau and how active a protest city Portland is. Portland has has always relied upon other regional law enforcement agencies to come in and provide support during times of emergency. In the years leading up to 2020, there were signs that those mutual commitments miss those promises of reciprocal support were not that were not going to be honored by some of the city's partner agencies. And from our perspective, there were insufficient efforts to preserve that network leading up to 2020. We closely examined uses of force by the police bureau during the events in question and made a series of findings. First, ppb relied too often upon civil disturbance declarations and the use of riot control

agents like tear gas. We have a variety of we think there were a variety of contribute factors to that and reasons why that was the case. As and as we observe in the report, pbb would have been better able to reduce its use of riot control agents with crowd observation tools and methods that were not available in 2020. And we make a series of recommends actions on a forward looking basis about how to how to close that gap in the future. Okay. Next slide. We evaluated pbb's use of the incident command system. So the national incident management system provides a unified approach for government organizations to collaborate in responding to large scale domestic incidents. Pbb had a significant amount of in-house expertise in running its command post and its incident management team was structured, according to ice's guidance. However our there were not enough command personnel who were appropriate, highly trained and had sufficient public order policing experience to step into some key roles within that incident management team. And that had an impact on pbs's readiness for this prolonged deploy element or series of deployments during 2020. In particular, the incident command incident commander position and the operations section chief position, there were simply were not enough people in the pbb who were prepared to step into those key roles. We also found that the incident management team was not consistently effective as a learning organization throughout the review period. A key element of the incident command system is organizational learning. After every operational period, there should be a debrief, a structured debrief that involves looking at the operational goals for that operational period. The objectives, determining whether or not they were met, and if the answer is no, identifying the root cause of any failure to meet operational objectives. While the pbb did have a an informal debrief process, it was much more conversational in nature. It was not structured. Lessons learned during those conversational debriefs were not disseminated to other command personnel

in a structured format, or they didn't feed into the next day's operational planning. And so there was a need for a more structured and rigorous debriefing process to prevent the mistake. Today's mistakes from being repeated tomorrow we also found that the debriefing process did not sufficiently cover our compliance with the use of force policy or any deviations from agency policy. Next slide. We looked at the dispersal order warnings. Given by ppb. It did in many cases provide warnings before dispersing crowds with riot control agents. We found the warnings were often insufficient and not properly documented and other key internal controls on the force used by officers. Hours were deficient in certain ways, such as the tracking of less lethal munitions. There were not sufficient systems in place to determine how many of each kind of munition had been expended, by which officers and by which teams and the force reporting and review practices used during the review period were inconsistent with ppb's own policies. We looked at the policies that authorized and prohibited in force of various kinds during the review period and found while there were a number of strengths in those policies, there were also some notable deficiencies that we viewed as likely contributing to some negative use of force outcomes in 2020. First, it ppb employed what it calls a dynamic tactic and what protesters would often refer to as a bull rush in 2020, which is when a line of officers would rush towards a group of protesters to try to get them to clear an area. And that tactic simply wasn't discussed in policy. There were no discussion of the ways in which it can be used appropriately and when it would be prohibited. And that was a weakness in existing use of force policy. The threshold for using area impact munitions was too low. There were various aspects of the use of force policy that were vague about impact projectiles and the use of oc spray in ways that we believe caused confusion for officers about when they could use those less lethal tools, oils and munitions. Next slide.

We evaluated the public order training provided by the Portland police bureau and I think our probably our most important finding here was that there was not sufficient oversight of the public order training program. Again in this sort of echoes with with what I said earlier, that the were perceived to be the in-house experts on public order training. And there was a tremendous amount of deference for the city, both in terms of what it was doing on the street and the training it was providing to officers in public order techniques. And so the art was allowed to provide training without submitting the training to the city attorney's office for a legal review in advance and often without working directly with the training academy. And so we found content in in some of the public order training being provided that simply was out of date. We found there was case law that had been overruled and there was information that was just incorrect and a more rigorous centralized review process for the training to be reviewed legally and otherwise before it was delivered would have caught some of those errors in advance. There were some other kinds of content problems in the training. There was insufficient guidance about when was force was authorized and prohibited. It was our view that ppb didn't adequately train mobile field forces officers and that the training didn't sufficiently address de-escalation and procedural justice, which are both key concepts that officers need to have in their tool belt when they're going out on public order deployments. Next slide. We made 12 recommended actions as a result of our investigation and review and i'll just briefly list them here. And if you have any specific questions, we're happy to take it.

Speaker: I was distracted by the last slide. Yeah. Could you go back? Sure. Could you explain the visual we're looking at?

Speaker: Yeah. This. This this was a an image from train provided public order training that was provided. It is. I think it's been. It's been publicly disclosed in. It is.

It's. It's vile and repugnant. It includes messages that really have no relationship to the police bureau's mission or values or vision. It's included here merely. To put an exclamation point out on the note that a more rigorous review process would have caught content like this and made sure that it was never delivered to officers.

Speaker: That's exactly what I needed. I needed to understand why it was suddenly in this presentation. Yeah. So I needed to hear language like you just gave.

Speaker: Thank you. Thank you for prompting me to explain that.

Speaker: Well, not to belabor the point, but it's such an inflammatory and political statement embedded in training materials. And it's precisely where we don't need politics and we need clear heads. So it's it was repugnant when it was first published. And it's difficult to look at now as we process how to go forward as a city. So anyways, not to belabor, I didn't want it in the public.

Speaker: I wanted to make sure we talked about it while I was in the public record. So yes, it's been seen in the media and other sources, but this is the first formal look at it. So that's why we just had this dialog.

Speaker: Thank you. Yeah we made 12 recommendations. The first is that and we put this first because of its importance ice, the city must rebuild its mutual aid network like the city. As I mentioned before, given the authorized strength of the bureau. How active a protest city Portland can be, the city will again need its partners and that were not available to it in 2020. It will need its neighbors at some future point. Now, the city, of course, does not control what other government entities choose to do or not to do, but we encourage the city in the strongest possible terms is to work very hard with other regional law enforcement partners to address the concerns that they continue to have. We interviewed many of them during this investigation. They continue to have concerns about whether or not they will be indemnified, if they send officers to support the city in in times of

emergency. We encourage the city to work very closely with them to address those concerns. We mentioned in the report that given the important role that the Oregon state patrol has had in trying to fill that gap, that mutual aid gap in 2020, we think osp could be a good partner in trying to hammer out new intergov mental mutual aid agreements. But but this this issue we put it first because we think it's just that important.

Speaker: And I see the mayor has his hand up. Mayor Wheeler, thank you, commissioner.

Speaker: Thank you for including this. And obviously, I agree with this. I'm 100% confident that the chief and the police bureau agrees with this. But I don't want anybody to think we did not try. There were numerous meetings with not only our regional partners, but our state partners and for the record, I want you to know that I offered complete indemnity so that if people are still telling you indemnity is an issue, I'm not sure where that's coming from. In further discussions with them, you might discover there there are some other issues that are beyond the control of the opb. Um, it was often asked whether or not I asked the governor for the national guard to help patrol facilities so that our officers could be out on the streets in the numbers they need to be out in order to be safe. I want you to know, I asked on at least two occasions for the national guard, and I was denied both times. So it it's not like we didn't care about mutual aid or c mutual aid is critical. I agree with you. 100% that we need to find a way to go back and facilitate our region to yes. Thank thank you for that clarification, mayor.

Speaker: Anything, anything more on on that first recommendation, I guess in obviously the mayor's the deepest functional expert among the electeds here.

Speaker: I guess just what were the biggest gaps outside of national guard that could have been of assistance at the time? I mean, certainly the sheriff was involved

at times, but but from your vantage point, where was the horse power that we really needed and could have expected? In other instance, that that wasn't present for 2020? Yeah well, you know, that I can give some opinions there, but I'm not an expert on everyone, you know, everyone else's operation readiness.

Speaker: I can tell you that Washington county was a traditional partner agency, as I understand it, that stood shoulder to shoulder with Portland. In other prior emergencies and there was a very significant jury verdict against against Washington county in 2018. Associate with, I believe, the execution of a warrant. Eight deputies from Washington county who executed a warrant with officers from the ppb and Washington county, as I understand it, was not indemnified associated with that event. I think there was a 7 or \$8 million verdict that may have been reduced on appeal later, but that caused Washington county to withdraw more from the mutual aid relationship, and they were traditionally a significant partner for the city. So that would be one agency that know could have provided some of that horse power, you know, to use your your words. And I'm sure there are others we interviewed other regional law enforcement executive lives who said and it wasn't just indemnify ification, there were political issues at play that caused them to worry about sending their people into Portland. Also I don't know. I think the chief is here. He may have some other insights into some of the other traditional partner agencies that that could have stood shoulder to shoulder with Portland.

Speaker: What were the political barriers to mutual aid just so we can be explicit about that?

Speaker: Well, we heard over and over again that. I think what we said in the report was that there was a fracture there. There was a perception that there was a fracture within Portland's municipal government, that that the police were being asked to do a particular job in protecting the city. And we're being criticized and in

certain ways that were perceived to be unfair by other local law enforcement executives. And they were concerned about sending their people into an environment in which they might be criticized in ways that were perceived to be unfair. You know, I can't I think it's worth exploring in the conversation about building and rebuilding the mutual aid network to, you know, to the mayor's point, there were efforts to address the indemnification issues, as I think there were some political issues that were interfering with with the desire to send officers into Portland. And that needs to be on the table and explored as you try to rebuild those those relationships.

