



February 19-20, 2025 Council Agenda

5801

City Hall, Council Chambers, 2nd Floor – 1221 SW Fourth Avenue, Portland, OR 97204

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Questions may be directed to councilclerk@portlandoregon.gov

Wednesday, February 19, 2025 6:00 pm

Session Status: Recessed

Council in Attendance: Councilor Candace Avalos

Councilor Jamie Dunphy

Councilor Loretta Smith

Councilor Sameer Kanal

Councilor Dan Ryan

Council Vice President Tiffany Koyama Lane

Councilor Angelita Morillo

Councilor Steve Novick

Councilor Olivia Clark

Councilor Mitch Green

Councilor Eric Zimmerman

Council President Elana Pirtle-Guiney

Council President Pirtle-Guiney presided.

Officers in attendance: Naomi Sheffield, Senior Deputy City Attorney; Rebecca Dobert, Deputy Council Clerk; Keelan McClymont, Council Clerk

Councilor Zimmerman arrived at 6:30 p.m.

Item 2025-024 was pulled from the consent agenda and on a Y-12 roll call the balance of the consent agenda was approved.

Council adjourned at 10:13 p.m.

Agenda Approval

1

Council action: Approved as amended

Motion to move Item 2025-024 to the beginning of the Regular agenda: Moved by Kanal and seconded by Ryan.
(Aye (11): Avalos, Dunphy, Smith, Kanal, Ryan, Koyama Lane, Morillo, Novick, Clark, Green, Pirtle-Guiney; Absent (1): Zimmerman)

Public Communications

2

[Public Comment](#) (Public Communication)

Document number: February 19, 2025 Public Communications

Council action: Placed on File

Consent Agenda

3

[Authorize Bureau of Environmental Services to acquire certain permanent and temporary rights necessary for construction of the Oak Basin A – Sandy Blvd Trunk Project through exercise of the City's eminent domain authority](#) (Ordinance)

Document number: 2025-029

Neighborhood: [Kerns](#)

Introduced by: Mayor Keith Wilson

City department: Environmental Services

Council action: Passed to second reading

Passed to second reading March 5, 2025 at 9:30 a.m.

4

[Appoint Laura Campos to the Cully Tax Increment Finance District Community Leadership Committee for term to expire October 1, 2025](#) (Report)

Document number: 2025-024

Neighborhood: [Cully](#)

Introduced by: Mayor Keith Wilson

City department: Housing Bureau

Previous agenda item document number 2025-024.

Council action: Confirmed

Item was pulled from the consent agenda for discussion.

Motion to accept the report: Moved by Kanal and seconded by Dunphy.

Aye (12):

Avalos, Dunphy, Smith, Kanal, Ryan, Koyama Lane, Morillo, Novick, Clark, Green, Zimmerman, Pirtle-Guiney

Regular Agenda

5

[Accept the Portland Police Bureau report to City Council on the 2025 Portland Joint Terrorism Task Force](#)

(Report)

Document number: 2025-028

Introduced by: Mayor Keith Wilson

City department: Police

Time requested: 1 hour

Council action: Accepted

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

Aye (12):

Avalos, Dunphy, Smith, Kanal, Ryan, Koyama Lane, Morillo, Novick, Clark, Green, Zimmerman, Pirtle-Guiney

6

[Appoint Robert Day as Chief of Police](#) (Resolution)

Resolution number: 37699

Document number: 2025-027

Introduced by: Mayor Keith Wilson

Time requested: 90 minutes

Council action: Adopted

Motion to call the question: Moved by Clark and seconded by Zimmerman. Motion withdrawn.

Aye (12):

Avalos, Dunphy, Smith, Kanal, Ryan, Koyama Lane, Morillo, Novick, Clark, Green, Zimmerman, Pirtle-Guiney

Nine-Twelfths Agenda

7

[Direct the City Administrator to submit a report of all unassigned funds for recent fiscal years](#) (Resolution)

Resolution number: 37700

Document number: 2025-030

Introduced by: Councilor Loretta Smith

City department: City Budget Office

Time requested: 20 minutes

Council action: Adopted As Amended

Motion to amend the resolution to replace the Resolved section with "NOW, THEREFORE, BE IT RESOLVED that the City Council of Portland, Oregon, directs the City Administrator to submit a written report to the Finance Committee detailing all financial activities related to unassigned grant funds for the current fiscal year to date, as well as the three preceding fiscal years. The City Council further requests that the City Administrator provide these findings no later than April 21, 2025, to inform Council and support its preparation of the FY 2025-26 budget," and to amend the title to strike "Request City Auditor perform a special audit" and with replace with "Direct the City Administrator to submit a report": Moved by Smith and seconded by Dunphy. (Aye (12): Avalos, Dunphy, Smith, Kanal, Ryan, Koyama Lane, Morillo, Novick, Clark, Green, Zimmerman, Pirtle-Guiney).

Aye (12):

Avalos, Dunphy, Smith, Kanal, Ryan, Koyama Lane, Morillo, Novick, Clark, Green, Zimmerman, Pirtle-Guiney

Thursday, February 20, 2025 2:00 pm

Session Status: Adjourned

Council in Attendance: Councilor Candace Avalos

Councilor Jamie Dunphy

Councilor Loretta Smith

Councilor Sameer Kanal

Councilor Dan Ryan

Council Vice President Tiffany Koyama Lane

Councilor Angelita Morillo

Councilor Steve Novick

Councilor Olivia Clark

Councilor Mitch Green

Council President Elana Pirtle-Guiney

Council President Pirtle-Guiney presided.

Officers in attendance: Lauren King, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

Council adjourned at 2:42 p.m.

Time Certain

8

[Amend the Comprehensive Plan Map and Zoning Map for properties at 3508 NE 11th Ave and 1123 NE Fremont St at the request of Derek Metson, Greenbox Architecture \(LU 24-073674 CP ZC\)](#) (Ordinance)

Document number: 2025-026

Neighborhood: [Sabin](#)

Introduced by: Mayor Keith Wilson

City department: Permitting & Development

Time certain: 2:00 pm

Time requested: 3 hours

Council action: Tentatively accept the Hearing Officer's recommendation of approval; prepare Findings
The evidentiary record is closed. No additional written or verbal testimony will be accepted.

Motion to tentatively approve the application for a comprehensive plan map amendment and zoning map amendment, uphold the recommendation of the Hearings Officer and ask staff to return with revised findings for Council to amend the Ordinance to reflect those revised findings on March 19, 2025 at 6:15 p.m.: Moved by Green and seconded by Ryan. (Aye (11): Avalos, Dunphy, Smith, Kanal, Ryan, Koyama Lane, Morillo, Novick, Clark, Green, Pirtle-Guiney; Absent (1): Zimmerman)

Continued to March 19, 2025 at 6:15 p.m. time certain.

Portland City Council Meetings Speaker List
 Wednesday, February 19, 2025 - 6:00 p.m.

Name	Title	Document Number
Elana Pirtle-Guiney	Council President	
Rebecca Dobert	Acting Council Clerk	
Candace Avalos	Councilor	
Jamie Dunphy	Councilor	
Loretta Smith	Councilor	
Sameer Kanal	Councilor	
Dan Ryan	Councilor	
Tiffany Koyama Lane	Council Vice President	
Angelita Morillo	Councilor	
Steve Novick	Councilor	
Olivia Clark	Councilor	
Mitch Green	Councilor	
Naomi Sheffield	Senior Deputy City Attorney	
Thomas Karwaki	(Public Communications)	3
Laura Curry	(Public Communications)	3
Joe Alfone	(Public Communications)	3
Chuck Crockett	(Public Communications)	3
Helmi Hisserich	Housing Bureau Director	2025-024
Laura Campos	Appointee to the Cully TIF Committee	2025-024
Robert Day	Chief of Police	2025-027, 2025-028
Mark Friedman	Police Sergeant	2025-028
Ethan Krow	(Testimony)	2025-028
BRANDON MAYFIELD	(Testimony)	2025-028
Debbie Aiona	(Testimony)	2025-028
Dan Handelman Portland Copwatch	(Testimony)	2025-028
Nathalie Paravicini	(Testimony)	2025-028
Carol Landsman	(Testimony)	2025-028
Eric Zimmerman	Councilor	
Keith Wilson	Mayor	2025-027
Jessica Vega Pederson	Chair Multnomah County Commissiont	2025-027
Charles Hunter	(Testimony)	2025-027
Marta Guembes Herrera	(Testimony)	2025-027
Dr J W Matt Hennessee	(Testimony)	2025-027
Charlie Michelle-Westley	(Testimony)	2025-027
Keelan McClymont	Council Clerk	
Robert Taylor	City Attorney	2025-030

Portland City Council Meetings Speaker List
 Thursday, February 20, 2025 - 2:00 p.m.

Name	Title	Document Number
Keelan McClymont	Council Clerk	
Elana Pirtle-Guiney	Council President	
Candace Avalos	Councilor	
Jamie Dunphy	Councilor	
Loretta Smith	Councilor	
Sameer Kanal	Councilor	
Tiffany Koyama Lane	Council Vice President	
Angelita Morillo	Councilor	
Steve Novick	Councilor	
Olivia Clark	Councilor	
Mitch Green	Councilor	
Lauren King	Senior Deputy City Attorney	
David Kuhnhausen	Interm Bureau Director, Portland Permitting & Development	2025-026
Amanda Rhoads	Planner II. City-Land Use, Design & Historic Resources, Portland Permitting & Development	2025-026
Christe White	Radler White Parks & Alexander LLP, Applicant's Attorney	2025-026
Dan Ryan	Councilor	

Portland City Council Meeting Closed Caption File

February 19, 2025 – 6:00 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: Good evening everybody. It is Wednesday, February 19th at 6:01 p.m, and we are calling this evening session of the Portland City Council into session. Rebecca, could you call the roll?

Speaker: Avalos.

Speaker: Present. Here.

Speaker: Smith.

Speaker: Here.

Speaker: Canal.

Speaker: Here.

Speaker: Ryan.

Speaker: Here.

Speaker: Koyama lane here.

Speaker: Morillo here. Novick here. Clark. Here. Green.

Speaker: Here.

Speaker: Zimmerman.

Speaker: Councilor. Zimmerman has indicated that he'll be about a half an hour late to today's meeting. Pirtle-guiney here. Thank you. I will ask our attorney to go over the rules of order and decorum. Now, before we begin.

Speaker: Good evening, City Council. Thank you.

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. Ed.gov. Council agenda. Information on engaging with council can be found at the council clerk's webpage. Individuals may testify for three minutes unless the presiding officer states otherwise. Your microphone will be muted when your time is over. The presiding officer preserves order. 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. 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, council may take a short recess and reconvene virtually. Your testimony should address the matter being considered when testifying. Please state your name for the record, but your address is not necessary. If you are a lobbyist, identify the organization you represent. Virtual testifiers should unmute themselves when the council clerk calls your name. Thank you.

Speaker: Thank you very much. The first item on our agenda is agenda approval. Are there any requests to amend, reorder or today's agenda, or add an item to the next meeting's agenda? Councilor kanal.

Speaker: Yes. I would like to move to place the item. Appoint laura campos to the tif, the cully tif district review board at the top of the regular agenda, please.

Speaker: So, councilors, because this item was moved off of the consent agenda, it was placed at the end of our regular agenda. This is a motion to move it to the beginning of the regular agenda. We do have guests here to speak to this agenda item. So this would allow them to not stay as late. Do we have a second?

Speaker: Second?

Speaker: Thank. Councilor Ryan was first there. Rebecca, could you call the roll? Actually, is there any discussion? I apologize. Is there discussion? Okay. Rebecca, could you call the roll, please?

Speaker: Avalos I dunphy, i. Smith I no, I Ryan. Hi.

Speaker: Koyama lane I morillo. I novick.

Speaker: I clark I green i.

Speaker: Pirtle-guiney I thank you. The next item on our agenda is public communication. Rebecca, could you call up our first folks, please.

Speaker: Our first testifier is val burns. Val burns. I'm not seeing val in the room or online, so I will go to our next testifier, laura curry. Laura curry. Next, we have joe alfonso. Joe alfonso. And chuck crockett. And. Number five, we have thomas karwacki.

Speaker: Mr. Kawasaki, thank you for joining us tonight.