Speaker: And just one last note. I don't want to belabor this, but you led with it and it's a significant issue in public safety, certainly in other parts of the public safety world, mutual aid is a is a central component. You highlight an example of Portland fire denying resources to and I just during my tenure, that won't happen again. But the it was there any other public city of Portland resources that were denied to ppb at crucial times.

Speaker: We heard we heard some concerns expressed about. Concrete jersey barriers to keep fencing upright and maybe some kind of other you know, I don't remember all the particulars on that. Public works type support for police operations that was not always provided in the ways that the police bureau felt to be necessary. Thank you, commissioner Mapps yeah.

Speaker: Commissioner gonzales, before I took over the portfolio. But if I recall correctly, I think there might have been some coordination challenges between pbot and the police bureau at the time. Maybe we had some trucks that could have been helpful in this space, but at the time there was not a political consensus on how to deploy those is my recollection.

Speaker: So I was just chatting with Heidi Brown. I think it might be important to have her come up and give a little bit of a more context at this time and maybe just a slight in. Make some room for someone. Bring her a chair, please.

Speaker: Council and I'm just going to be brief. I don't want to interrupt it, but I did want to take a moment, if I could, and just respond on the mutual aid and assure you that our office, Mike Porter, and our office, who's assigned for general advice to the police bureau, is working with Chief Lavelle on our mutual aid agreements. And that is something that we were aware of and knew it was important and appreciate that. Nick Mitchell and his team highlighted that. But I did want to assure you and anybody who's watching that, that is a priority for both our office and the chief and that we've already started reaching out and engaged in conversations related to that. Thank you.

Speaker: Can I ask a quick follow up question? So for is, in this context or mutual aid agreements, formal agreements like a written IGA, or is it more or informal understandings?

Speaker: So they are they are written intergovernmental agreements and they provide for that that reciprocal aid that we would provide to them say Clackamas county, Washington county, Multnomah County sheriff's office, Oregon state police. I know even Vancouver, Washington, has come over at times and provided mutual aid so we can have agreements that that that are pretty widespread and we'll respond to assist them as well. Maybe maybe they don't need for protest, but they have other needs that they might call on us for. And so those are those are common, but they are contractual agreements and we would bring them to council.

Speaker: Okay, great. Thank you very much. Mr. Commissioner Gonzalez.

Speaker: Heidi, just conceptually, I mean, underlying mutual aid is reciprocity, right? That is a cornerstone in you come when we ask for help, we come when you

ask for help and what in terms of suburbs and some of the and including clark county what what are the big asks from us you know commissioner this predates my time and because it's a little outside of the labor and employment and d.o.j. Realm until now that I'm not as familiar with how they've called on us, but I'm sure chief lovell could probably better answer that question. There's a high level. I don't necessarily need to go deep on this right now, but just conceptually, particularly as you know, there's a concern about to what extent political could be a barrier to healthy mutual aid relationships. And just trying to big picture, you know, what what do they want from Portland police and what do they perceive? They haven't been able to get outside of the indemnity question yeah.

Speaker: Thank you for that question, commissioner. Mayor and this is really probably more reflective of 2020 than today because we are reengaging with our partners around that conversation. Indemnity is one piece, but to go back to 2020, I think a big part of it was in general, the political environment. A lot of our partners who would previously come into Portland and work crowd control events with us were reluctant to do so in terms of what was going on in 2020. They looked at it as, you know, you've got a city that's limiting its police officers tools, their ability to communicate with other federal officers who had come in to do crowd control at the federal buildings, at the time. And they weigh it. As you know, I'm going to send my folks into that environment to make arrests that at the time really were not getting prosecuted. And they're like, we're going to take on the risk of injury to our folks. Lawsuits and they kind of weigh it out as a business case in some respects. And it's usually not only the sheriffs or chiefs in those places, it's their political leaders as well.

Speaker: Thank you, chief.

Speaker: Thank you, chief. And thank you, heidi. I think we'll turn it back to you, nick. And actually, I just have a very open question. So you're giving this report and clearly we our own internal leadership would like to respond. And we want to ask some questions. Would you like to finish the report and then have them come up? I don't know. What's your what's your preference?

Speaker: This is your show. So, you know, whatever it would be most useful for you. I'm we're flexible. Either way. I think just to follow up on the chief's point and maybe to respond to your question, commissioner Gonzalez, as i, I understand that one of the significant resources that Portland has that many neighboring jurisdictions don't have is, you know, pretty high level tactical capabilities with a cert team that can handle all, you know, all kinds of significant tactical emergencies that many smaller jurisdictions just just don't have. So Portland also has a terrific training resources. You know, the training facility is quite good. We spent quite a bit of time out there. It's a resource that not every jurisdiction is going to have. So Portland has a lot of assets that it can put on the table. From a reciprocity perspective.

Speaker: I've got it. Thank you.

Speaker: I think the dialog is what's most important, but carry on and we'll go with the flow. Yeah

Speaker: Feel free to interrupt as at will and as needed.

Speaker: Grateful that chief came up and reminded us this was a specific moment in time. Yeah and so people responded differently at that time than they would today. So yeah, that was a very important point.

Speaker: Yeah. Our second recommendation is that we must dramatically reduce its reliance on crowd dispersal with riot control agents like cs gas at public order events. And we have some specific recommendations about how to do that in the

report. Pbb must strengthen and clarify its public order and use of force directives. And we again have specifics in there about the changes that we recommend. The city must ensure that pbb directives related to internal controls during public order events are followed. The as we've already discussed, is now defunct. The city still needs is a public order team to respond to civil disturbance in the city. The current architecture is, from our perspective of insufficient. The use of mobile field forces, officers who have minimal public order training in a city that has the kind of history of protest activity that this one has, it's just not enough. And so we believe that the city needs to create a new to and better, more rigorously scrutinized, more tightly controlled public order team that it can deploy in in in times of emergency. The new to and that dovetails very nicely with the next recommendation the new public order team must be rigorously scrutinized by pbb executives overseen by Portland's new oversight agency and what we mean by overseeing there is not in any way administratively controlled, but complaints of alleged misconduct should be overseen by Portland's new oversight agency and transparently introduced to the public. The public should not again be surprised made by the approaches, tactics and munitions that the pbb will use during crowd control or other public order deployments. And we have some specific recommend actions in the report about how to bring the public in to educate them and sort of partner with the public on this new effort. The city must continue to improve its public order training program consistent with recent national tactical officers association standards. So the public order section has released a set of standards for public order teams nationally with sort of different levels of specialization and advancement. We recommend and that the city use those as a set of guidelines owns in enhanced and strengthening the public order training program. Pbb policy should require chiefs to be engaged with and visible to officers in the field during public order

deployments when possible. Next slide pbb should prepare a deep bench of leaders to serve as incident commanders and operations section chiefs. As we did this review because of the relatively shallow bench of incident commanders and operation section chiefs, which are really two of the key positions, eyes on an incident management team, we discovered that some people serving in those roles were working for weeks and weeks and weeks on end without a single day of break and for any one of us, our performance would degrade with that kind of strain without a break. So the bench needs to be deepened so that never happens again. Pbb should develop a pre operational briefing checklist and hold supervisors accountable for providing comprehensive briefing to officers before public order deployments. Pbb should formalize the debriefing process for public order deployments. And finally, we've been asked to return in in six months to evaluate late the city's implementation of our recommendations. So this the report that we published, it was our phase one report. And we've been asked to return to publish a phase two report assessing the implementation of our recommendations. And so our final recommendation is that the city should do some self reflection and produce its own detailed self assessment in 180 days, reflecting the steps it took to implement these recommendations. Any successes it's had, any failures, key obstacles and any data to reflecting the impacts of its implementation of these recommendations. So that will i'll end the presentation there and certainly happy to continue engaging in dialog with you as as needed. Yeah thank you very much.

Speaker: If that concludes your presentation, why don't we do this? Do we have public testimony? We do. Okay, colleagues, let's go ahead and hear that first. Yeah you wanted to ask questions for public testimony.

Speaker: Can I just out of curiosity, I don't know what the render show is. Are we going to receive a formal presentation or response from the police bureau? Are you

guys just here to kind of respond? If we have questions. I think just as you have questions.

Speaker: Okay, great.

Speaker: Thanks. Yeah

Speaker: Okay. First up, we have mark porous online.

Speaker: Hello, mark. Hello? Can you hear me? All right. Go ahead and you have three minutes.