Speaker: My name is tom, and I'm an addict. You might share the same addiction. City Council meetings. I hope you had something to eat today. This evening, because my neighbors behind me, through the generosity of the city at the safe rest village, did get a meal. However, they don't get a breakfast and they don't get a lunch. And for that they rely on the saint john food share. And it's really important. I've served over a ton of food to the that I brought to the village, but it's really important to know that the food banks throughout the city are the are the ones who provide the supplemental food for all the tasks and the safe rest villages and all the other county villages. Et cetera. And so it's really important that the city consider that in its budget decisions, and may be 5 or \$10,000 to help those to make sure that they have food, and especially for the 150 new beds that will be going in at bybee lake, I guess 50 for the city. So that's kind of important. So we'd like to consider that. One of the other areas that I'd like to look at is I have another

hat sometimes that I wear. And that's as a neighborhood chair association chair. And one of the things that is not known generally is that you spend about \$1.6 million to the district coalitions. And how much do you think actually makes it to the neighborhoods? About \$100,000. And on top of that 1.6, there's about another \$2 million of overhead and other expenses for civic life. So you can see what it costs and how little actually goes to those neighborhoods that you all talk about so much and you enjoy and those district coalitions that you meet. So just remember that maybe you could do something to help us, actually, because it was supposed to be a public private partnership, but it's about 99% city money now. And so really what we have to do is how do we engage and equip the neighborhood associations and the district coalitions to become more self-sufficient so that they can wear themselves from the investment that you are making in them and in the neighborhoods? So that's one of the things that I'd like to do. Last summer, I wore out a pair of shoes talking to neighbors. I bet all of you probably did 1 or 2 pairs to heard a lot of things. And I want to thank you very much for all of that. As far as the kenton fire station, it's still standing.

Speaker: Thank you very much. Rebecca, have we heard from any of the other?

Speaker: We have. First we have lara curry. She's online. Lara, you can unmute and join us.

Speaker: Great. Thank you very much. My name is lara curry, and I am a member of the northwest stadium hood group. Personally, I live at 16th avenue northwest and I'm bounded by 15th avenue northwest to my east, 16th avenue northwest to my west, burnside to my south, couch street which is now couch plaza to my north. I clean needles every day, burnt foil every day, women's panties some days, clothing, human feces. Et cetera. Et cetera. I am testifying about the action to block measure 110 grant funding from being awarded to organizations that are actively

exacerbating the public safety and drug crisis in the stadium hood community. Specifically, I am referring to Portland people's outreach project. Pop is their acronym, which now operates under the misleading name of Portland health action team, as well as Portland street medicine, which works alongside them in distributing drug paraphernalia in school zones. Be very clear this is not a needle exchange in any way. I work and have lived in cities where there are needle exchanges. There is no accountability. There is no data recovery. There is no information to let us know that there are in any way reducing any kind of communicable disease. These organizations are not practicing harm reduction. They are creating lawless zones where schedule one drugs are openly used and dealt. And this happens 24 seven. I see this out of my north facing window onto couch plaza. Every single day, full stop. Instead of providing legitimate medical or outreach services, they are enabling and expanding the addiction and drug use crisis on my streets. In my community, where children, seniors, families in my building are retired and work force people live, it's making it easier for dealers to entrench themselves in my stadium hood neighborhood, particularly around the cathedral school where I am across the street. So i, I recover people that are passed out on the plaza. There has been overdoses, deaths. This is where children are forced to walk. We have photo documentation of children in cars going to school that are adjacent, can see out their window of drug dealers and drug use happening right on the street. These sales happen every day. I am appealing the city to deny any funding to block measure 110 grant funding from being awarded to pop. That is ruining my neighborhood.

Speaker: Thank you.

Speaker: Thank you.

Speaker: Next we have joe alfonso. I believe joe is in the room. Joe is in the in the outer chamber.

Speaker: Go. Thank you. I just had.

Speaker: Like, to put my phone down. Thank you. So this isn't really isn't worth my time. Yeah. Olivia. Yeah? You can smile at me all you want. Yeah. When I saw you at the social. Yeah, I feel like I'm in a mosh pit. Yeah, okay. Of course. So, yeah, we're in the midst of a great man, keith wilson, a very great man. We're also in the midst of a the new incoming police chief. Great man. Thank you. He supports the broken window theory, which brought up a sewer and rat wasteland of new york city to national acclaim and prominence. Yeah, maybe it was giuliani. Maybe you have some problems with somebody like that. But, you know, it's not about the politics, but it's about the fact that I'm leaving tomorrow. I don't live here anymore. I'm tired of the harassment, the ridicule. Yeah. Dan Ryan. Okay. So you want to, like, put like a spur into of a new street car, like into, like an industrial area. Well, you know, it didn't work out with chinatown. You know, I mean, like, there's it's disgusting. Chinatown. I mean, like. Yeah. Okay. So, like, you really want to do something like, well, support the frog fairy, keith wilson. He supports the frog fairy because this is visionary. This is like hong kong. This is like new orleans. I've. I've lived all over the world. And this is, without question, the most horrible place during the three years that I lived here. Ridicule, harassment. Let's see, couple of days ago, I was assaulted by a cashier at the chevron. Maced and kicked because my sister died ten days ago. I was sending a text message to my other sister and I'm sure I complied. I went outdoors and. But then because of the hatred in his heart, which is so prevalent in this city, he decided he decided to assault me. Officer of vu nguyen said that? Yeah, sure. You know, this man has like a heavy handed history of doing these type of things. But yeah, this is not a remote thing. This is not something that just

happened that one time. Let's see. I got punched in the face about two weeks ago as well to just minding my own business. Oh, yeah, walking in chinatown.

Speaker: I'd like to make sure that we can pick you up for folks who are.

Speaker: Listening online. So if you can face toward us in the microphones, that would be helpful.

Speaker: So I have 38 seconds left. Oh, great. And so if you want to I have so much to say to you people, maybe i'll send you an email. But yeah, I'm leaving tomorrow. Support keith wilson, stop with your bickering. I mean, yeah, olivia clark wanted to be, like the president of this thing. And then all these backroom deals work together, support the mayor, support the police chief, support this city because things are not working out here. And, you know, I ran for City Council because I wanted to help you people out. I'm leaving now. Thank you.

Speaker: Next up, we have chuck crockett. Chuck is joining us online. Chuck? You're unmuted. Can you hear us? We can. If you could speak up. There's quite a bit of feedback. Can you hear us?

Speaker: Better now?

Speaker: That's much better. Yes, you can go ahead.

Speaker: Okay, okay. I contacted the City Council about information regarding the a records request that was made to the city of Portland regarding the jurisdiction of the city of Portland over the over the freedmen, which are the black. And not have the legal documentation to act as a representative government of the free.

Portland, Oregon chuck out to a few of the council members, and I haven't received a response. Yes, sorry.

Speaker: Your audio is going in and out.

Speaker: Okay. Hold on. Let me try to see if I can.

Speaker: Let's try again.

Speaker: Better now?

Speaker: Yep.

Speaker: Okay, so as I was saying, I did a records request to the city of Portland about the legal documents and the legal and the jurisdiction of the city of Portland over the freedmen, which are the black Americans of Portland, Oregon, and the state of Oregon. You guys replied that you did not have the legal authorization or the documentation to act as the governing body over black Americans or the freedmen of Portland, Oregon. I requested the City Council to sit down and come up with a solution to this situation. But nobody has responded, and nobody has taken upon this task to do such a thing. And it has now raised a jurisdiction because the president of the united states is now challenging the state of Oregon and the 14th amendment, and is become a actually a national situation in the jurisdiction. So this issue that just blew up more than just locally from something that I've been doing, and we've been working as a think tank doing. It's become a national issue to where now the state.

Speaker: I think we've we've lost chuck altogether. Chuck, if you can still hear us.

Speaker: Yeah, I can hear you. Can you still hear me?

Speaker: No. We dropped you for about five seconds.

Speaker: But the issue, the issue and the communication that I'm trying to get to is because there is actually a legal jurisdictional issue over as the city of Portland as the governing body over us. And this has basically gone up to the presidential level because, like I said, the state of Oregon and the city of Portland itself is now challenging. The president meant for freedmen. That was the.

Speaker: Chuck, we lost you again.

Speaker: Can you hear me? Can you hear me better now?

Speaker: Yes.

Speaker: Okay, so I was saying that the issue is illegal and jurisdictional issue in a governing body issue. I've been we've I've been trying. And it's not just me, but a few of us have been emailing the city of Portland to try to figure out this issue, but no one has actually legally tried to address this issue. And like I said, it's become a national level. So my communication is that that legal, jurisdictional and governing body issue needs to be solved because the Portland admitted that it's not does not have the legal jurisdiction or legal documentation to act as the governing body of freedmen and shouldn't be using our tax dollars and giving out our tax dollars to of non-government entities, such as nonprofits, on our behalf. You shouldn't be giving anybody money on our behalf. You shouldn't be spending any of our money because you said you're not the legal representation of our governing body, so I believe.

Speaker: Thank you. I think, unfortunately, we're out of time, and we may have lost you again, chuck, but I'm sure that council members will check to see if they've gotten that communication. I know that I will. Thank you for being here today. And that concludes testimony.

Speaker: Okay. Thank you. The next item on our agenda. Is the consent agenda, isn't it? And we do have one item on the consent agenda, counselors. The second item has been pulled off of the consent agenda. Rebecca, could you call the roll on the item left on the consent agenda?

Speaker: Avalos.

Speaker: Consent agenda. Okay, i.

Speaker: Dunphy. I smith.

Speaker: I canal. Ii. Ryan i. Koyama lane ii. Morillo i. Novick I clark I green hi. Pirtle-guiney i.

Speaker: Thank you. We are now moving to the regular agenda portion of the council meeting and because of the vote previously, to reorder the next item on the agenda is the appointment of Laura Campos. Could you read the agenda item?
Rebecca.

Speaker: Appoint Laura Campos to the Cully tax increment finance district community leadership committee for a term to expire October 1st, 2025.

Speaker: Thank you. And this item has been heard by our governance committee and recommended to council for passage. Mayor Wilson, would you like to speak to your appointment at all or should we move to your bureau director? Okay, I'll go right ahead.

Speaker: Great.

Speaker: Thank you. Good afternoon. Or good evening, Helm, historic director at the Portland housing bureau. On November 16th, through ordinance 191071, City Council approved the Cully TIF district plan. The plan includes a community governance charter that articulates a community leadership committee and their responsibilities, which are namely, to advise the City of Portland and prosper Portland. Staff, Mayor, City Administrator, City Council, and the Prosper Portland board of commissioners on the implementation of the TIF plan by providing guidance, public recommendations, and oversight of the City's Prosper Portland's implementation TIF plan. We are here asking on behalf of the housing bureau and Prosper Portland for the confirmation of Laura Campos to the Cully TIF district community leadership committee, where we have one vacancy created by someone who has stepped down. This item came before the housing and homelessness committee. I at the time read her full bio. I am going to refrain from reading that right now, other than to say that Laura Campos is tirelessly and graciously provided her time and attention through efforts at Verde Cully gathering

garden and nya, and is a wonderful representative for the leadership committee. She was unanimously approved in committee, and I'm happy to read more information. But she's also online. If you have questions for her specifically.

Speaker: Thank you so much, miss campos. Would you like to say a few words?

Speaker: Oh, hello. My name is laura campos. I live at 3419 southwest first avenue, and I previously chaired the sweeney, which was southwest neighborhood inc equity and inclusion committee. We developed an equity policy. We also did best practices, and one of our events was on 2016, the Portland all nations canoe family had a canoe naming and blessing ceremony at willamette park. Now we had it at willamette park because, well, I should say I'm a native American elder, but to do a ceremony, you need water that is not as toxic. And cathedral park, which is a superfund, was deemed inappropriate for that. I also worked at the cully gathering garden, and that came out of my involvement with our youth at nya. We were having trouble getting some of the materials for basket making. So we determined that if parks would plant native plants, then it could be a source of gathering for our community. I'm also a member of the great spirit united methodist church. Have. Let's see what else. Oh, I also worked with tony defalco. That was during the cully gathering garden. He was previously with verde, so I have a long standing history with the community, and even though I live in southwest, urban renewal is has been of an interest to me since growing up in the south side of chicago. It's something that. Really touches my heart because as we make improvements to our communities, I've watched for 45 years the changes in the neighborhood where I currently live, lair hill, where many of the long standing residents were displaced. I, in fact, am frequently challenged when I stand in front of the house I reside in for 44 years. People say, you're not one of us. You're not from around here. Don't people like you live on the east side? And then I have to tell them about all the

things that I've done to improve the neighborhood. But it seems ironic that there's really no place for me in southwest. And I want to preserve cully, because it's one of the last places where I can go and feel safe and not be challenged for the way I look.

Speaker: Thank you very much, councilor koyama lane. This item came out of your committee. Do you or does anybody from your committee wish to speak to it? Before we move on to a motion or general discussion?

Speaker: Yes. I'd like to say a few things. Thank you, madam president. Just to kind of set the stage and explain. So, colleagues, last week in our governance committee, we discussed this proposed appointment. Laura campos as director, historic shared laura campos was first vetted by the executive side. So it came to us in the governance committee. We heard public testimony in support of her appointment. Councilors asked questions and were satisfied with the responses. We voted five zero to advance this appointment to full council, so I wanted to speak to specifically how that went with laura. She has our full support. I want to speak a little bit more separately. Putting that that aside that we are working in governance to ask a lot of questions about what our rules, procedures, what what those are going to be. And just as I've had some of colleagues up here talk about how they can geek out over the budget, this is what I geek out over is good government governance and the co-creation of different rules and procedures and really talking about a lot of different perspectives and figuring out the right way to set things up. So I think we're all aware that just as this appointment came up, we're going to have a lot more many more of these specific appointments of volunteer community members to these volunteer boards, commissions, committees. So that's why, as the chair of the governance committee, after we voted on laura campos specific appointment, I started our first governance committee with an open discussion on possible

procedures for these types of appointments. So if you're interested, you might have already seen there's the draft of the resolution that we discussed last week. And beware, it's pretty drafty. And just talking about what are some possibilities for how these appointments come to us. My vice vice chair, councilor Ryan, and I are continuing to work together, and we are going to be talking more about this specific process in our next governance committee. As our the agenda will be made public tomorrow on Thursdays. Right. So you'll be able to see what we plan to discuss at that meeting on Monday. And here are some things that have come up that I want to be really clear about. I think we all agree we need a clear, efficient process for these appointments. So one that's really clear to the executive side of our city government, to the public and also to us councilors. It also came up in that committee that we really want to value and honor the time of our volunteers on these boards, commissions and committees. One part of that is making sure that the appointment process is not too arduous, that there's not vetting from the executive side and then vetting happening in multiple committees. And so that the thought is that we do kind of need to make sure that the vetting happens in one committee and then maybe come as to full council on the consent agenda. That's kind of where this conversation is right now. Yeah. And also keeping in mind when these volunteers come before us, that public comment is, is taking up time. And so just thinking about how we're respecting those volunteers. I know there's discussion, there's continued discussion about if it makes sense for all the appointments to come through the governance committee, or if they should be routed to policy specific committees or some combination. I just want to say that I invite all of you to weigh in on this. We welcome your input without breaking any quorum laws so you can as soon as that agenda goes up, you can attach written testimony. I encourage all of you to come testify to the governance committee. You

can also send your chief of staff to come testify. And i'll even say, like, since Monday when I was speaking with my colleagues on this and I and submitting a resolution, I've actually sat a little bit more with this and personally have a bit of a change in what I'm thinking. So just a reminder that your input is welcome. And also we're we're talking about resolutions and rules here. So they're important because they do set up a precedent. But we also could try something and check back in and see if we send these appointments to your policy committees. Is that are you feeling bogged down by those. Should we do that. And then maybe there's a release valve where chairs or co-chairs can say, okay, we want to vet these here, but governance, can you take care of some of them? So that's just a little bit just I know that it's kind of messy doing this all in front of you, but like I can't have these conversations with you one on one. So we're working on that. And then the second part, which is different from this conversation, is there's an understanding that we need to have a larger conversation about these volunteer boards, commissions and committees. There's a lot of them. We want to make sure that if we are taking people's time, that their feedback is and work is used and valued, we need to ask some questions about who do they advise. So that is kind of another topic that we will return to. The last thing we want is to make our community members feel like they're wasting time. So thank you.

Speaker: Thank you. Councilor. It looks like we have some discussion on this councilor kanal.

Speaker: Thank you, madam president, and thank you, mayor wilson, director, historic and miss campos for being with us. I'm going to say some things that I would normally say during a vote and then just be brief or then because I think it might be helpful if anyone does want to react to it. I'm the person who requested that this item be moved from the consent agenda. It has absolutely nothing to do

with miss campos. It is for process reasons only, and wanted to add this to the regular agenda to talk about the process through through which we bring appointments to council for a vote, which is very similar to what our vice president just spoke about. And, you know, I presented over 20 items to this council regarding appointments to a volunteer group, either a council appointment or a mayoral appointment through a report that was then accepted by by this council. And I also served on a workgroup regarding the future of city advisory group. So I'm going to claim a little bit of expertise on it. So I wanted to speak to the fact that while I appreciate the work done by the governance committee for this particular nomination, for both timing reasons and the need for subject matter expertise, I think it should be either the full council alone or the relevant policy committee that goes through this process of vetting. I think there are some big picture things in particular around the demographics, the geographies, things like that about the cities, who the city is appointing in general, which I think we should look at having our staff track as well. For example, in a hypothetical world in which one demographic is being systematically favored or disfavored in appointments, that would be a good thing to know. And I think that makes sense. But having the full discussion at the council allows for the full council to be accountable for things. In this particular case, cully is in district two. I'm, you know, representing district two. I'd like to be able to have the full conversation here, and having it at a committee as well as here would be the least efficient way. So I would recommend arts and economy for something like this, for example. But that's my comments on it. Why I pulled it. I hope I didn't cause any stress to anyone thinking that this was about the particular nominee or particular committee, and I intend to vote yes. Thank you.

Speaker: Councilor avalos.

Speaker: Thank you, vice president koyama lane for setting out that framework. I agree with where you're headed or where the governance committee is headed. I have definitely a long history of being on lots of these boards and just putting on the record. It is exhausting. We do not give our volunteers resources to be successful. One thing that i'll put on your list, I've got two things put on your list. When people are on our commissions, if they're having some kind of interpersonal conflict or something that in a normal workplace setting would have an hr intervention, those services are not available to us as volunteers. That is something I've personal experience with. And so there needs to be some kind of way that those volunteers are able to access, whether that's, you know, mediation resources or all the various things that hr can offer a regular employee, because then it puts them in a really hard spot because they have nowhere to go, and then they might be in a hostile situation, and the city is not intervening in those. And I think also just in general, we want to make a volunteer's time fully valued. And so if they are generating reports or doing all this community work, you know, we've there's been lots of discussion on various compensation models, you know, whether that's actually stipends or child care options or parking or whatever. And so I've just seen those conversations in flux over the years, and I'd like us to have a good direction for how to do that. Another thing is, you know, kind of to what councilor kanal is speaking, what are our standards for vetting? I would love to see us come up with maybe a rubric of some kind so that we understand what are our values of who we're looking for, because right now it's just inconsistent. And I think, you know, it's going to be different for each commission. But there should be a standard set of values that we are agreeing to so that we're judging each applicant under the same expectation. Let's see, what else do I have? I think that's it for now. Thank you.

Speaker: Thank you councilor, councilor green.

Speaker: Thank you, madam president. Because this was pulled from the consent agenda, I feel compelled to just say a little bit about tif districts and why I think it's really important for us to say a little bit more about why these appointments are really important. So I don't represent district two, but I did grow up in northeast Portland. I went to school at scott elementary school that is in cully. I remember when cully was an affordable place to live that had a working class families. And so I think I tend to think it's really, really important when we create these urban renewal districts, which we do quite often in this city. We've done it for a long time, that we weigh the pros and cons of those, and if we're going to do them, let's make sure we put into place governance structures that allow for voices from the community to be heard broadly, not just a small subset of people who are connected, but broadly to the community. And I see miss campos is someone who has those values, who cares a lot about cully, who cares a lot about ensuring that the property tax resources that would otherwise flow to the whole general fund that are now going to a small neighborhood are going to be used for investments that are anti-displacement displacement in nature and then build up that community. So I support this nomination, but I think I would echo this idea that for tif districts, a governance committee appointments, I think arts and economy would be an appropriate committee to at least have some sort of conversation around this. And so i, I intend to vote yes on this.

Speaker: Councilor we.

Speaker: Do need a motion and a second to move this forward.

Speaker: So moved second.

Speaker: But I believe that was councilor dunphy on the second.

Speaker: Okay.

Speaker: Rebecca, could you call roll?

Speaker: Avalos.

Speaker: As someone who spent a lot of time with the cully tif folks, I want to thank laura campos so very much for your service. It's really important that the folks we are adding to these committees have deep relationships in the community, as laura clearly does. So I gladly vote.

Speaker: I miss campos, thank you so much for being here tonight. Glad to get to hear from you directly. I proudly vote aye smith.

Speaker: I canal.

Speaker: Thank you so much, I vote aye.

Speaker: Ryan. Yes, I'm really gratified to see the interest and optimism and continued community dedication from you. Laura campos, thank you so much. And also thank you for your patience this evening. It was probably a little awkward. So anyway, we're all enthusiastic. It appears to be about you. And we're building something up here, and we're clearly thinking out loud about how to do that. So don't take it personally. I would, i.

Speaker: Koyama lane thank you, miss campos. I vote i.

Speaker: Morillo thank.

Speaker: You so much for choosing to serve our community.

Speaker: I novick.

Speaker: I second that. Thank you for your patience.

Speaker: I clark.

Speaker: Hello, laura, this is olivia speaking to you. I want to say thank you for everything that you do in south Portland, my neighborhood association, and you've made an incredible difference. Thank you so much. And I vote I green.

Speaker: Thank you for your service. I vote i.

Speaker: Zimmerman i.

Speaker: Pirtle-guiney miss campos, thank you so much. When I first heard we were having an appointee brought forward for this tif district specifically who didn't live in the area, I was a little nervous. And then I learned who it was and heard from so many people who were excited to have your continued involvement in the area and your continued involvement around the tif work, and I appreciate all that you've put into the neighborhood already, and your willingness to put more time into cully as well. Thank you so much. I. The next item on our agenda is acceptance of a report. Could you read the agenda item for us, rebecca?

Speaker: Accept the Portland police bureau report to City Council on the 2025 Portland joint terrorism task force.

Speaker: Thank you so much. I'd like to welcome chief day and sergeant friedman up. Thank you for being with us tonight to bring this report forward. Just by way of background and counselors. I think most of us are familiar with this report. But in 2019, the Portland City Council established parameters for cooperation between our police bureau and the fbi's joint terrorism task force with an intent to remove the city from the task force, but continue to ensure that we still maintained public safety and had clear standards for how we interacted with the task force. We have parameters in place that we only interact with the fbi on a case by case basis, with the direct approval from the chief of police or the deputy chief of police. In cases that have a nexus to threats of life, terrorism and bias crimes, and that we will receive an annual report on those cases where interaction has occurred. So this is the acceptance of that annual report or the presentation, I guess, of that annual report and the ask for our acceptance of it that is required under that previous resolution that council passed. With that, I will turn it over to you.

Speaker: Thank you. Good evening. Thank you, madam president. Councilors. Mayor, city administrator michael jordan, appreciate the opportunity to be here. I

really dislike opening a presentation with an apology, but it recognized that this was due to you last month, and we have made sure that we continue to try and make that January expectation. Ask for a little grace. As we've all navigated the new zeitgeist that we're operating in. But it's not lost on me that there is a January expectation for this report, and you can be assured that you'll have that in January of 26. With that being said, I'm really proud of the work that sergeant friedman has led in this effort. I'm going to turn the sort of nuts and bolts of this over to him, and then we'll be available for your questions and hopefully provide some answers. As I know this is a new learning process for all of us in regards to this particular matter. Thanks.