Speaker: All right. Good afternoon, mayor and commissioners. My name is mark porous. I use he him pronouns. I'm an ordinary Portlander trying to raise a family. And I'm testifying today as a member of Portland copwatch. We appreciate that. The city has upheld the requirement of paragraph 189 of the us versus city of Portland settlement agreement for this independent evaluation of pbs's handling of the 2020 protests. It's more than a little disappointing that the review had to be done at all after ppb conducted two internal reviews giving themselves high marks for their work injury and gassing and traumatizing thousands of ordinary Portlanders, trying to March in support of black lives. It's also too bad that most of the conclusions are those that could have been made while the protests were still ongoing, or at least in early 2021, after they subdued. But this does show that the monitoring group used common sense in writing their report. And so here we are again to talk about pbs's behavior during the 2020 protests. S 15 months after imlc was retained and two and three quarter years after the last protest took place, that the consultants reviewed the report is easy to read and broken down into five main sections, including a conclusion with 12 recommendations that we mostly agree with. We appreciate the inclusion of a glossary, which, to the best of our recollection, is our first time seeing the term dynamic used as a synonym for rush, where a line of officers runs at a group of protesters forcing them to flee. We're

uncomfortable with how the word riot is used so frequently in the report without delving deeply into whether ppb used the term appropriately. We do, though, appreciate the recognition that ppb often relied on unlawful assembly declarations when other less disruptive tactics could have been used along the same lines. The report also acknowledges pbs's overuse of riot control agents like csa's. The report calls out that there is no centralized record that aggregates all of pbs's unlawful assembly declarations during the review period, or the reasons why they were issued the tactics, tactics used and the relevant outcomes. A learning organization should be eager to gather and study such data in order to do a better job next time. The report also calls out the incident management team's inconsistent preparation and debriefing as being indicative of a bureau that continues to struggle to learn from its own mistakes. We appreciate the ample acknowledgment of the community's anger and pain caused by the rapid response team and broader tactics, which makes us wonder whether the proposed remedy of making a new professionalized crowd control unit really is the best idea. We do appreciate, though, that the report calls for this proposed future unit to be scrutinized far more diligently by management, and we especially appreciate the suggestion that they be transparently introduced to the public. This should include the individual officers by name, as well as the proposed recitation of the tactics and weapons the unit uses and an honest q&a session allowing plenty of time for community feedback. The city does have a habit of running out the clock by making presentations so long that the community has little role in such forums and to take the suggestion further should also transparently introduce all of their sworn officers to the public at the very least, there should be public rosters listed for each of the three precincts. Control officers. How can we have community policing if the community doesn't even know who the police officers are? Thanks. Thank you, mark.

Speaker: Next up, we have dan handelman, Portland copwatch online.

Speaker: Welcome, dan.

Speaker: Hi, good afternoon, mayor. Virtually and commissioners in person. My name is dan handelman. I see him pronouns. I'm with the group Portland copwatch also, and I'm also on the steering committee of the albina ministerial alliance coalition for justice and police reform and was appointed by City Council in 2021 to serve on the police accountability commission. But I'm not speaking on behalf of either of those groups today just to pick up a little bit on the use of the word riot that mark was talking about. I'm surprised the word riot is in the title of this document. It was introduced on City Council agenda that way, that word riot is very inflammatory and it should have just been about protest actions, as we once again appreciate the recommendation that ppb dramatically reduce its reliance on riot control agents and projectiles like cs gas and rubber ball grenades. However we are uncomfortable with the suggestion that the ppb get back in the habit of recording protests unless there is criminal conduct present which would make such recordings lawful under ors. 181 8250 the report seems to think that a court ruling in favor of the aclu, which led to the pcb ending their live stream of the nightly protest, was a hindrance. A more careful reading is that the city took the ruling from the only video where there are crimes to never record a protest. So the problem is not the law. It's how the city interprets the law. We're wondering about the policy of embedding fire bureau medics with cops, which turned them into de facto accomplices, accomplices to the police actions. There's no recommendation that this policy be maintained if and when a new crowd control unit is formed, which we think should lead to rethinking this practice, much like forcing Portland street response to attend camp sweeps, this mixing of different kinds of first responders will only spread community distrust of police on to

Portland fire and to psr. We appreciate the recognition that riot gear makes cops appear over militarized and suggesting that when officers show up, they not look like robocops. As stated in the section titled the city was not transparent with the public about its strategies, tactics and munitions for public order policing, which set the stage for a loss of public trust. Many Portlanders were astonished by what they perceived as an overly militarized, militarized response by ppb. We're impressed that the consultants looked at over 500 videos and appreciate the effort the team made to visit Portland appear before the pccep and conduct interviews with a wide range of participants and observers of the 2020 protest. As noted in the report, this included a discussion with multiple members of Portland copwatch. We're glad that I am llc makes reference to the citizen review committee's thorough and thoughtful recommendations about crowd control. It's too bad the chief's response, which was recently also transmitted to the pccep, is very cursory. In fact, when ppb put forward the crowd control directive for public review, they included comments they received over several years ozil, even though supported by both the pcp and the training advisory council, a few tidbits would make the port more readable, including putting more hyperlinks in the endnotes, having things that are on file with the author available for the public, even if they have to be redacted. When an organization is paid to do an evaluation for the city, they should also turn over all the source material to the city and make it easily available for the public in closing, we thank you for the opportunity to comment on this long awaited report. Thank you. Dan.

Speaker: Uh, next up, we have ashley schofield online.

Speaker: Hello, ashley. Welcome.

Speaker: Yes, thank you. Yeah, my name is ashley schofield. I use she her pronouns. I am a mother, a volunteer, a homeowner for white facing woman with

indigenous ancestors. Um, I come here today with my own. My own voice, my opinion. But I am also a member of the Portland committee on community engaged policing, which was reported in the report named in the report. I came here after reading the report. I wanted to make note of the reports. Um, you know, uh, theme and message around community involvement and how policing works and happens in our city. And wanted to note on that tension that was building before 2020 and just want to make sure that we are that while we talk about the semantics of the mutual aid with other with other counties, that were also remembering that Portland was changed after 2020, I know myself was changed. I know my community. I know the way that I speak to my son about policing has changed. I am still very angry about what happened, but like myself and like others, we are now taking other and going into other arenas like community meetings, and we're showing up and we're reminding you all that the way that policing the status quo of policing in this city does no longer works for us. Um but what I really wanted to comment on today and just thank the report for definitely emphasizing that the need for community input could have helped, uh, alleviate what happened in 2020. And as the commissioner here, I'm still confused what the commissioner could have done to prevent or filled those gaps with communication and understanding about what, what what could have been done because people were angry and we needed leaders out there and we needed them out there to say that. We hear you. Instead. We were we were throwing bullets. I saw I've already come to this space and told you what happened while I was out there in 2020 and what I saw so I'm not going to talk about that here. But you all know, you've all heard the stories. You know, they're real and we can't miss on this opportunity to have real, authentic community engaged policing. And what does that mean? I think that means showing up into the space of the communities are right. It's really hard for people

to come here to if you have a full time job like myself or you're a parent or you have multiple jobs. So where are you going? Out to find people to bring this discussion to the community? Really does provide a space for that. Um, but another example I just wanted to say and let you remind you of is the town hall this, this, this evening on the report was not at all advertised to the community in the way that that proves that we really care about that we really want people to know in the community what happen. So I just wanted you as you to think about that. Thank you for your time.

Speaker: Thank you so much. Ashley Keelan, is that it?

Speaker: We have one more one more songa. Demetria mcclain. Hester welcome.

Speaker: Songa yes, I'm here.

Speaker: Can you hear me?

Speaker: Yes, loud and clear.

Speaker: All right. Again my name is songa mcbath Keelan. And to set the tone for 2020, because I was a protester out there protest. For 120 or 80 something days and was arrested. But around what was going on was our mayor politically wanted to be just like donald trump. So therefore, that's why why there were 75,000 more\$ called in of tear gas to be delivered for us to be tear gassed. How don't shoot. Portland did their own report about the new tear gas that they used on us and about the breaking limbs handling people, fighting people. Um not just bull rushing, but having the proud boys cattle us and beat us. All of these things should have been in that report. And then after the 180 days of the recommended actions, what's going to happen? There's no consequence for the police. There's no consequence for the mayor for telling the police to do all of the things they did to us, not even abiding by their own rules, as you're saying. Right now in this whole report, they did nothing. They were supposed to. But nothing is happening to the

mayor. He's still the police commissioner. Nothing's happening to the police that did this. You can't even get an apology. But Joanne can get an apology in five k of her incident with the police force. Then how valid is this report? Who really did you talk to? Did you talk to the protesters that really got all of the beatings that the police did with the cosign coincide? And of the mayor cosigning, telling them to make us feel it, making sure that he knows that we're feeling the pain that he's inflicting on us for exercising our human rights and the operation of the rapid response team. He gave them the okay, but nothing ever happens to the police or the mayor or the police commissioner. Nothing's going to happen because all this is recommendations. Every thing is always a recommendation, action. And who has the final say. So the white supremacy that has this going on, which is the mayor, Ted Wheeler, and all the commission owners and the police, y'all have the final say. So in all of this. And y'all are the ones that created this system and keeping these as slave catchers out here to keep trying to kill us. And the more that we try to fight that, you try to kill us. But we're here to let you know that black community is controlled, gold is here. And that's what it's about. Uluru and that means freedom.

Speaker: Okay. Thank you, Sandra, is that complete testimony? Okay, why don't we do this? Let's go ahead and keep the panel up here if there's any more questions for them, colleagues, and then we can have the chief and Heidi come up. Does that work? Yeah. Okay

Speaker: I had some questions.

Speaker: Go ahead, Commissioner Gonzalez, hone in on incident command, as used in your report.

Speaker: But in looking at other jurisdictions, at other police departments, it's for these type of commands, whether we're going to call it riot or public disturbance. What's your term of art outside of riot? Just for crowd control in this environment?

Speaker: You want to take that in general?

Speaker: Commissioner, the term of art is now public order because the goal is to maintain public order.

Speaker: So in public order incidences is what does what does this command center look like in other cities? And specifically incident commands? And to what extent is it integrated with other public safety bureaus and to what extent is it sort of isolated within police? I'm just sort of curious how police is arranged relative to others you've seen for these type of incidents?

Speaker: Well, commissioner, I can speak to my experience, which is primarily in the national capital region and I will say that Portland, I think, was progressive in terms of actually providing public order specific incident management. And they I I'm not sure how familiar you are with the federal requirements, but in 2004, it was the federal edict, national homeland security directive, I believe five said if you want federal funding, you need to do national incident management system. So in general, I think Portland may have been ahead of the curve and applying it in the national capital region. Obviously that happens fairly frequently, but I do work with other organizations such as iacp and the fbi, national academy associates and such major cities in general are better at this than most other cities. So the issue I think with our recommendations was not so much the lack of it, but the fact that this took 180 days. So they had, you know, it was a two day event. You have trained a crowd management incident commanders, but for 180 days, they didn't have the bench to do it in terms of that. So in general, that's separate from the learning recommendations we make. But in general, the fact that there is a crowd, an incident command system stood up at a remote location, which is a best practice for doing that. So you have discrete ground commanders and discrete incident commanders who in theory have a much broader air base of knowledge than

someone who may be leading a contingent on the ground focused on the problems right in front of them. So in general, the general my general feeling is that Portland was probably ahead of the curve. And for the majority of the United States and on par with major metropolitan areas, that's helpful.

Speaker: And I'm going to repeat back part of what I think I heard there is that but 180 days is such a high stress. By I mean, in terms of systemic impact that that's just hopefully we won't see that again in another ten years or, you know, you can't bank on that. But we're talking about a pretty extreme scenario and that's going to put stress on any structure you have in place. That doesn't excuse anything, but it's just in terms of what was the capability we had going in, was exposed to a once in a x amount of years incident. And it's going to stress any system that's my opinion.

Speaker: And I believe I think the opinion of the group here. I've been involved in incidents that are several days or a week, maybe two for some of the incidents surrounding things like January 6th, where you have people stood up and actually having to deal with sustained a coordinated a large protest and associated criminal activity within at times. This is an unprecedented to my knowledge in annuals and the annuals of American law enforcement and the other sort of less specific to 2020.

Speaker: But just trying to understand going forward best practice on the integration of public safety bureaus specific to this type of incident. So if we have public unrest, riots. Broadly defined, it just curious, you know, to what extent do you do other cities pull in their emergency management team? And just what is incident command look like as an integrated or or is it simply police that typically would be the incident command in this in this type of scenario in general for events like this, a standard calls for a unified command with various stakeholders having having a command personnel.

Speaker: There. But for a fire, the fire bureau is going to be the lead for a crowd management event. It's going to be the police department and then working on a whole of government approach to mitigate the problem, which because as we talked about mutual aid for the first time, these large scale events almost by definition exceed the resources of any one agency. And so you need to have a whole of government approach and the ability to do that. And then obviously, as you know, as a different government agencies are going to have an impact on what happens in the event. So you have a coordinated response to the public who may not have much, may not have that nuanced view of what the government is doing. It's simply the government doing that. So if that answers your question, it does.

Speaker: Yeah, it's it does. Maybe. I'm not sure who would answer this question the next one. But the critiques of policies is in a rear view mirror, right? So as well as for training, I guess the question is how do we thread the needle between learning from past experiences prescribing compliance with the law, with our own values as a city against operational flexibility for what people see in the field? And, you know, just trying to thread that needle on a go forward basis, you know, hopefully this is a once in a hundred year incident that we dealt with in 2020. That's probably too optimistic. But but we have a lot to learn from it. That doesn't mean the next incident is going to be exactly like what we dealt with in 2020. So I just kind of I just sort of curious, what's the best practice there in trying to learn from mistakes better, but also to create creating space for operational flexibility to face what you whatever's coming next.

Speaker: Well, I can answer then put it over to a policy. Experts such as mr. Bts, who is a public policy manager. My general view of policy is, is they they give you the best guidance possible, putting a bright line, what you what you may not do and trying to provide you the tools to act as you should in an event. Obviously we don't

have foresight and we can't see every event coming up, but they can allow best practices. And for events like this and linking this to some of the other recommendations as we do, there is a need for specialization in this. This area of law enforcement. It is a high risk, low frequency area where where you have very high demands on personnel, which I will say again, Portland was fairly progressive, much of the country. And one of the reasons standards have come out have not looked at this as a specialized area of law enforcement. So having the policy that it can help give you the tools you need to do that and also, in my view, policy or where to get everyone on the same page, not only within the agency but within the region, but also with the communities. 80 so we know before hand what comes up. And there will, of course be scenarios that aren't covered by policy. Then you just want your personnel hopefully to make the best decisions they can in.

Speaker: Yeah, I think I mean, that's a very nuanced and rich question. I think to build on that, you know, policy is provides the rules of the road what's acceptable, what's lawful. You know, there are lots of use of force. Matters have been sort of litigated to the nth degree and policy creates the framework that officers sort of have to operate within in it's really training. We're sort of the operational flexibility is taught and it's experience in the field. You don't really want to be overly restrictive about sort of the operational posture that anyone's going to take in policy. You're just giving the rules of the road and it's really in training where a lot of that kind of gets hammered out and officers sort of understand how they can approach different situations. They face in the field.

Speaker: Got it. I one last question for now. I'll turn over to my colleagues. In terms of the community interviews that were performed and I and I'm going to make an observation. I'll get to my question how Portlanders look at the events that occurred in 2020. You are going to hear a broad diversity of opinions on what

transpired, what should be learned from it, how it should shape the city going forward. There is no one Portland opinion on there. There are a multitude and you heard from some of those folks that testified just now certain perspectives on it. I disagree on a number of the things that you heard. Don't disregard the seriousness of some of their perspective. But there are other perspectives. And on what occurred and what I guess so this gets to my question. What was your methodology for soliciting community input for purposes of your report? Just high level, sort of curious as I can make a few observations about that.

Speaker: And phil, you may may have some some additions there as we. I think it's I think you're absolutely right. We heard a diverse city of opinions. I think one thing i'll say about Portlanders is they're not shy about sharing their opinions for whatever this whatever perspective of they're not shy and we certainly heard strongly voiced opinions on on multiple kind of sides of this issue. We participated in a extremely well attended public forum on one of our first visits to Portland, where we heard from the community. We set up an email address to receive feedback and did receive feedback from the community on, on some of the issues that we ultimately were were investigating and reviewing. We were in contact with community groups of various kinds who are engaged in public safety issues in Portland to hear from them and hear from their perspectives. We there were other sort of outreach attempts that phil may be able to kind of shine a light on. Yeah the community forum that we participated in in October of last year that was well over 100 community members and that had where we really saw the anger come through.

Speaker: I mean, we knew obviously from the public accounts and the reporting that the community was upset. But that kicks started it into into high gear. And as a result of seeing various representatives of various groups speak at that forum, we

then honed in on some of the other groups that had been involved in monitoring police behavior over the years in Portland. And even when I was working for oversight agencies in dc and new york, I was aware of some of the public discussion that were going on in Portland. But it was it was, I would say, the community forum that kicked it into high gear and not everyone wanted to talk to us, but we felt that through the variety of interviews and discussions that we had with community members and organizations and lawyers representing community groups as well, that we had a good sense of the of the anger constant nation and surprise. You heard in our presentation that one of the reactions we heard from community members was surprise. Some some were surprised, some weren't surprised. But we thought we captured we thought we captured that through our discussions with community members, though.

Speaker: And to follow up on phil's point that we wanted to get as broad a range of perspectives as possible, we also talked to family members of police officers who were in the field for weeks at a time. You know, spouses who talked about the impacts on their kind of home life. So we tried to be as as, you know, as broad minded as possible and gathering feedback from the public.

Speaker: Thank you. Thank you.

Speaker: Okay.

Speaker: Commissioner Mapps thank you. And thanks for the presentation in this report. This has been very illuminating. I think you have roughly 12 recommendations, two of them are call for the creation of a new specialized public order team. I think you call it can you unpack that for us? What is that? Yeah, for my education. And I also think for the education of folks walking at home, intuitive. What are we talking about here, commissioner Mapps I will start by talking a little more of my prior comments.