Speaker: Thank you, chief mayor, madam president and councilors, thank you for having us. Good evening. Some of the information I have is probably going to be a little duplicative. My presentation, I made some notes, but I'm just going to read ahead and provide you with what I've got. My name is mark friedman. I'm a sergeant with the police bureau, where I'm currently assigned to supervise the personnel working in the criminal intelligence unit. I want to thank all of you for the opportunity to present the 2025 report to City Council, and to begin with, I thought it would be beneficial if I provided you a brief history explaining the parameters of cooperation between the police bureau and the jtff and the origin of the report were submitting to you today. In 2019, the council made the decision to withdraw Portland police officers full time participation with the joint terrorism task force, and they passed City Council resolution 37424, which only permits the police bureau to work on cases jtff cases selectively. The resolution limits when and how the Portland police bureau will work cases with the jtff, and it also provides for information sharing and oversight, including the annual report to City Council. The cases that the police bureau is permitted to work with, the jtff are significantly

restricted to specific terrorism threat and bias related investigations. There must be reasonable grounds to suspect criminal activity has occurred. There must be a direct nexus to the city of Portland, and in all instances, the special agent in charge of the fbi here in Portland must make a request to the chief of police for ppb involvement on a case by case basis in the instance that all of those conditions are met, the chief makes the final determination on whether to assign Portland police officers to any jtff investigation. Portland officers that are assigned jtff cases are required to follow all Oregon law police bureau directives, and must receive additional legal training from the city attorney's office to ensure compliance with all state and federal law. You will see in this year's report that annual refresher training was completed by the city attorney's office and delivered to criminal intelligence unit on the 21st of January this year. Additionally, the city attorney's office has advised us that there are no state or federal changes law changes that impact or preclude the ability of the police bureau members to work with the jtff when requested. The council resolution 37 424 requires the police bureau to deliver an annual report to City Council, which summarizes four specific metrics from the jtff assigned cases, which I now like to highlight from the 2025 report. The first item is the frequency of which the fbi special agent in charge requested the ppb ciu to assist on an investigation. In 2024, the fbi special agent in charge requested the assignment of police officers from Portland for the assistance with criminal investigations three times, covering a total of three cases. In all three of those cases. The procedure, outlined in Portland police bureau directive 75 000, was followed, and the chief approved the police bureau's investigative support in all of those requests. The second metric is the number of cases that were referred to the Portland police bureau by the fbi in 2024. The jtff did not refer any cases to the police bureau for review and investigation separately outside of that process. The

third metric is the number of cases that were referred to. The Portland referred to the fbi from the ppb, and in 2024, the police bureau referred one case to the jttf for review and possible follow up investigation. The nature of that case involved two individuals who were seen trespassing in a restricted area of the airport facility, where the police bureau maintains its air support aircraft. These individuals were ultimately identified and they were adult white males. The fourth metric that we have as part of this report is the nature of the closed cases that were referred to the police bureau by the fbi, and we include with that the demographics of the persons involved in the disposition of those cases. At this time, only one of the three assigned jttf cases from 2024 is considered closed. The nature of that closed case involved an interstate threat of violence to an elected official, made by a white female adult living in Portland, and this case was ultimately referred to the u.s. District attorney's office for their consideration. Based on the open and active status. Of the remaining two cases from 2020, four were unable to report out specific details at this time, but we do anticipate being able to provide that required information by the time of this report next year, which is sort of become customary just based on the timing. We were in the same similar situation in January of last year when we submitted the 2024 jttf report to the City Council. At the time of last year's report, there were also three cases to discuss, and we couldn't discuss any of them. But we are and we have been tracking those cases and we are able to report that information out to you now. And I can briefly summarize them as follows. So 2023 case one was a case of emailed threats involving targeted violence by an individual who was residing in Portland. This person was identified and was a white male adult. Our 2023 case number two was a case involving threats to commit a crime of violence, which were made online and originated from Portland. The individual involved in that case was identified as a white male adult, and 2023 case

number three was a case involving a threat of violence sent by mailed correspondence and originating from Portland, and in this particular case, we were unable to identify a suspect, so we have no demographics to report out in all three of the cases from 2024, those are enclosed status, and that is that is my prepared statements and the report. I think you all have a copy. I'm happy to answer questions. Take questions if you have them.

Speaker: Thank you. We also have some folks signed up for public testimony. I'd like to have the opportunity for councilors to ask questions, but perhaps save our broader conversation and discussion for after public testimony. Does anybody have any clarifying questions? First? Councilor novick.

Speaker: Yeah, maybe the answer to this should be obvious, but the nature of closed cases referred to the opb by the fbi that grammatically, it sounds like they're referring a case that's already been closed to us. Does that really mean that the nature of cases that were referred to pbb by the fbi and then were closed?

Speaker: That's correct. Yeah. It's worded a little bit strangely, but those are cases that were referred and then ultimately are closed. So we can offer some additional information about those cases once they're closed.

Speaker: Thank you.

Speaker: Councilor kanal.

Speaker: Just a quick clarifying question. It might be outside the scope of this report, but I think it might be helpful to know how to what degree this is continuing. Has jtff requested any coordination from pbb since January 20th of this year?

Speaker: I don't believe so. At this point. No, no, no requests have been made since January 20th this year. Thank you.

Speaker: I'm actually in the queue for a question, not just moving us along. Of the four cases that have been closed, one from 2024 and three from 2023 two note

what happened when they were closed and two just say case closed. Is there anything else that you can share with us about those other cases and what occurred with them, why they were closed?

Speaker: So I provided a little more specifics. All of this is obviously in coordination with the fbi as far as the information that we are, we have access to. So as far as the cases where there was some disposition beyond a closed case, that was additional context that was provided to me by the fbi regarding those cases, the cases that are closed without any additional information is simply is due to the fact that those cases may may be sitting over at the ausa's office. There may be follow up that occurs. They may reopen the case at a later time. It I can I can ask them to provide additional information about those, but we offer investigative support. And then many times we discontinue our involvement with the case. It stays on the federal side. And then ultimately they either close the case or they may choose to prosecute a case. And I thought it would be helpful in the cases where we had some definitive action that was taken by the, you know, post case closure, that it would be helpful to supply that information. Hopefully that's clear.

Speaker: It is helpful, and I appreciate that. I just was hoping that we could get more information on the two where there wasn't more information provided, if those were also referred for prosecution, or if it was closed without any action taken, if there was anything else that we could know about.

Speaker: Those I know, at least in one case, where there's an unidentified suspect, that there is no further action to take. And so in that case, that is a closed case. The remaining case I think you're asking about it could be it could have that been that it was referred to the, to the prosecutor's office. But that information didn't make it back to us. So we didn't supply it simply because it wasn't provided.

Speaker: Okay. Thank you. I'm rebecca, I think we have some folks signed up for public testimony.

Speaker: We do. We have six people. First up we have ethan crow. Is ethan crow in the room?

Speaker: Thank you, mr. Mayor. All right, we can step back.

Speaker: Just as a reminder, you can sit at any of the mics. Please stay within 12in of the mics when you're speaking.

Speaker: Absolutely.

Speaker: Thanks.

Speaker: Ethan crow.

Speaker: Representing the aclu of Oregon. Council president pirtle-guiney council vice president, koyama lane and City Councilors. The aclu of Oregon is a nonpartisan, nonprofit organization dedicated to defending and advancing democracy, civil liberties, and civil rights on behalf of our more than 42,000 members and donor supporters statewide. Thank you for the opportunity to provide this testimony. Since the Portland police bureau first joined the joint terrorism task force in 2002, we've had significant concerns that this partnership is not consistent with our state and city's values and laws. Over 30 years ago, Oregon's leaders demonstrated these values through the passage of ors 181.250, which prohibits law enforcement from collecting or maintaining information about people's political, religious, or social views, associations, or activities without reasonable suspicion of criminal activity. A significant concern is that, well, opb must comply with state laws like ors 1818.250, as well as the Oregon sanctuary promise act, the joint terrorism task force and the fbi does not. The city's votes to withdraw from jttf were due in part to the long documented history of the fbi conducting unfounded and invasive surveillance, frequently targeting people of

color or people based on their religious or political views. These concerns are now extremely heightened due to the trump administration. The fbi is being directed by second trump administration, whose 2020 department of homeland security collected and maintained baseball card style dossiers on racial justice protesters in Portland. According to senator ron wyden, these, quote, political dhs officials spied on Oregonians for exercising their first amendment right to protest and justified it with baseless conspiracy theories. End quote. In fact, in the first week of his second term, trump's doj issued a memorandum directing jttfs to assist with immigration enforcement activities. Another significant concern is that oversight of the jttf is very limited, since only two officers have security clearance, allowing full oversight of jttf cases outside oversight and review, ensuring that ppb officers are not violating the law is challenging. While jttf reports of the last few years have included more detail, we still believe they require more transparency to ensure that the city's resources are being used as intended, and not in a manner that violates Oregon law or harms civil liberties. For example, on page five of the report, the report refers to several past cases 2023 cases one, two, and three. For all three cases, we would appreciate increased detail about how this constituted a terrorist threat or a hate crime. Our full comments are submitted in writing for the record. Thank you.

Speaker: Thank you.

Speaker: Next we have brandon mayfield.

Speaker: Can I use either mike. Can everybody hear me? So I just want to first of all I want to say salaamu alaikum. I'm a muslim attorney. I've been in Portland for over 25 years. I've been practicing for over 25 years. And almost 20 years ago, I was arrested in connection with the madrid, spain bombing, had an office between beaverton and Portland in the unincorporated area. There. I was held for two weeks and then released, and it was all based on a faulty fingerprint before I was

arrested, beth and still later reported she was a spokesman for the local fbi, that the government didn't have probable cause to arrest me. And yet they did. And so that's my concern and why I'm here today. Not in part, but primarily because. Ethan from the aclu had just expressed what our restrictions are for our officers here in Oregon. And that is we have we have anti spying, anti profiling laws. We have sanctuary laws. So our city officers, our Oregon state officers, they can't be assisting in immigration. They can't do open ended investigations. And many of the surveillance techniques used by the jttf are known and documented through lawsuits lawsuits leaks foia requests. And that's how I learned, by the way, in the weeks leading up to my arrest, the local Portland police bureau officers were working with the jttf, and they were they were watching my coming and going from the local beaverton mosque. And we know that the way that the fbi does investigations is through emails, text and phone calls, social media monitoring, fusion centers, which includes sharing with dhs, fbi, nsa and private sector databases. Something that's troubling in this report is the last paragraph, and I would strongly ask all of you to remove this because it says, and there's no reason for it to be there, it's the spy on your neighbor program. Say something, do something. If you see suspicious activity that is very open, it's a dhs mandate. It has a history of profiling and surveillance, and it also says it references the cyber security infrastructure security agency. That's a mouthful. But these are all sharing data. And that data is it gets data from private sectors. And the point being is they do open ended investigations and they have loopholes under fisa, under federal laws that our officers don't. We have community policing. So just in a nutshell, things to consider working with the jttf conflicts with local laws. It's an erosion of community trust. It's a lack of transparency. There's potential for civil liberty violations, reporting requirements are vague, and the new administration has

announced that it intends to use jtff to assist in deportation. And if and I would just I would say that we need to get out altogether. And if we are going to stay in even on a case by case basis, to tighten up some of these problems. Okay. Thank you.

Speaker: Thank you so much for your time.

Speaker: Next we have debbie iona. Debbie is online.

Speaker: Debbie.

Speaker: Hi.

Speaker: I'm debbie iona, representing the league of women voters of Portland. The league first commented on the city's involvement in the jtff in 2000, in 2001, and we have shared our views with City Council throughout the years. We appreciate the annual reports and the opportunity to provide oral testimony before the full council. We urge you to continue the practice of presenting the report before the full council in upcoming years and allowing oral testimony as an organization that promotes an open governmental system that is representative, accountable and responsive, and that protects individual liberties established by the constitution. The league continues to support the city's 2019 decision to work with the jtff only on a case by case basis. We believe democracy is strengthened when members of the public vote express their views before decision making. Body or join in a demonstration. Can you hear me?

Speaker: Yes we can.

Speaker: Okay, good. It seemed like things were sort of frozen. Okay. In Oregon, we are fortunate that state law protects participation in first amendment activities, unless there are reasonable grounds to suspect criminal conduct. On the other hand, fbi actions in Oregon and around the country raise concerns that those protections may be ignored when Portland police work with federal agents. Those concerns can and do have a chilling effect on public involvement, activism, and

lawful dissent. In our written comments, we cite several news stories related to fbi actions that underscore the importance of maintaining vigilance over our police bureau's work with them. Two hit close to home. The articles reveal that the fbi, in conjunction with local law enforcement in southern Oregon, tracked environmental and indigenous activists opposing the jordan cove lng terminal. The surveillance continued even after the pipeline project had been canceled. In conclusion, we recommend that the annual reports include more detail in the descriptions of the closed cases. It would be helpful to know, for example, why the cases were considered hate crimes or acts of terrorism. Finally, the league encourages the city to exercise caution when working with the fbi in Oregon, we value our right to engage in political speech without fear of surveillance. Thank you very much.