Speaker: This is an area of law enforcement which long has not been specialized in many areas of the country. And in fact, you heard from our opening comments that Portland's are received national international recognition. The demands placed on an officer in during civil unrest are extremely high. But traditionally training is very low. Many areas of the country you may have a few hours in a police academy and then get sent to an environment where you're facing a high degree of personal danger. You could get hurt. You you may face civil or criminal liability for your actions. You may not have been prepared for things. So the idea being that we need office officers who are specifically trained to operate in that environment because it's such in this country where the first amendment is, is something that we put such reverence on. But it's not absolute in that we also have to balance the needs of the community. You know, you don't have a first amendment right to burn someone's store down. And so we need officers who can work in that environment, who can separate out people who are actually violating the law. And actually, we need to take criminal enforcement versus people who just may be loud and doing things. And anecdotally, I remember one of my teams went to assist a metropolit police in for a papal visit and there was someone on a pr, one of my officers was getting upset. This was right across from the white house. And they said, oh, we need to do something that's annoying. I said, that's the sound of freedom. There's someone across from the white house who can get on a on a on an amplification device and make noise. That's freedom. So we need officers who understand that who can operate that, who can deal appropriately and proportionately using de-escalation when they have to use force, who also at the same time can also communicate and work with members of the crowd and also a larger community to achieve that public safety objective. So that's why you need specialized training. The general police training does not give you that ability. And you know, anecdotally

when I respond to the Baltimore riots with the team, there was a jurisdiction in Maryland that sent, I think, 22 officers, 18 of which were hurt because they were not trained for it. Where is my jurisdiction? We brought a whole team and we did not have those injuries because we trained to operate in that environment. So that's what Portland needs to be able to do that to have a team who can operate at that balance people's rights, deal with those who are violating the law and not operating under under under the first amendment and allow for general everyday policing to occur in that contentious environment and hopefully keep it from unrest, from occurring.

Speaker: Thank you. That's very helpful. A quick follow up question for a city of Portland size and Portland's character. Do you have any a sense of how many officers we should run through that training in general ?

Speaker: My opinion, I think the team may share this for city with with such a rich history of first amendment activity. I think the course they've embarked on where everyone's receiving a certain amount of training makes a lot of sense. I think that will will supplement a larger team and coming from a jurisdiction slightly bigger, having 160 to 100 officers might be reasonable depending on on the demands with the understanding, as we talked with mutual aid for a truly big event for an extended event, you need to find a bench somewhere and people you can call for help. Hopefully who have the same philosophy and training, who can operate in that. But there's not a you know, this is not this is a social science versus a hard science. So you do what you can support and can and you know what? They can sustain. And in my opinion, with the requisite training versus having someone on a on a on a table of contents as, as as part of my team, I'd rather have a smaller number of people who are actually trained in accordance with standards rather

than having a larger number on paper. So those are the decisions that the chief is going to have to make to try and find out that that balance.

Speaker: Thank you. And I said that was my last question. But let me do one more one more follow up. If I recall. So if I understand it, the new team that you propose would kind of occupy the space that the city used to occupy. But but I also remember that the city basically quit. Can you remind us why they quit and how we if we stand up a group that does something similar or how do we how do we make it work for the people who actually have to do this work, too? Because we have been in this space and have had some struggles, I can talk to my understanding and I believe there was a letter published by the commander at the time who can go into much more specifics.

Speaker: In general, though, I believe the team felt they they were were asked to do a very difficult job, didn't have the requisite support. And were being held to a different standard than than the public when that came out. And without getting into facts, I think for my that's the opinion I got and the feeling I got after talking to the members and who we did talk to and reading reading the letter.

Speaker: Okay. Thank you very much. No more questions for the panel.

Speaker: Thank you, commissioner Mapps, I have one thought it. I know that you called out when the feds came in in July. Correct. As inflammatory and as somebody that was campaigning in his special election that summer, someone that was going down the protest. I certainly it was big. It was very impactful. And my question is this. It also started to dissipate at the and it seemed like we were starting to move into a new phase. And then the feds sent people here. And it clearly changed the trajectory of the next x amount of days. I'd like to hear more about that. All I heard was I saw inflammatory, but I want to hear what your opinions are on what how that triggered. If you will, the rest of the summer and

into the fall. And I think it's very important to do this in the backdrop of we were talking about how we work with other jurisdictions and locally, that's one thing. But this was very different. I don't recall the mayor. I wasn't on City Council then saying, please, president, send these people to Portland. So let's, let's get that out into the public discussion right now.

Speaker: You know, to some extent it it's hard to look at what happened on the street without also looking at what happened in the sort of rhetoric around Portland at that time. And the sort of drumbeat, the steady drumbeat of messaging from federal officials about sort of, you know, a quote unquote, sort of out-of-control, lawless environment and city, which, as we talk about priming of officer was earlier in the context of the ppb, all of that was priming for federal personnel who are being sent here with a steady drumbeat of messaging, saying, you know, we saw a much greater degree of conflict at around the federal courthouse house after federal personnel were dispatched to Portland, as you suggested, commissioner, the protest activity had largely self extinguished. It might be too strong a word, but it had significantly quelled before operation diligent valor went into effect. And it was like it was like a match set to flame as soon as federal personnel got on the ground. The level of conflict around the hatfield courthouse was extremely severe, significant, pervasive. There was significant use of force by federal officers toward protesters, federal personnel were themselves hurt and we also can't look at that time period without looking at what happened immediately after, when the osp assumed control and articulated a very different public philosophy fee for the management of these events, osp immediately said, and the superintendent said, you know, we want to de-escalate. We want to minimize conflict, we want to resolve incidents without reliance on force when possible. And all of that messaging can attributed to immediately reducing the level of tension

and the level of use of force that was happening around the hatfield courthouse and elsewhere throughout the city. So it was from our perspective, you know, undeniably, extremely inflammatory and we were very happy to see a different philosophy, articulate and put into practice by the osp. Thank thank you.

Speaker: Anyone else like to comment? Yeah what your experience on the ground was like an invasive species came in and just what it did, it really was fascinating and it also felt very political in the reelection year. And like we're a backdrop of a reelection commercial for a senate candidate. And so I think that Portlanders could share in some of that angst on no matter how they were feeling about the issue. And so I just wanted to make sure that we spent some more time on how disruptive that was to what we were experiencing here in Portland. And I felt for the police officers that had been doing this nightly and I can only imagine the fatigue and then that taking off and then not seeming like all the arrows were pointing at the right direction. It didn't seem like we were all in the same boat, rowing in the same direction. So I really think it's important when we look at 2020 to look at the impact of the feds coming in to Portland.

Speaker: No, I think that's spot on.

Speaker: And i'll just add to that that many people have no reason to distinguish between in local, state or federal police officers. They just they're just police. Too many people. And I don't say that in any way. That's not a criticism. It's just a reality that most people don't have enough contact with law enforcement to really make those fine grained distinctions. So when people would see footage of problematic uses of force in Portland and by police officers who happen to be associated with the federal government, they would blame, in some cases, the pbem. So it was not only the conduct of federal personnel was not only sort of inflammatory on the

streets, but it was highly inflammatory in the relationship of the community with the Portland police bureau.

Speaker: Thank you. I have one other question and it's like counting receipts, perhaps it's because of the famous elk and how expensive that's been to restore and bring back. I actually found the \$15 million figure on damage to public and private spaces to be a conservative. Maybe low ball number. But before I think that I know what I'm talking about, could you explain to me the methodology of coming up with that number? If it's based on a couple of different estimates that were provided to us?

Speaker: And I think I know there was a survey done of local businesses as well that had a much higher number and I think likelihood it's in between that 15,000,000 in a much higher number. But that was the what seemed to be the most reliable estimate we could pull from what we were. I can only imagine how imperfect it was, but the effort is what we're looking at here.

Speaker: So you were able to reach out to the private sector and get part of the information.

Speaker: Did come from business owners within the downtown area.

Speaker: Okay. I appreciate that. Mayor Wheeler, would you like to ask any questions? I know you've had more time to look at this and probably been in discussion. No I'm I'm pretty well versed on it.

Speaker: So at this point, if nobody else has any questions, I'll move the report.

Speaker: Oh, great. So we have a motion to move the report. Do we have a second? Second? Okay. It's been moved and seconded. Keelan, please call the roll.

Speaker: Gonzalez so appreciative of the comprehensive report here. 2020 has left scars on our city. Some of those cuts have still not been healed. We're trying to move forward. We're still there's a there's broad differences in opinion on some

aspects of what occurred in 2020. I think some of those things are were coming closer together and others may linger for a while. I think this is an important input in some of the technical assessment that needs to be done for Portland police's performance. So hopefully we can learn from it, build a stronger and more responsive police department going forward. That that Portlanders have trust in and that they feel is accountable. So I really appreciate your work. I learned a lot, but I I'm an eye maps.

Speaker: I'll just echo everything that commissioner gonzales just said. I very much appreciate the report and the dialog and I look forward to seeing you back here in about six, six months for the follow up on how the city is doing in terms of implementation, I vote i. Ryan yeah.

Speaker: Thanks for being here. This was a great conversation. I appreciate your leadership. You all seem like a pretty tight team and it was very comprehensive. You know, we're a very resilient city and I was happy to hear that you thought that people are quite direct and honest about their feelings. And I think even though it's been a couple, three years almost, it's very raw for a lot of us. And I really think that you did a commendable job bringing the total scenario of what we experienced and in some ways having some space from them to really reflect is a really good effort. I know that we have an opportunity to learn from this and we are. But we really I think for me it's going to be what we send back after 180 days. And so I know that the mayor will bring us up to speed on that process with the chief. And I know that we all look forward to being engaged in those conversations because this is an opportunity to really learn from perhaps an incident that lasted long, longer than anyone would have ever imagined. And there's just so much rich case study information in there for the Portland police, for other police jurisdictions throughout the country. And so let's let's definitely learn from this and continue to

move on and build trust. All right. So I vote i. Wheeler well, first of all, I want to say thank you for your presentation.

Speaker: And I'm sorry I can't be there in person in the summer flu caught me and I didn't want to take the risk of spreading out around the council chamber.

Speaker: Thank you.

Speaker: As difficult as it is to look back on probably the most challenging times in the history of our city, I can't underscore for enough the value of reflecting on those challenges and finding a path forward in the spirit of improvement and growth. There's something in here for all of us. This report offers valuable guidance and expertise to help illuminate that constructive path, and I want to thank you for the thoroughness as well as the objectivity of your work. It's abundantly clear to me that your team embraced the need to understand and the complex and yes, I'd say it even often emotionally charged perspectives of many of the stakeholders impacted your expert perspectives and constructive inputs. Greatly appreciated, particularly in the context of balancing public safety with protecting important constitutional rights. I also just want to say, because I don't think it got said today, there is much that the Portland police bureau could do differently based on this report. There's much I could do differently based on this report. With the benefit of hindsight. Right. But sometimes I think we forget that our police officers are men and women with families, with children, with other other pressures in their life. And we put them under a pressure cooker cooker that I don't think any public employees have experienced prior, and certainly not since from my perspective. So I want to thank them for their humility in approaching this report and looking at the ideas. Chief, that you think could help improve things and move us along. And I'm committed to be your partner in doing that. So thanks to everybody. Thank you for the report. I vote i.

Speaker: Okay. The report passes 4 to 0. And thank you for all being here. We'll go to the next item before that. Can we take a five minute break? Okay.

Speaker: Recording stopped. Great.

Speaker: Except the 2022 annual report of the Portland police bureau. Thank you, mayor Wheeler.

Speaker: I'll hand this over to you for introduction of this item.

Speaker: Thank you. And I will quickly hand it over to the chief staff. It looks like mike frome is here to give the report.

Speaker: Great welcome, chief lovell.

Speaker: Oh, chief lavelle. Sorry, I couldn't see very clearly. Good to see you. Hello mayor.

Speaker: Commissioners. And don't worry, I'm often mistaken for deputy chief frome. Good afternoon. I'm chief chuck lavelle, and I'm here today to present the Portland police bureau's 2022 annual report. I'm going to share with you an overview of the major issues from last year, as well as accomplished moments and challenges before I get started, I wanted to tell you how very proud I am of our sworn and professional staff. The resiliency and commitment they continue to show. I want to thank them for the amazing work, professionalism and compassion. They demonstrate every day. Last month I had the opportunity to present this information to the three precinct. It's at the precinct meetings and I was pleased by the amount of support we received from residents who want to engage with police and help address public safety issues. Okay, we can start the powerpoint. And before I discuss the events of last year, I want to thank the City Council for the support you have demonstrated towards us and the recognition often of the need to build back pbem deputy chief mike frome was here last week to discuss our staffing and the project for additional overtime funds. And I want to be considerate

of your time so I will not be discussing the staffing numbers in detail today to avoid being too repetitive. As you know, it remains a significant challenge for us. Next slide. So let's start with our accomplishments, our equity and inclusion team completed the bureau's five year racial equity plan and continues recruiting members for the equity advisory council. The bureau's recruitment efforts were revamped and the bureau received 1513 applications for police officers. Is hiring 80 new officers. As I will tell you up front, that 63 sworn members either resigned or retired last year. So that's only a net gain of 17 on. However we're proud of the hiring efforts and certainly the number of applicants we revised and created more than 20 directives in 2022, including ones for procedural justice and wellness. Additionally, the team updated the suite of mental health related policies that are the center focus of our d.o.j. Settlement agreement. We also overhauled the bureau's policies pertaining to reporting and reviewing uses of force, including establishing clearer standards for when force is authorized and the accompanying reporting and investigation requirements. And finally, we updated policies related to foot pursuits and consent searches. Next slide our training division was busy as always. They conducted academies for in-service advanced at academy cadets, sergeants, academy leadership training and more. They're also responsible for training all of our recruits and public safety support specialists. They conducted training evals for most of its important programs to identify ways to enhance quality of training, to maximize training, time and improve operations. Our wellness program continued to make investments with pilot programs for healthy food and sleep classes. Well this remains a top priority to help with retention of our members, as well as increase morale by improving emotional mental and physical fitness of our members. Next slide. Despite our staffing levels, our precinct commanders were charged with using their resources as effectively as possible.

They looked for ways to conduct missions as directed patrols, bicycle patrols and neighborhood response team missions in ways that impact the rises in crime. Documented in the report. As you know, stolen vehicles have increased drastically in 2022. Officers also noticed a nexus between stolen vehicles and illegal weapons response to this trend are east precinct began a series of stolen vehicle missions or as we call them, svos in order to ensure these missions were informed and data driven. Pb svo leadership approached researchers at ohsu who agreed to review both the data and methodology proposed by our team at east. The partnership has shown incredible results as the data showed in the non evidence based practice missions, only one in every 31 vehicles stopped was an occupied stolen vehicle and the arrest ratio was one in every six in the missions conducted after the evidence based practices were applied, one in every six vehicles stopped out by the team is a stolen and someone is arrested. Once in every three stops. Next slide. We reformulated the entertainment detail in 2022 as people began coming back to the bars and late night establishments, we observed an increase in the number of shootings in these areas. We responded by restaffing this detail to provide patrol coverage during peak hours. The number of shootings after the entertainment detail was reconstituted last year were zero. Street racing has been a chronic problem in recent years as illegal street racing continues to be a seasonal event, drawing hundreds to these dangerous events. Many people are armed. Often they are occurring in multiple locations at the same time. Mission ends were conducted in last year in response to street racing. Here again, we have observed the results. Last year we anticipated several hundred events, but there were only several dozen. We need the appropriate resources to continue the good work resulting from these missions by putting together teams for this purpose. We also worked with our legislative partners to pass senate bill 615, which increases penalties for

street racing. This bill becomes effective in September. New slide our neighborhood response teams are on the front line of our response to the rising crime. They were highly effective at addressing cases of criminal behavior involving larger groups. We hope to expand their work more broadly citywide, as there are several other areas where this work is needed. Our central precinct bike squad was also very effective downtown and in northwest, especially addressing fentanyl use illegal weapons and stolen vehicles, as these results show, the value of proactive policing and we need appropriate staffing to grow the work and tremendous results of their efforts. Our behavioral health unit continues to be a significant resource. They did around 99 trainings and events last year, not only within the city, but also with private organizations and other law enforcement personnel. Our office of community engagement integrated the bureau's bias crime unit with community advisory councils to improve communication on trust learning efforts and to allow for a cultural exchange. The office also facilitated many other community meetings, workshops and cultural engagements that help foster meaningful relationships. The bureau continued conducting its community police academy, in which community members work with police officer partners in daylong settings of classroom and practical scenarios. Pbot also continued its community active shooter preparedness or casp, which has delivered about 200 classes to safety impacted community organizations and businesses since 2013. While we had accomplishments for which I'm very proud of, the employees of the bureau, we also faced many challenges as, as I mentioned, staffing is a big part of the conversation. I'll just update you that we currently have 294 patrol officers. As you know, this has affected our ability to meet our minimum staffing on the street. Response times and our ability for proactive policing. Thank you to the members of City Council for

allowing us to offer double overtime, um, in the short term, in order to see if that can affect our numbers on the street.

Speaker: Chief Lovell I'm interrupting. When you say 294, I'm assuming this is at the end of 2020, 2022, or is it today? No, that's currently okay. Just want to make sure I'm trying to do the rearview mirror thing. Uh, you trick me. So right then you got present.

Speaker: Yeah. And those are officers who are assigned to patrol. So that's at the three precincts. Okay while we have not seen or not been seeing the attrition that we saw over the last few years, we do know that as many as 100 sworn members are eligible to retire in 2023. Because of this, the bureau will need to be ready to maintain a high rate of hiring. So far this year, we have hired 46 officers. We've had 39 separations for a net gain of seven. We also continue to have a large number of officers in the training phase at any given time. And anyone hired today cannot go to the state academy for several months due to the backlog. I know they're working on that and we are able to get some more people through sooner than we thought. The need to recruit and retain qualified candidates is critical for us to address just a few more notes on staffing, we often talk about patrol, but we also face staffing issues throughout the bureau, including our investigations branch. It's important to discuss our professional staff who are the foundation of our bureau. Last year we hired 52, but we lost 34 professional staff. Our records division, staffing was the lowest it had been in modern history. I'm happy to say it's staffing has gotten better once some people got off, got off training will be able to better address this backlog. Next slide. Let's turn to crime statistics in 2022. Person crimes decreased slightly by 2, but remained above the prior five year average. We continued to see gun violence this number remained fairly stable with only seven fewer incidents reported in 2022. For a total of 1308 incidents. This shooting