Speaker: Thank you for being here with us.

Speaker: Next is dan handelman. Dan is also in line.

Speaker: Good evening. Can you hear me?

Speaker: We can. Dan.

Speaker: Thank you. Hello. Good evening. Councilors I'm dan handelman with peace and justice works and its project group Portland copwatch. I use he him pronouns to add to the history you've heard from other folks. Portland, copwatch discovered the joint terrorism task force agreement between the fbi and the Portland police, hidden on the consent agenda in November 2000. For nearly a quarter century, we've been organizing with other people in the community to make sure the opb follows state law protecting people's rights. Law enforcement spying has infringed on black, indigenous and other people of color, labor organizers, environmental activists, civil rights activists, immigrants, muslims, and others. Our group was twice subject to inappropriate information gathering by the opb. In 1992, at one of our first meetings, people working undercover took notes

and labored their report. Civilian police review board. A pga member sued for that violation of state law. The judge asked what possible criminal activity could there be in advocating for civilian review board, and ordered the document destroyed. Later, my name popped up on a police report about a 1998 protest where some people were arrested demonstrating against the u.s. Bombing of iraq. I was not arrested. The documents stated that I organized a lot of protests about u.s. Policy in iraq. True, but not a crime. After the 2010 fbi sting against mohamed mohamoud centering on pioneer square, the city reentered its agreement with the fbi, having been out for six years between 2012 and 2015, the bureau was to give annual reports on their work with the jttf, but those were grossly inadequate, and this year's report is moving back towards the inaccuracy of those earlier documents. We testified in 2024. There was no indication why the fbi sought help from the bureau, as case descriptions did not seem to fit the criteria of terrorism or other crimes outlined in the resolution. This year. The fbi referred three cases to the opb. I'm not sure what item number two says about there being none referred. The first case has the clearest outcome, though incomplete. It says a white female in Portland was identified for making threats to an elected official. The case was referred to the u.s. Attorney's office, but it was also closed. The two other fbi generated cases are still open. The opb referred one case to the fbi about two white males trespassing near the bureau's airplanes. As you heard, there's no information on the outcome. We appreciate the opb continues to include demographics on cases they sent to the fbi, as the resolution does not at this time require it. In the 2024 report, two cases were referred from the fbi to the opb, and they were handled by the behavioral health unit, indicating the people had mental health issues and did not pose a terrorist threat. Recent discussion at the who's advisory committee public meeting indicated the fbi is not interested in getting people entangled in the

criminal justice system if they really need mental health support, we hope that's true. Three unresolved cases from last year's report are included here. One white male was prosecuted for threats of targeted violence. The nature of the crime verdict and the threats are not right. Man in Portland threatening violence. The case was closed with no reason stated. The last case was an unknown suspect mailing a threat of violence, and it was closed, presumably with no action taken. Peace and justice works in Portland, copwatch continue to call upon the city to treat the relationship with the fbi as something that will only occur in a true case when a true case arises where lives are endangered due to politically motivated violence, but to stop deputizing two officers for the occasional team ups which seem to lead nowhere. I just want to acknowledge the japanese American citizens league as part of our efforts over the years, and they were unable to come.

Speaker: Thank you, mr. Handelman.

Speaker: Next we have carol landsman, carol landsman. And then we have natalie paravicini. Natalie is online.

Speaker: Good afternoon. Thank you very much. I'm speaking on behalf of the pacific green party and the Portland area green party. And we are. The party itself is leery of collaborative structures like the jtff because of the fbi's history of innocent people in politically active communities. This is really very important. And in addition, in light of limited funding for the city and meager results from the jtff in the past five years, we feel that the jtff appears to be a poor investment of limited resources. More important is a direction of federal policies targeting communities of essential workers. The federal government's intent on using local task forces or local policy and resources to enforce immigration law is extremely disturbing. The green party and many of its allies are opposed to the use of local and state resources to do the work of federal agents. We pay enough taxes for the federal

government to fund its own operations that do not need to further drain limited local resources to do the federal job, especially when it's going to be very disruptive to our Oregon economy. And this brings me to the major problems of if the jttf is or anybody related to it, is involved in enforcing immigration laws, it's not going to make the community less safe. On the contrary, as we all know, when community migrant communities are targeted, they are less likely to report criminal activity, engage and trust. Local police will be further eroded. More importantly, the agriculture in Oregon contributes more than \$8 billion each year. These are 2022 figures to Portland area counties. Clackamas and Washington are in the top seven agricultural producing counties in the state. The metropolitan area of the north willamette valley between salem and Portland, represents one fifth of the state's gross farm revenue. Migrants represent over 50 to 65% of the workforce in the agricultural sector. Trained workforce. Complex immigration laws in such an indiscriminate and basically hostile manner is only going to or by by having local police forces or joint task forces stop people on their way to work is only going to lead to catastrophic, terrible impacts for our agriculture and crops. Moreover, this. In terms of public health, if people do not seek health care, it's going to have terrible consequences for the safety of our food contamination and also to prevent infectious disease, especially considering that migrant represent a large part of health care sector and caregivers and cleaning facilities and everything in the state. They are essential workers and they should be protected.

Speaker: Thank you for your testimony today.

Speaker: And carol landsman has joined us online. Carol, hi.

Speaker: Yes? Can you hear me?

Speaker: We can.

Speaker: But that was a confusing moment when I didn't know how to let you know I was here anyhow. Hi, I'm Carol Landsman. I live in District Three. I was going to say what a good looking group, but I can barely see you. But what a big group! Anyhow, I'm representing J-PAL, the Jewish Palestinian Alliance of Oregon. We're a group of Jews and Palestinians who are working to help reach get a ceasefire in Gaza and also to end the Israeli oppression of Palestinians. You might wonder what that has to do with JTTF. Well, initially we found JTTF to be very Islamophobic. We were very concerned about Arabs being singled out. I still recoil when I think of the case of 2010 of Mohammed Mohammed, a young guy who clearly had some. He probably didn't have any friends, I'm not sure. But the FBI and the local police came in and became his buddy to set him up to commit an act of terror. I keep thinking that they should have said, we'll take you to the boys and girls clubs, but I can only believe they wanted to get a good arrest. I don't trust JTTF at all. Anyhow, the report. It's a start. But it doesn't have much information. I read it and I said, gee, that's what's going on. We have all these laws and regulations for. For some people making hateful emails. We need more in the report, I think, to give us a good understanding if we have to stay involved at all. With the JTTF. I'm even more concerned now under the present administration, federal administration. It's very concerning. We know that the president has suggested that JTTF be used to apprehend immigrants. We're very happy that Chief Day took a stand saying that would not happen. Thank you so much, Chief. Check.

Speaker: Thank you for your time tonight. We appreciate it.

Speaker: And that completes testimony. Okay.

Speaker: Councilor Dunphy.

Speaker: Thank you.

Speaker: Thank you, madam president. I had a question for the chief. Chief, as you're making your way up to the dais, can you give us some context here? Jttf is a but one part of the federal law enforcement spectrum. And I know that a big part of policing is working across jurisdictions and transferring things back. How does jttf and the report we have in front of us compare to any other body of, of reference or referring cases back and forth?

Speaker: I'm going to I'm going to start out trying to answer that mark, but feel free to correct me. First of all, I appreciate your recognizing the fact that we communicate and work regularly with all our federal partners, and I believe that's very important, probably more important now than ever that we have open lines of communication and understanding. And I will tell you that the federal leadership in the city of Portland that I'm regularly communicating with our we're all trying to navigate this complex time, in my experience. And certainly things have changed a little bit because we made this change in 2019 and I left shortly after. But in my experience and the report identifies this, there's actually a pretty small amount of information, comparatively speaking, in our other programs where we have task force officers assigned, whether it be the us marshals or other assignments, I think there's a much greater degree of flow of information. Sergeant friedman touched on it when asked by a little bit of detail from madam president that, you know, some of these cases because they are being handled by the u.s. Attorney's office or furtherly being further investigated by the fbi, our part remains, you know, small and visible and known to Portlanders and within the organization, but limited in terms of what actually progresses with the case long term.

Speaker: I would just emphasize that the collaborative work that we do with the jttf, I mean, outside of the investigations, which there are very few that we conduct every year, the relationship that we have with the jttf and the folks that are

assigned there is critical to public safety. There's a lot of information that gets shared back and forth between our partners over there that keeps Portlanders safe. You know, I just recall, you know, January 1st of this year, we had two tragic events, one in new orleans and shortly followed shortly thereafter by a terrible event in las vegas. And we were scrambling here to try to figure out what does this mean for Portland? And, you know, is there a is there a threat that we need to be aware of? And my first phone call was to the supervisory special agent in charge over at the jttf, asking for whatever information they could provide to us to help keep Portland safe. And that that is, you know, that's that is more commonly the relationship that we have with the folks assigned over there is sharing bits of information. Some you know, we the more information, I mean, I'm sure in your professional lives, the more collaboration and the more information you're able to glean from people that you work with, the more effective you can be at what you do. And so in our case, I just feel like the relationship that we have really helps to enhance safety in the city.

Speaker: Is that are those additional touch points. I mean, there seem informal and, you know, frequent, but are those documented in any sort of ongoing way, or is there any sort of way to get a scale in terms of like the number of times that ppb is having specific conversations about specific incidents with our federal law enforcement partners?

Speaker: We don't we don't collect any metrics around just informal communications, which is what I would consider some of these to be. It may be briefings that we receive, you know, in written or oral form. There's other, you know, just conversations by telephone that we have with and in person, you know, face to face meetings. But but we don't collect information on those. They're typically pretty informal. And it's mostly in a information sharing type format.

Speaker: Could you give me maybe. I know it's hard to estimate, but just rough estimate of like, is it in the tens or hundreds of times that those conversations happen?

Speaker: I would say it's probably somewhere between the two. You know, it's not hundreds, but but where we have communication on a, on a weekly basis, it's fair to say with, you know, it varies depending on week to week. But we do have conversations with people working on the task force on a weekly basis is probably fair to say.

Speaker: Thank you.

Speaker: Councilor morillo.

Speaker: Thank you, madam president. Thank you guys for being here. I, I understand that this vote is ultimately going to be to just approve the report. I will say that a six page report on something as crucial as this. It felt very vague and it had very limited details. And I would love to have more details, especially given that in on January 22nd, 2025, the acting deputy attorney general, emily bove, talked about how they want to use the joint terrorism task force to help with prosecutions against immigrants. It's no surprise that immigrants are under attack in a different way right now. Right before this council meeting, I had the pleasure of opening up some of my unmarked letters from the public, and I received some creative nazi poetry about how I should go back to my country. So I think that I appreciate some creativity in my hate mail. You know what I mean? It was creative, but you know, it's happening overall. And if it's happening to a City Councilor, it's certainly happening to our community members. And bove called on us attorneys to use state and prosecute state and local actors who resist, obstruct or fail to comply with lawful immigration related commands and requests. And she said that specifically in reference to using the joint terrorism task force. So I'm curious what protections we

actually have to prevent our police from being utilized in this way. And I think that we can talk about, you know, sentiments as far as making promises that we're not going to do that, but as a council, we're not getting that information and those briefings. So we have no true oversight to ensure that that is not happening. So what is the material mechanism that we have other than your word that that is not going to happen?

Speaker: Well, that'll be up to the council to determine what kind of material record they want. I mean, Portland police bureau handles about 200,000 calls a year interact with, you know, another 20, some odd thousand from self-initiated activity. We're involved across the spectrum, both locally and nationally, federally, with our partners as well as our local partners. And at some level, there has to be an understanding of trust and an understanding of how the system works. But if the reports are inadequate or you want more information, then I'm certainly open to having that request made. And then we will continue to have conversations with our federal partners about what it is we can and cannot provide. I just cannot emphasize enough the importance for ongoing relationships and communication with our federal law enforcement partners. It's absolutely essential not only for the overall safety of Portland in terms of preventing acts of violence, but also allowing clear communication as we navigate this new paradigm that's upon us in law enforcement in general. So I'm happy councilor to, you know, have a conversation, maybe through the safety committee about what it is that you would like to see and what are the metrics that you would like to see. And then we can discuss with our federal partners what's the possibility of being able to provide. That is.