incidents were 48% higher than the prior three year average. Next next slide. There were 94 homicides in Portland in 2022, including 76 that involved a firearm. This was an increase of 6% over 2021. Last year, I made the decision to temporarily shutter the cold case unit. This was in order to create three teams of detectives. This gives us more effective coverage to address the drastic rise in homicides in in the ten years prior to 2020, Portland averaged about 2525 homicide offenses per year. So you can see the significant jump. We've had a 60% reduction in staffing in our narcotics and organized crime unit, which investigates drug traffickers. Meanwhile our community is seeing an increase in overdose deaths. We received some figures recently from our narcotics unit and they are startling. They're are the overdose cases that are reported to ppb. You can see the overdose deaths per year here are 159 during 2022, with the majority of them being fentanyl. But as of a couple of weeks ago, we were at 178. This could be almost 300. By the end of the year. At the current pace, the availability of illegal drugs continues to increase and remains at an all time high. Property crimes increased 11% over the rate in 2021 and was 20% above the prior five year average in 2022. Vandalism increased by more than 2500 offenses, compared to 2021 and was up 66% compared to the prior five year average. 2022 had the highest volume of motor vehicle theft on record with 11,098 offenses reported a 20% increase over 2021 and a 51% increase over the prior five year average. Burglaries were up 17% compared to the prior year and 26% compared to the prior five year average car prowls, meaning the theft of items from inside a car increased by 12. Report of robberies at businesses increase by 41% in 2022. In 2022, 68 people died on Portland streets, 332 were pedestrians. This is the highest number since 1948. As you can see, the numbers here are broken out in other categories. This past spring, I relaunched the traffic division on a limited basis. I'm happy we have the motorcycles back doing traffic enforcers and

focusing on the high crash corridors. And finally, it's important to note that our partners also face challenges and we have to look at the entire justice system as a whole. The jails, though, continues to be challenged with restrictions on booking. And the district attorney has also discussed their own staffing challenges and backlog. Thank you again for your support this year and for working to build back our city and improve public safety. Thank you. Thank you so much chief Lovell for that presentation.

Speaker: On colleagues, should we see do we have any testimony one person signed up.

Speaker: Okay, it's okay if we do that first.

Speaker: Everyone. All right, let's do it.

Speaker: Okay. Uh, we have Dan Handelman, Portland Copwatch online.

Speaker: Welcome, Dan.

Speaker: Hi. I'm just getting geared up here. Sorry about that. Good afternoon again. I'm still Dan Handelman with Portland Copwatch, and I'm still only speaking on behalf of our organization this afternoon. Thank you, Mayor and Commissioners, for having this presented at City Council. I we our organization sent comments into the Portland committee on community-engaged policing at the end of June that were quite extensive. There were three pages long and the only thing that we can see that got changed between then and when the final report was done was two typos that we pointed out. So that's kind of discouraging. I also attended one of the three precinct meetings and they are handled in a format where the public information officer takes your questions from the chat and relays them to the chief, but often cuts out important parts of what we're trying to convey. And I don't think that's very community friendly. I don't think the chief would be offended by the questions we've we've been talking with this chief for many years. I don't think he'd

be offended by the questions we were asking, but they got toned down by the by the public information officer. So in summary, these are some of the comments that we made. We talked about shooting deaths. And as the report pointed out, Portland police shot at nine people last year. Four died, three were wounded, one wasn't hit and one wasn't known because the suspect drove away. The report talks about the focus intervention team, which started up early last year and casually mentioned that it was a challenge that seven of the 12 officers were on leave because that unit was involved in three of those officer involved shootings. Um the we asked a question, do black lives matter? There had not been a shooting of a black person by Portland police since January of 2019. And there were two in November last year. But that wasn't mentioned explicitly. And one of them, the grand jury only just completed itself after nine months, which we don't know why that took so long. There was another young black man that was shot in July this year, but we'll leave that for next year's annual report. We found that the word accountability only appeared once in the entire report in the context of holding officers responsible for policy violations. We talked a little bit about how force data didn't really focus on how many times people with mental health concerns were subjected to force by police. It just said 0.023% of encounters, which doesn't give you a number. We talked about crowd control, which we just got done talking about that more broadly and mentioned that the coalition of advisory groups that are the people who are inside the police bureau advising police, um, our our sessions to talk about crowd control, although I didn't think many of them might have been out on the streets protesting, engaging with the federal government was one of another topic that we brought up and we were actually thankful that the Portland police bureau mentioned that one third of the officers who were planning to leave decided to stay, at least in part because of the wellness program. But that

information was kind of buried. Um, so the last point I wanted to make is that we heard that the records department was very short staffed, but they hired, I think, somewhere between on the body camera program late last year. And I don't know what they've been doing between the end of last year and when the program just started. But it seems like that should have been able to help get the records division back on track. Thank you very much.

Speaker: Thank you. Dan colleagues, open it up to the floor. Questions

Speaker: I'll jump in, if I may. Please chief, thank you so much for this report. There's some really encouraging news here and there's some obvious challenges. First of all, I really want to give my congratulations to you and your team for the great work that's been done on the stolen car missions that that is just a very exciting project, really appreciate the work being done by the entertainment district. If you haven't gone down to the entertainment district at night on a weekend sometime, there are literally sometimes thousands of kids out having a great time and for the most part being safe and that we really have the team in front of us to thank for that and the business owners who have all actually all kind of really come together to make our downtown safe on the weekends. Also very much appreciate the progress that we're making on street racing, too, that is dangerous and utterly unnecessary. Um, but when I look at the report, there are at least two areas that obviously cause us a ton of concern. One is the continued proliferation of shooting incidents in particular, and also the very disturbing news that you just brought us about fentanyl. And so I think my questions would be to and I know this is a backward looking report, but kind of looking forward, um, what plans do we do we have any new plans or new strategies around bringing down our homicide rates? You know, I'm looking at our change in our three year average in your report, and it looks like it's up. Homicides are up 61% over our three year

average. That's a lot. But when we start with homicide, what's the lay of the land looking forward for murder? Yeah looking forward, commissioner.

Speaker: We're looking to implement the cease fire model. Our team just recently did a trip to oakland with members from the city and some of our partners to look at the next steps in the implementation of that model. And that's something we've been looking to do for some time. And I think now we're we're closer than ever. So I think that will help as we structure our work and our partners work to really kind of focus in on those folks who we think are most at risk of being victims or involved in gun violence. So that's really the next step around the homicide piece. And I think as we learn more and see what our role is. Pb will look like under that model, it might force us to look at how we structure our detective division and some of our homicide detectives and those resources that focus on homicide specifically.

Speaker: Okay. I'm excited. I'm glad to hear that. And certainly in my role in council, i'll do everything I can to make sure that that's a success. What about fentanyl? I think the news that really has gotten broken today is, is what we had 137 ish fentanyl deaths at this point in the year, which indicates that we could in the year with around 300 I know this is a challenging problem. Um, what's the plan on.

Speaker: I think that number was around 178, which puts us on a pace for about 300 and for us right now, we spend a lot of our resource is investigating overdose deaths and the goal is to lead back to where the source of the fentanyl came from. I recently met with some of our partners with the dea to discuss kind of what their role is and how we can collaborate and synthesize some of our efforts. They really focus on some of the larger suppliers, not so much the street level dealing, but they're they're working hard to look at some of the bigger cases and maybe the bigger importers into the city. And we're really trying to focus our efforts primarily with the bike squad and our downtown resources to address the street level

dealing. I think some of the legislative fixes that have been discussed and implemented could potentially be helpful. But there's definitely a lot of people on the law enforcement side, the prosecution side, that are really trying to hone in on what we can do to get a handle on it. Okay

Speaker: Well, I look forward to making progress in this space. I mean, i'll point out that obviously this is an important public health issue. I think it's pretty clear at this point that fentanyl is deeply intertwined with our houselessness problem at this point. I don't see how Portland gets back on its feet until we get our hands around this really challenging drug. Thank you very much. President Ryan, i'll hand it back to you.

Speaker: Yeah, thanks, mister Gonzalez. Go ahead. You want to go first? I'm gathering thoughts.

Speaker: Um, I you know, thank you. It's a good report. I want to digest some pieces of it. I'll have some areas I want to circle back with on in particular in the drug area. And but I think I'm good for now. This is very, very helpful. I saved all my questions for the report before so it's understood.

Speaker: Good. All right, chief, it's good to see you. Thank you. I'm not I was happy to hear that the wellness program received a lot of attention, especially after the report we just heard. I can't imagine how exhausting and taxing it was for the police officers to be on the streets for that many months in a row. And I think the mayor spoke to that very elegantly. So thank you for that. I enjoyed listening about the data driven policy and the partnership that you have with ohsu and I'm now thinking I wasn't there for the entire session, but I really enjoyed when you had the session with the people from oakland. Is that who you just mentioned you're going to? Okay. And so one thing I've learned about leading organization that's data driven and previous jobs is how important it is to make it a part of the culture. So it

doesn't mean anything if we look at the inputs and the outputs, put in the inputs, and then we look at the outputs, but we don't incorporate them into how we're learning from the data to keep improving. And so I'd like to just hear some stories on how has that been incorporated into the culture. And I know this was one pilot perhaps, but how was that pilot taken off?

Speaker: Yeah, I think for our folks, it's really something we've looked forward to engaging in for a long time. We've taken the rise in shootings and homicides to heart here in Portland because that typically has not been something we've seen here. And we've got a very dedicated group of folks investigating both on our homicide team and our enhanced community safety team. And our focus intervention team, who are deeply, deeply committed to reducing the amount of gun violence. And I think for them, it's really about how do we get how do we get to a place where we can focus on the people who we feel are most at risk of engaging in gun violence or being victims of gun violence? And I think to have some direct ways to connect with them and not just from an enforcement perspective, but to offer them services to connect with them and see if there's things that we can do as a city or as resource providers to help them not be in that life is really important. And I think if you do gun violence work over a period of time, you see patterns repeating and you see people and families who who really are in need of some type of support and help and looking for ways to actually be able to provide that is key. So I think it is a it is something we can fold into the culture, but we have very, very committed people doing this work who want to impact people's lives for the positive and get them out of the position where we feel they might be at risk of gun violence.

Speaker: Sounds good. I know when I used it to help with culture change, work and improve practices, the more for the officers. The people on the ground are

engaged, the better. And then they see themselves in the data. And also there's that humility of going, oh, what we've been doing isn't working. And the data is now telling us that it's kind of uncomfortable to accept that sometimes I'm not trying to project what that is, but I just really am excited that you're working with professionals in that regard. And I thought the synergy that you were creating with the people from oakland is on the right track because you could tell they let up and when they let up, the results went the wrong way. So you can't let up once you start doing that. When I heard about senate bill 615 and I know is it September that it's been. Yes. Okay what are we doing to prepare for that? Because clearly we've been waiting. Sometimes you feel like you're waiting for salem to pass something. So then we can do what common sense says we're supposed to do. So tell me what the plan is so that we can receive it and hit the ground running. With senate bill 605?

Speaker: Sure. So, commissioner, what we're looking to do now is put in place the ability to utilize the tools that 605 will give us around forfeiture. And I think it really serves as a deterrent. A lot of the folks who we're seeing out engaging in street racing and engaging in the car demonstrations and intersection takeovers, a lot of them don't want to lose their cars. So I think the ability to be able to tow and seize cars is going to be a huge deterrent on the front end, which we hope will help lessen the amount of people, parties waiting in the events. So we're currently setting up our forums, working with the da's office, who will do the forfeiture piece to make sure we can streamline that process. And there's a piece of it too, that's really around messaging on the front end, too. So we're we're working on that as well.

Speaker: So you would say the implement of a policy, which we all know sometimes policies don't get implemented very well so that you're ready to receive

the implementation of this policy. You already have the practices in. All right. That sounds good because as we were talking about material mutual aid network earlier, I think nothing could be more important than discussing behavioral health unit and how it's working with other professions in in other mutual aid networks.

Commissioner Mapps spelled out all the grim numbers on overdoses of drugs. It's beyond it's really difficult to digest. It's so alarming. It kind of feels like where we were with gun violence, a couple of years ago when that was escalating. It's just it's crazy. So who are some of the mutual aid network partners that that pd is working with on this crisis?

Speaker: We work with a lot of city partners. We've actually worked very closely with street response is our folks do the follow up to two calls that our officers take on the street that have a mental health nexus. So we have our asset, our enhanced cit, that can kind of respond to a call as it's happening on the street to provide support. But then they can do a referral. We call it a wbirs bayeku electronic referral system. And that gets sent to our bhr so they can go out and have a follow up contact and just see what resources are needed. Is there a way where we can bring our resources to bear to help this person, maybe not be in the situation that our officers found them in? So we work with a host of service providers, our bhr folks, one of the things that they're really strong in, one of the many things is their network of connections with providers. We work with golden west, cascadia and many, many other county and city providers.

Speaker: Because you mentioned cascadia, I mean, something that you and I have talked about in anyone would when you have a dialog about this issue, is if you're able to be successful in the first response to these incidents and you revive them literally. So they don't die with narcan and such, where do you take them? I think

that's always been the big conversation. So with your partners, what's that? How is that conversation going? I know there's the beacon group and such.

Speaker: Yeah, I think when we lost the sobering center piece that left a gap on a place to take people who had an immediate need and didn't have the ability to care for themselves. So I think now there's always that conversation about restoring that capability somewhere in the city. We do have a good network with hospitals. We work closely with unity. I think it really just depends on the person's particular situation on. But I think for us it's really important to note that we are only as successful as the next level of resources officers are generally don't have the ability to remedy a situation on the street for the long term. We encounter something and look for where's the next step in the process and we end up taking people somewhere. Sometimes it's jail, sometimes it's a hospital, sometimes it's home. But wherever that next place is, we're dependent on them being successful in their piece of the puzzle, or else we end up just kind of repeating that cycle. So we're very heavily dependent on the efficiency and effectiveness of all the partners in the system.

Speaker: I want to end with this comment and question, and that is most of our interactions have been connected to how we're building a better system for those that are chronically homeless to becoming stable. And in that we've had to do a lot of impact reduction work and I think the scc team is really been a phenomenal development. That's the coordination that you're seeing in the silos coming down. But I want to particularly we discuss when we were taking that area along the peninsula crossing along the cut in saint johns, which was just inhabited for over a decade, some say between 12 and 15 years as a place where organized crime was taking place in terms of drug trade and such sex trade, we interrupted that habitat. If you will, to build the safe rest village. And in like any habitat, it had to disperse

elsewhere. So went out into the streets of the neighborhood. And I just want to say how grateful I am that you've been responsive in the north precinct. And we have to continue to not let up on that. But I also want to say, I know how difficult it is to just constantly see there's just so many balls in the air at all the time, and it's where do you put your priorities? And so I'm well aware that that's challenging, but I want to thank you for being responsive when we had that very grim situation, we first open up the safe rest village and wanted to thank you for that.

Speaker: Thank you, commissioner.

Speaker: You're welcome.

Speaker: That's that's all I have. Mayor Wheeler, would you like to say anything or go ahead and move us along with the motion?

Speaker: I will move to accept the report. Thank you, chief.

Speaker: Second and mayor has moved and commissioner Mapps is seconded.

Speaker: Go ahead and read the roll, Gonzalez.

Speaker: Thank you for the comprehensive report. Always learn from these. I vote.

Speaker: I maps.

Speaker: Um, yeah. I want to thank the chief for the report. I think there's some really excellent news here, especially in the context of street racing car thefts. Also really great work hiring to we're finally moving the ship in the right direction. I remain deeply concerned about homicides and fentanyl in particular. You know, colleagues, i'll just point out our fentanyl problem seems to be increasing exponentially. So I think I take some reassurance in the plans that the police chief has put forward. But I think we need to do more in this space if we're going to get the city back on track. Um, despite those concerns, I vote i. Ryan yeah, it's good to see you here.

Speaker: Thanks for being here. It was a good dialog. I really appreciate the report. I want to touch on something that I want Portlanders to know, and that is that you're swearing in ceremonies have been very inspiring this past year. They're probably always inspiring, but I've just been going to them the last 18 months and what I've noticed is there are more people in attendance, there's more families. It feels very warm. It's also very diverse. And you also hear people wanting to come to Portland to be a police officer because we they want to be community police officers. They want to be relational with Portlanders and so I can I can sense the culture is evolving because of what I'm experiencing at the swearing in ceremonies. And your tone that you set when you greet the families and the new the sworn in officers is quite inspiring. So I just wanted to acknowledge that momentum we have and I know that it's challenging because you have people that are retiring and so it's always a little disappointing when you see the net gain. So I hope that this year we will have the biggest net gain and we're all here to root you on as we really do. Obviously we're having an issue with numbers and we have so many priorities, as was mentioned by commissioner Mapps. And it's like, where do you juggle them? So anyway, just know that we're watching and I will continue to show up at those because quite frankly, it's very helpful for me to feel that momentum and to really experience what I think is becoming the top notch police force in the country. And you really are feeling more like peace officers for the city of Portland. And I want to thank you for that. And I accept the report. Thank you. You're welcome.

Speaker: Wheeler thanks for your presentation, chief.

Speaker: I want to express my appreciation for this comprehensive annual report and also just acknowledge the work that goes into preparing to present it to both council as well as the community and I know that by now you've walked this report around quite a few times since June, including a piece up meeting, and at each of

the three precincts, again here. And I just want to let you know how much I appreciate it. This report is also important as a reflection point that we can rely upon to inform how we can best serve the community with equity as well as procedural justice at the forefront. While there is always more work we can do, I'm encouraged by the dedication and the willingness I've seen throughout ppb to continue you to grow and to innovate in 2022. We also began the foundational work that led to the increased capacity at dps that would not have happened without you, chief, and your colleagues. This will help us move forward with our new hires and clear the bottleneck. That's something we've been asking for years. And finally, the city delivered. Our recruiting and staffing continue to be very positive. For the first time in years, hiring is outpaced retirements and separations, which obviously is a great milestone. But there's more to do. Public safety is at the forefront of the public consciousness and ppb is at the tip of that spear. Police work is as difficult as it is important, and there are many good men and women rising to the challenge each and every day. And I want to thank them. The bureau's done a great deal of innovative data driven public safety work. We heard a little bit about that today, including the stolen vehicle missions. But they've also done it around the retail theft missions. Gun violence, the cease fire efforts and in other areas. It's important to acknowledge this good work and steady progress, regardless of whether it occurs in the ordinary day to day interaction with the community or ways that draw more public interest. With that in mind, I want to thank you, chief, for your work, for your commitment to continuous learning and growth at the bureau and for your continued excellence. Ivo I thank you. Thank you.

Speaker: The report is accepted for zero and colleagues, thank you for a wonderful session.

Speaker: Mayor rest up. We need you healthy and the meeting is now adjourned.