Speaker: Thank you. So it sounds like maybe we need to workshop this altogether, but I'm curious how the Portland police bureau is going to ensure transparency and accountability about the information that they're getting with the jtff, if that's going

to be happening more frequently than the annual reports. And I'm also just generally curious about the metrics that jtff is using for who they're choosing to surveil and gather information on. Like, you know, I think that that's something that's really critical. Like what what sort of triggers the events where the joint terrorism task force is starting to gather information on, say, a community activists versus like white supremacists or proud boys in the community, something like that.

Speaker: Yeah. Thank you.

Speaker: I appreciate that folks like what they're hearing. I do want to just remind everybody that we have rules of decorum. I don't object to anything that's being said, but we need to make sure that we are following those rules.

Speaker: Definitely.

Speaker: Councilor did you have.

Speaker: That was a question.

Speaker: Okay.

Speaker: Oh, that was a question about metrics.

Speaker: Yeah. I'm asking what what's the criteria that the joint terrorism task force is using for who they're choosing to collect data on and to surveil in perpetuity? Because, you know, you could say that some like like I think some of the testimony said you could say climate activists, indigenous activists are people that are going to be surveilled under the joint terrorism task force. Are they going to be categorized in the same way as like white supremacist militias, like, what is the metric that is used when deciding who is being surveilled for how long and why?

Speaker: Well, I don't have that information in front of me. I think that would be directed towards the fbi. We're not doing surveillance in that regard. We have clear state laws already pointed out by the aclu and, of course, bureau directive that

wouldn't allow for that. So those would be questions for the fbi. I'm certainly willing to ask them. And I don't know that. Mark, did you have anything specific to add to that?

Speaker: Nothing beyond the understanding that any case that we're involved in must have a criminal nexus. So and there are other rules around how we interact state we have to follow state law. We have to follow directive. And it's pretty clear that there there is an underlying requirement that there's some type of criminal conduct at the heart of whatever an individual is doing for Portland police to be involved. Again, similar to the chief, I can't speak to the specific metrics you're looking for that fbi may use for when what it takes for them to initiate an investigation. And so that would have to be directed to the federal bureau of investigation directly.

Speaker: Okay. I appreciate that. If you have their contact info, let me know. I was expecting that you would be the liaison for that, since our police are the ones that convene with the joint terrorism task force, but I expect we'll get those answers later. Thank you.

Speaker: Councilor novick.

Speaker: Thank you, madam president. Looking back over the information on the three closed cases from 2023, it occurs to me that there's nothing that explains why these cases were ever considered to involve terrorism. All of them involved threats of violence, which are bad, but it doesn't indicate why those threats of violence were considered. Terrorism was just wondering if it's possible to give that information. Why was this ever considered a terrorist case?

Speaker: So to be clear, there's three separate categories that where we're permitted to work with our jtf partners and there are three separate categories, one being terrorism, one being threats to life and one being bias crimes or crimes

that might be designated. And so most of the most of the cases, if you look historically, since we've been reporting out since 2019, most of the cases that we've worked collaboratively with the fbi jttf have been threat to life cases. And so these would be cases that rise to the level of criminal conduct. And there are direct threat to either an individual or a number of people. And so that triggers the, the ability of us to be asked to assist on those investigations.

Speaker: Thank you. My other question was there was obviously a great deal of concern that this administration will convert the fbi into a tool of political persecution, and I would hope that even this administration's fbi folks, which I assume they will stick with their own people, as j.d. Vance has said, will be smart enough not to ask you to participate in political persecutions. But if they did, if they came to you and asked for assistance on something that was obviously unsavory and smacked of political persecution, could you tell us about that? Could you come to us and say, hey, here's what they're trying to do.

Speaker: You know, that's a great question. I hadn't thought about it. I it seems it's in this new world order that we're facing this new system. That's probably something that we need to consider. Off the top of my head, I don't see why not. I've demonstrated a pretty high level of transparency. And to say at a public hearing that probably sends a message to the fbi that if they're going to tell me something they don't want everybody else to know, that probably should, you know, keep that top of mind for themselves. In my conversations with not just the fbi, with all of our federal agencies that are involved in the work that's going on right now, feel confident that they know clearly what our lane is, what our boundaries are, what state law is. And we're working very closely to make sure they're aware of that, as well as to make sure our community is aware of that. So, you know, I personally I would be shocked, appalled, disappointed if I was approached by a federal officer

and asked any of our members to participate in something that is knowingly outside our policy or outside our state law. And I would expect to be able to talk about that very publicly.

Speaker: Thank you.

Speaker: Councilor canal.

Speaker: Thank you chief. Thank you, sergeant, for being here. I have three questions. So first thing was something that came out of a community testimony that was written. I just figured I'd give you the opportunity to respond to it. Not implying I agree, but it's about third party conduits of information. There was written testimony that raised something that I wasn't familiar with that there's another agency, the state patrol, which pbb collaborates with, and that there's an officer there that is linked to jttf in terms of their work and raise the possibility that information shared with osp might be shared with with the fbi, even beyond the parameters allowed for direct information sharing, and that that might circumvent restrictions that exist. Could you speak to that and just potentially put my mind at ease on it?

Speaker: I'm trying to understand the question. So yes, there there is a member of osp that is part of the jttf is the is the concern that something that we tell osp would make it back to jttf is that. I suppose that's possible. I don't know what what we would be sharing, what we would be sharing with osp that would violate the spirit of the agreement that we currently are working under. As far as information flowing from us to the jttf versus the agreement really speaks to the process in which, you know, we are asked to assist specifically with investigations. I'm I'm not clear exactly what what you're concern about osp bringing information that they might obtain from other police agencies to that body specifically, if you could help me understand that i, I'm not sure that there's anything in our agreement or

expectations that would protect information that we give osp that would prevent them from providing it to the jtff if they felt it was appropriate.

Speaker: Okay. Thank you for clarifying that. I want to speak to the idea that kind of building off of councilor morillo question that developing trust requires the transparency and also where needed, accountability. As you mentioned, the committee, the committee on public safety committee, and I want to use my position as one of the two co-chairs to sort of pursue getting the information necessary for us to have a full understanding into the next year's report. And so I wanted to ask you, in terms of your cadence as you prepare this report, when would be the best time? If we wanted to talk about the type of information included in this report, to ask you to come speak with us and try to collaborate on the type of information that could be included in the 2025 report, when in the sort of annual cycle, is that a ideal for you?

Speaker: So are you. Your concern is that we're so early in the year that it's hard for us to talk about the cases contemporaneously from 2024. Is that.

Speaker: No, I mean, you're looking at this report is about 2024, right? Correct. And so I imagine you started collecting information before the end of the year, but that you develop it over the course, usually in January, and then come and present it to us or our predecessors as before. But if the nature of the information that counsel wanted to receive was, was to change, I when would be. I don't want to ask you that in December. If that's too difficult to make a change for this year, right? When is an optimal time to have.

Speaker: I understand the question now and I apologize. No. No problem. Yeah. I mean sooner rather than later. Obviously, if there's additional information you were you would you were seeking to learn that we could potentially provide the

sooner I have it, the better it would be in order to provide a comprehensive report for you for next year.

Speaker: Thanks. And then just a comment. I think we're talking about the specific nature of the federal context being new, but this is not the specifics are new. The general idea is not new. We've seen the fbi weaponized against communities of color and particularly well, i'll just say it, people that look like me over the course of the bush administration, not just the trump first administration. And I think there's a lot of really great work that's been done in the community. And I'm grateful for everyone who's here to try and push back against that. And so I want to make sure we're learning the lessons not only of 2017 to 2021, but also of 2001 to 2009. I just wanted to flag that for the future conversation. Thank you, madam president.

Speaker: Councilor zimmermann.

Speaker: Thanks. I've always appreciated that Portland was a part of jttf. I think it's an important partnership. As I said during our briefing about emergency management, and I believe it to my core with anybody who's ever been a first responder or walked through bad places. The first time you work with people or first time you're having to call somebody shouldn't be in an emergency. It shouldn't be the first time you've ever met them. So I just I believe that partnerships in, in this community matter, and I know that we have a stunted partnership, and I think it is kind of contributing to why there isn't a lot of information to share, because at the end of the day, this is not a very robust jttf in this community. It's one of the. Least involved is, I think, a fair term. And that's a parameter that our community and our previous electeds have put on, on Portland and on its participation. It can also be sometimes a little hard to know how to talk about it. And I would I would encourage you, chief, and you, sergeant, as as we get oriented to spend the time and take up mr. Canal and that invite for working with the public safety committee to now bring

us up to speed. Right. In terms of jttf is a really it sounds kind of scary in terms of what a term it is, but I have a full expectation that before you were the assigned sergeant to this, that you, when you were maybe a detective or a beat cop, that at some point you got a call from another agency about a person who lived in our community and you and they said, hey, we've got this person from Portland, they're in your jurisdiction, but they're doing something in our jurisdiction. Can we talk about it? I'm sure that that has happened, and I think we all probably have an expectation that that occurs. We want that proactivity to occur, but we slap a term like jttf on it, and we add some other agencies. And I think we, we, we take on all of the failures of all agencies who've ever been a part of our entire law enforcement apparatus with that term. Right. And so we're constantly learning. The testimony today was helpful. There are for those of us who've lived here a long time, there are stories we know and we're constantly learning. So I just I think it's an invitation, chief. That's what I think most of all. And then I am I just want to think a little bit, since we have all taken an oath, they've taken an oath. Every member from Portland police who is a sworn officer has taken an oath. But i'll remind one of the most wonderful and unique things about this country is that we don't swear oaths to humans. We swear oaths to constitutions. And it's a powerful, powerful thing that I think gets to the question that makes this a human endeavor. I think it is time to think about it, chief and sergeant, for if you are faced with a critical dilemma, but i'll remind us that, you know, the fbi takes an oath to the constitution. We take an oath to not only the constitution of the united states, the constitution of the state of Oregon, and the charter of the city. And so we have three parameters that we're working through. And I think at the end of the day, that is a human endeavor that it's got to be interpreted through humans to know when a line has been crossed, to know when we are outside of our scope of what an organization was set up for.

And so I don't shy away from the fact that maybe this report doesn't have a lot in it. I don't shy away from the fact that transparency in these topics can be hard, and that investigations require patients and people working on our behalf that we don't talk about in this room. But I have to. There is a difference between we use the term sworn and unsworn for a reason. There is an oath means something. It has meant something to me for a long time. It's meant something now to all of us who are up here. And so I what I the reason I'm bringing this up is that I am re stating my trust for folks who have taken that oath, and that we will have your back at any time when you feel like you are being pressed and that that that things are butting up against each other. And I think that's important for us to say that out loud so that this can be a friendly sounding ground, instead of worrying if it could be contentious. And over the course of 25 years, it has. It's been tough in this room at times.

Speaker: That's easy for you to say when you're a white male.

Speaker: I also, I also.

Speaker: Pbot does not keep their oath.

Speaker: I'm sorry, but we if folks have things to say, we have the opportunity for public testimony.

Speaker: And so i, I also I want to encourage the chief, if you could at some point I think it would be helpful for the invitation. Also with the public safety committee. I think one of the important things in intelligence work and law enforcement work is that you've got to have somebody up the chain of command to talk about or say that you've faced a dilemma or that there is a problem. They've got to be read on. So I have concern when I read in this report that the chief and the deputy chief can only be given security clearances based on certain situations. You know, I've asked carry clearance my whole life. I mean, my whole adult life. There's some more

boring than the tv makes them to be. We all know that they're not a sexy thing, but I think that the deputy chief, the chief and the frankly, the mayor. And I remember this with mayor potter this being a point. But I do think that those three individuals in this organization should have and I would I would like to have that discussion as a public safety committee and how we can approach for that, because I think that for sergeant friedman, you know, you've got you have to have a release valve. Somebody has got to be red on in our organization. And I look at the deputy chief and I look at the chief, you also have to have a release valve to the mayor because you may have to bring someone in. I think I just think that's an important thing. And it gives me, as a person who's lived a little bit in a related part of this world, it allows me to provide, I think, more cover for any tough situations that come up with jttf or tough cases. So with that, i. What I didn't mention I wish I had earlier when I was talking about it gets a little innocuous when you use the term jttf is let's talk about who the other members are, right? Who the other small forces, large forces who are parts of jttf across the Oregon community, across the Washington community. Just give some context and i'll stop there. But thank you. I appreciate the report. Even as small as it is. Thanks.

Speaker: Councilor koyama lane.

Speaker: Thank you, madam president. Thank you chief. Thank you sergeant.

Today is February 19th, which is a day of remembrance for the japanese American community, recognizing and remembering executive order 9066 that was signed exactly 83 years ago today on February 19th, 1942. So this executive order turned law enforcement and communities against japanese American residents. It authorized the mass forced removal and incarceration of over 125,000 people of japanese ancestry, including my grandma aiko and my grandpa ray, who were high schoolers at the time, and both us citizens. So this is an example of federal law

enforcement weaponizing rhetoric and scapegoating to turn neighbors against each other. Executive order 9066 was made possible by the alien enemies act, and this connects directly to today, because we have a resurgence of calls to invoke the alien enemies act. I am glad that in 2019, with the backing of many groups and individuals in our city, that council voted to pull Portland police out of regular assignment in the fbi's task force on terrorism in the name of national safety and security. My family was surveilled, stripped of their home, livelihood and dignity. And so my question is, how can we work together to make sure that history like this isn't repeated?

Speaker: Well, I'm confident in state law, city ordinances, bureau directives, doesn't allow for participation in any of that type of behavior. Certainly can't speak for the federal government. And, you know, to councilor novick's comment, you know, I have given a great deal of thought as this plays out into what role law enforcement, local law enforcement may be asked. Right. If the supreme court comes down with a decision a year or two from now, the supersede state law, how are we going to show up? What is that going to look like? I think these are all relevant questions, and they're certainly top of mind for me. And they weigh heavily on my shoulders as I think about leading the men and women, the organization, and providing the highest degree of safety and service to the Portlanders that we dearly care about. So, I mean, in the immediate I we need to stay the course. We need to be vigilant. We need to have these public conversations. I welcome the challenge and the call for transparency and the ask of additional information. And we're going to be, you know, learning this and being watchful as we go. But I definitely am aware of the fact that that those days may come and I don't anticipate them to come, as I said, from a federal partner coming to me and just saying, hey, can you help us out? I'm talking about if there is some type of ruling that comes

down that, you know, directs the state. We've seen legal action already taken in Chicago and other cities that I think is going to drive this through the courts, and we'll just have to make an understanding. You know, I was with a group of university leaders the other day, and it's not lost on me in the Nuremberg trials that the reference that most of the leadership used at that time was they were just following orders. They were just following orders. And I'm well aware of the history of policing in the United States as well around the world. And although I still believe it's the most honorable profession in America, and I'm proud to be a police officer, I understand the risks associated with it, the authority associated with it, the power that comes with it, and the history that comes with it, and the fear and concern that our community shares right now is real, and it has a reason to be there. It's not something that I'm in denial of, and we are working diligently with many of our immigrant partners and community members to convey to them that we're sensitive to that, and we're aware of that, at the same time, upholding the oath of office that we've been asked and then trying to navigate whatever the challenges might be legally, as they come down from the courts or legislators or otherwise.

Speaker: Thank you.

Speaker: Chief.

Speaker: Chief sergeant, thank you for bringing this forward. I recognize the importance of having relationship as you spoke to and as Councilor Zimmermann spoke to. I also recognize, though, that we are in a time where these relationships could put Portlanders and put your officers in difficult situations. I appreciate that you reiterated in your report that your officers have to follow all of the relevant federal, state, and local laws as they do work assigned through joint cases with the JTTF, and that the importance of that local laws piece matters a lot to me. I hope that your officers who do engage in this work remember that their directive from

Portlanders from us is sometimes different than that of their partners, and that we expect them to maintain the highest standard in their work, even when working with other agencies. I also would ask you to be judicious over the next few years, over the period for the last report, we accepted the ask to work on every case that the jttf asked us to work with them on. And that may have been appropriate, but I hope that you are judicious as you look at the cases that come over the next few years, and that if we accept the ask to partner with jttf, it truly rise to the level of threat to life, terrorism and bias crime, that it requires our interaction, that it is so important that it is worth that risk that some of my colleagues have spoken to tonight. I also hope that my colleagues on the community and public safety committee continue this conversation, that I know many of the members of that committee have started today as well, to make sure that the things that we're asking for in the report are sufficient, because we've heard from a number of people that their report feels a little bit light. And I know that we don't all have security clearance. There are things you can't share with us in this report, but as much as you can share for us to understand what those interactions look like, the more confidence we will have and the more confidence Portlanders watching this, this council meeting next year will have in the work that you're doing as a part of the jttf and in the work that you do every day through our local policing. So thank you. Councilors, we have a report before us and no other discussion in the queue. Do we need a motion to accept this? Okay.

Speaker: So moved.

Speaker: Second.

Speaker: Thank you. Rebecca, can you call the roll?

Speaker: Avalos i.

Speaker: Dunphy. I.

Speaker: Smith.

Speaker: I.

Speaker: Canal.

Speaker: So briefly i, I want to just say first that I'm very grateful that we're having this conversation in public and that the public has a chance to provide testimony. This has been a debate over the last few years. It was not guaranteed under previous councils. And I want to commend everyone involved for ensuring that that's the case. I appreciate the coordination with the jtff was so minimal. I have concerns about local law enforcement collaborating with federal law enforcement. I think, like many of our colleagues here, given the federal context, federal context ushered in by the trump administration, in particular, given the fbi, the new permanent head's stated intentions. With that, and I want to just note, for the record and for the public, that we should not be using city resources to support politically motivated actions. I'd also like to highlight the testimony in the written testimony from the aclu, the league of women voters and others about alleging violations of the first amendment by the fbi, specifically including continued surveillance of protesters after the protests ended. And while I do have concerns around the ongoing communication coordination with the fbi, it's also notable, as councilor zimmermann mentioned, that there are other partners beyond the fbi in it, but those partners don't have the same standards of accountability that ppb do. They don't have the same level of training that you do. The directives and things like that. At ppb, those smaller agencies. And at the same time, I agree with councilor zimmerman that in an emergency, the first time he talked to someone shouldn't be the first time he talked to someone. So the way that I would argue that we can square this is with the transparency and with the accountability. And so I'm so that there's trust being built. And I just want to recommit to that. Thank the testifiers

that for writing in and for coming in and to say that we do need the increased detail in particular, as councilor novick put it around, why is something a terrorist threat or a hate crime or the other things that that you mentioned, sergeant, that fit into the particular parameters? I found that saying, just trust me doesn't tend to be successful as an elected official in previously as a candidate. So I'm beating a dead horse here about trust. But that's the focus that I'll take going forward on this. And I will vote yes to accept the report. Thank you.

Speaker: Ryan.

Speaker: Yes, I appreciate the report, sergeant friedman, and thank you so much for providing the briefing to council staff about the contents of this report and general education, regarding how the city works with fbi on cases of mutual interest. Although Portland is not a member of the jttf and notably the only major city in the us that is not. There is a need to work with the federal government on cases that cross jurisdictional lines. The city of Portland has drawn bright lines around the. Traditional judicial relationship, jurisdictional relationship, and for reasons of transparency and accountability, you can tell we're all into that. And to build necessary relationships. This report assists with getting information out for shared resources. I accept this report and I vote.

Speaker: I koyama lane i. Morillo I novick.

Speaker: I have to. One reservation I have is that, as brandon mayfield mentioned, the document appears to sort of endorse the national. If you see something, say something campaign by dhs, which he raised some questions about. I haven't reviewed the elements of that campaign myself, so I'm not going to vote no based on that. But I just want to say that I am going to review that and see if I have the same concerns as mr. Mayfield does. And so if this language is still there next year, that may or may not be an issue.

Speaker: I clark.

Speaker: I.

Speaker: Green. Zimmerman i.

Speaker: Pirtle-guiney i.

Speaker: And with 12 ayes the report is accepted.

Speaker: Thank you. Thank you both for being here.

Speaker: Thank you.

Speaker: The next item on our agenda. We're going to call the mayor up for. And rebecca, can you read item 7 or 6 I apologize six.

Speaker: Appoint robert day as chief of police.

Speaker: Mr. Mayor, thank you for being here, chief day. Thank you. Go right ahead.

Speaker: Council president. Thank you, madam vice president. Council. Good evening. In accordance with Portland city charter section two, dash 401, I'm honored to present to the City Council my nominee for the chief of police, robert day. The role of the chief of police is not only a position of immense responsibility, but also one that requires a unique blend of leadership. He needs vision and unwavering commitment to our community. The chief of police is tasked with guiding the Portland police bureau and ensuring that it aligns with the city's overarching vision, mission and strategic objectives. Chief day has consistently demonstrated exceptional leadership, integrity, and dedication to public service throughout his tenure with the bureau. His extensive experience, coupled with a deep understanding of our community's needs, has enabled him to effectively address complex challenges and implement forward thinking strategies that enhance public safety. Chief day's leadership has been instrumental in fostering a culture of accountability, transparency, and mutual respect within the bureau. He

has spearheaded numerous initiatives aimed at improving public safety, strengthening community police relationships, and advancing modern policing practices. His commitment to community engagement has been unwavering, as he has worked tirelessly to build trust and collaboration between the police bureau and the diverse community we all serve. In addition to his exemplary leadership, chief day has demonstrated strong financial oversight and strategic planning capabilities, ensuring that the bureau operates efficiently and effectively. His policy development and implementation skills have been critical in addressing evolving public safety concerns and enhancing the bureau's operational capabilities. Having thoroughly reviewed the chief's qualifications and accomplishments, I am confident that he possesses the expertise and dedication needed to continue leading the Portland police bureau with distinction. His appointment as chief of police will provide the stability and continuity necessary to further our city's public safety goals and build on the progress we have made. I respectfully request the City Council's support in confirming Robert Day as the chief of police for the city of Portland. Together, we can continue to work towards a safer, more just and inclusive community for all and thank you for this consideration.

Speaker: Thank you, Mr. Mayor. Chief Day. Before we move on to public testimony, would you like to share anything with the committee? With the council?

Speaker: Yes. So as I was preparing for this over the last few weeks, in anticipation and really thinking heavily about each of you and what questions you might have, how you may vote, what your opinions are, and trying to anticipate that. And yesterday, as I was ruminating on that, it occurred to me that I really need to think more about why I'm doing this and that, you know, I can't speak for each of you, and I'm not going to go through, you know, 37 years of history here. But when I started my career in 1988 with the Oregon state police and coming to the police

bureau in 1990, it was a much different profession then. We didn't have tasers, we didn't have body-worn cameras, we didn't have mace. We didn't have a whole lot of oversight. We didn't have a whole lot of transparency. We didn't have social media. We treated the victims of human trafficking as suspects and called them prostitutes. And domestic violence was not a mandatory arrest. And we did write the immigration status on the custody report that we turned in to the Multnomah County jail. And having served for 29 years previously with the city and seeing the numerous changes that came about and the learning that took place, but the real what prepared me for this was a recognition in coming back in the great appreciation I have for the men and women who do the work every day in the police bureau, both sworn and non-sworn, and my confidence and trust in them, and my confidence in belief in Portlanders. Having sat out for almost four and a half years and watched the city struggle in many areas that I had given so many years of service and my decision to come back and my decision to even sit here tonight, is based simply upon my passion and my love for the profession and for the city. I appreciate your consideration.

Speaker: Thank you. We do have public testimony today. I believe.

Speaker: We do. But first we have one invited speaker.

Speaker: Yes.

Speaker: The invited speaker is on video and we're going to play that. I want to let everyone know the audio is very low. The recorded audio. But we're going to give it a try.

Speaker: Thank you.

Speaker: Good morning, president pirtle-guiney and council. For the record, I'm jessica vega. Petersen Multnomah County chair. Thank you for this opportunity to speak on behalf of two women this.

Speaker: Morning, even though they keeping up a long history of leadership in our city was funny when he joined the police auditor rede. He's worked for many years and he. Took on.

Speaker: The.

Speaker: Role of deputy chief.

Speaker: Of police in 2018 before retiring the next year. That in itself would have a long and impressive record of service, but it was really when chief derr answered the call to step back into this work, and was sworn in as interim police chief in the fall of 2023 and permanently in April of last year. That we really saw his leadership in full stride. Bob has been recognized for his innovative ideas in crime reduction, as well as his ability to lead difficult conversations about race, civil disorder, behavioral health, and how these issues impact the criminal justice system. The chief and I have known each other and worked together for several years now. It was really in the spring of last year, with the change in drug laws at the state level and the opportunity to build a table to provide Multnomah County with a proactive and realistic approach to deflection, that we had an opportunity to deepen our work together. One of the things that we both recognized at the time was the huge opportunity we had to build and strengthen the partnership between law enforcement and our behavioral health system. We know that this was no easy task, but it was something that many leaders had prioritized in the past with mixed results. But we also knew that we couldn't miss this opportunity, especially on behalf of people whose only crime was possession of a personal amount of drugs. Those people deserve a system that offers them options, and we were determined to build it. We set out with mayor Wheeler's office and many of our law enforcement and behavioral health partners to build a system toward recovery and accountability that this community deserves. We definitely had tough

conversations, and it took all of our leadership to get there. I think I can speak on behalf of everyone at the leadership table that we're proud that we did get there. Launching a deflection program on September 1st of 2024, opening a coordinated care center the following month, and creating a handoff between opb and our behavioral health system that is leading the state. Through this recent work, I got to spend more time with chief day, and I speak with him often. He's one of my favorite phone calls on any given day. Even if what we have to talk about is a tough issue. I know that when I talk with him, he's going to speak his mind and he's going to have our community's interest at heart. He is a true partner in the shared work of Portland and Multnomah County. Chief day has a special gift to talk directly and understandably to the public on complex, sometimes highly charged matters that our community cares deeply about. What sets him apart is his belief in people and what our organizations can do together to better hear them, support them, and respond to them. Those are values we share, and one of the many reasons I look forward to our continuing partnership in the future. That skill, paired with his years of experience, makes bob day the best person to continue leading the Portland police bureau at such a critical time in our city. Thank you, chief day, for your continued service and I courage this council to support bob's reappointment as Portland police chief. Thank you.

Speaker: Thank you. Rebecca. Should we move on to public testimony now?

Speaker: Yes. First we have brian ferriso. Is brian ferriso in the room? Second, we have joe alfond. Charles hunter. Charles is joining us online. Hi, charles. Can you hear us?

Speaker: First.

Speaker: Oh, looks like he's going to. Come on.

Speaker: Yeah.

Speaker: Oh, there it is. Okay.

Speaker: Hi, Charles. We hear you.

Speaker: Okay. All right. There. Okay. Yeah. Thank you for the opportunity. And I certainly do agree with everything that the mayor and the others have said about Chief Bob Day. And I have been working in this city, in this community for many years trying to make it a better place to live. And so these comments that I would like to make in the next couple of minutes are not something that lofty. Ideas are thoughts that we just pull out from emotion, but they are things that are deep to our hearts. And so I just want to express, first of all, appreciation to Chief Bob Day for the man that he is and for the work that he has done during the time that he has been chief. I've known him for a number of years, and I want him to know that not only myself, but there are others that are very, very grateful for all the things that he has done and has accomplished up until this point. He has connections with many people in this city, in this community, and he has connection with all of the communities, which makes him so valuable. And he has proven that he is an asset to what he's done. The years that he has been working and doing the things that he has been doing has grown him into the person that he is. And to me, that is a person that I can trust. After listening to a presentation that he did a few weeks ago, the deep insight, the king perception that he had about the matters that are facing us today show showed me that he was really the right person for the job. When you talk about man, say a black man who is honest, law abiding citizen who hasn't broken any laws, and when he looked into the rear view mirror and he sees the red and blue lights go off and his heart beats faster, this shouldn't be. And it has to do with the thing that has been paramount over the years. And that's called trust. And so, Chief Dave realized that that is an important factor. And it's not a one and done deal. It's something that you have to actively pursue on a daily basis. And

so these things have brought me to the point to say this, that I believe that for such a time as this, that chief a is the man for the job. And I would encourage him, if he will, to take in consideration to bring more sros into the school building. Thank you for this time. And thank you, chief bob day.

Speaker: Thank you for being here today to share those thoughts.

Speaker: Next we have martha herrera. Martha's on line as well. Hi, martha. Can you unmute yourself?

Speaker: Okay.

Speaker: We can hear you and see you now.

Speaker: Thank you. So. Buenas noches. Good evening, mister mayor and councilors. I am martha herrera, and I play many roles in the community. First, I am a proud mother and grandmother and also proud immigrant from guatemala and proud from north Portlander. I do advocate for the latino community in my Portland community, which has been my home for the last 35 years. I am the honorary consul from guatemala, and I have been serving my guatemalan families in Oregon for the last 29 years. In 2020, and a group of latino leaders and activists, together with the Portland police members, we established the new latino advisory council, on which I am the co-chair, community safety and safety is our city are the foundation on which we all can build healthier families, focusing on education, economic, health, and physical and mental health as a criminal justice conversation is not an easy one. There is a lot of trauma, pain, fear, distrust and blame. But I choose to continue to choose and focus on solutions, on things and programs and projects that could either remove or minimize the community pain to improve our lives. So we need to we must be and feel safe in our communities. Many of us come from home, from countries that continue to experience safety problems and instability. Since I was a member of the first hispanic advisory council in the late

1990s, I know and I speak from experience of social justice worker and activist. When I stated that the community safety is an extremely important. Elana our new latino council, in my engagement with many chiefs and officers since 2020, allowed me to say with this confidence and that Portland police bureau continues to show up with our community. And chief de and his officers show up to listen, to learn, and to work with our council and our community on addressing community safety in a way that is actually community led and driving. Our relationship with the Portland police has not always been a good one or a positive one. We have many times challenge in organization and we have challenged past chiefs. Chief de, when we get together, we ask him our questions. We ask for a countability on criminal investigations and police procedures because we want to know that to. But we also want to inform and guide chief de on how to do policing differently, better, with more humility and understanding and our community needs and perspective and experiences with the police. Last month, I called chief dade and I asked him to meet in person Sunday evening to discuss new federal administration charges on immigration policy. Chief de came to a meeting and talked to a few of us two hours listening to our concerns, but also committing to do his part in homework.

Speaker: And we do need you to wrap up. I'm sorry. Okay.

Speaker: Next we have doctor j w matt hennessy.

Speaker: Good evening, mister mayor to the council. President to the vice president. Each of you, as members of our City Council and our city administrator. For the record, my name is dj matt hennessy. I am the second longest serving pastor at the Vancouver avenue first baptist church here in Portland. 20 years I just celebrated, but I'm here tonight, by the way. And let me say, as soon as I finish, I've got to go. I was supposed to be at church in a business meeting with other churches at 7:00, but because of chief day, I did not want to leave. Next time, i'll go

and do a zoom. I want to say to you tonight I'm grateful for you. I want you to know that. Thank you for serving our city. Thank you for being in the roles that you're in. I come to you not just as a city manager or rather as a pastor, but a city manager, a person who has been in the role of focusing on issues of public safety and making decisions about who will be the police chief, who will be the fire chief, who will help us run the city. And when I think about that, I think about the greatness of someone like chief de. He is a great human being. He is well versed in police work. People in my community, as you know, haven't always had a good relationship with the police bureau. But I can say that he is a person who has worked diligently to make sure that he does his part, and those that work for him to make sure that they're doing their part to bridge the gap between police and community. And that literally over time, we all become community. I would also say that he's really one of the things I've been impressed with him about is that he really takes to heart the things he reads, the people that he focuses on. One of them is brian. Brian stevenson, who wrote the book just mercy, who focuses on if you are in leadership, then you need to be proximate. You need to be willing to feel uncomfortable. You need to keep going at it and never lose hope. And in all the work that we've seen him do, and I've worked closely with him in a number of capacities, that's what I've seen in him. I will also tell you that there are times that I have not agreed with him, and he and I have been able to have those conversations and to see him be willing not only to hear me, but also to make changes as well. And in our community, we've done the same thing. So I just want to say, I believe that the mayor could not have chosen a better leader at a time such as this than robert de. He has my full support and even though I have to leave, I want you to know my hope is that you will concur with the mayor's recommendation. Thank you very much.

Speaker: Thank you.

Speaker: Next we have liana. Reina and liana is online. Hi, liana. You can unmute yourself.

Speaker: And.

Speaker: It looks like. Looks like liana may have dropped off. We can come back to her if she comes back on. Next up we have charlie michelle. Wesley.

Speaker: Yeah. For you.

Speaker: Okay. Hold on. This is my medicine bag, so I don't want to wrap it up around my neck. Okay. So I'm charlie michelle wesley, tribal member of the confederated tribes of grand ronde. On this, our sacred land. I need to take a minute to honor t-rex and dog who paid the ultimate price for justice for black lives. And for real police accountability. On this third year anniversary today, I wanted to sing a prayer. But what I will say, I would like for us to take a moment of silence. Aho! This brings me to ask. Ask for you. City Council and chief de to start addressing the core city values. I know I don't believe you take an oath, but these feel like how can you have respect for the constitution and all these other items if you don't have these values in play? Address them in yourselves personally and systemically. These values, especially anti-racism, I mean, they're all special, but a major systemic issue and if not implemented into all your decisions, will continue to cause this city. And as you see this country to erode, we will never experience real accountability and we will not have integrity and humanity. And the blue culture will continue to be a barrier to a better, safer. Just tomorrow. For all community members, not just some chief de likes. To quote our great black leaders. Thank you. I do too, but I mainly like to quote our community members. I come from lived experience and from the communities you all are kind of talking about. I feel really outnumbered here with the people who have been testifying far. You're not hearing our stories. So one of our community members, one of my comrades. He he wanted to his concern is,

what are you going to do to acknowledge that white supremacy cannot have a foothold in the Portland police department, nor the city? Also, another one was concerned about the kind of last minute explanation of the normandale shooting concerns. Today I attended t rex and dogs vigil. I also went to the black history museum and was asked to fill out this this card. It says young black men. And then you fill it in and it says young black men. I wrote my grandchildren. They deserve a future free of police violence. I would just love for you to all review those core values. Taken to heart. Hang them up in front of you. Don't make any decisions until you have read them and start actually applying them to you. Because what I saw in the very first City Council meeting was really concerning.

Speaker: Thank you.

Speaker: Thank you for being here.

Speaker: That concludes testimony.

Speaker: Councilor smith, would you like to start our discussion?

Speaker: Yes, ma'am. Thank you, madam president.

Speaker: Good evening.

Speaker: Chief de.

Speaker: Good evening.

Speaker: I had.

Speaker: The great fortune of seeing you for the first time in a public setting at the hazelwood neighborhood association in October, and I was running for a City Council seat. And as many have said before me, it was good to see you in a setting with everyday people. And I saw at how much ease you had with people, and you answered all questions. You didn't shy away from any question and you stayed there. Most importantly, you stayed there until the end. And so I really appreciated

seeing you in action of sorts. I have a question. What keeps you up at night as police chief?

Speaker: Well, I made this comment last fall during the election cycle. I really believe that Portland is poised at a time of resurgence, that it saddens me as I have traveled around the country and I hear the criticism of the perspective or the perception of Portland and I. What keeps me up at night is missing this opportunity. Missing this time. Well, mayor Wheeler asked me to come on board in the fall of '23, and after extensive conversation with then chief Lavelle, he was clear that he was not going to run for reelection. That crime was a priority. And by the way, we're going to this entirely new form of government in '25. So any chief that would want this job, we don't want. So we'd like to know if you'd be willing to step in and try and do this. And that's why I was so clear at my swearing of my appointment when I was asked if I would stay past July of '22 or, excuse me, July of '25. And I was clear that I would not. But what I didn't anticipate over the last 1617 months is, frankly, how much I have loved this role and being in that Hazelwood meeting. I mean, that was a that was a fiery meeting. There was a lot of energy in that room. I don't know if you remember what I said at the end. I didn't walk out of there discouraged. I walked out of there motivated. Since that time, I've been out to 120 Second and Burnside. I've been out there personally. We've directed additional resources. We're talking to Menlo Park, we're talking to Hazelwood. We're talking to folks out there making sure East Precinct is hearing those concerns. And that's the joy and the benefit of being able to be the chief of police is that I can direct that, and I can be in those spaces, and we're doing that other places around the city. So what keeps me up at night is the risk that we will squander the time that we're seeing where Portlanders are coming together alongside of law enforcement, which has not always been the case, but really holistically as a community. And what lies ahead, I

think, is, is incredibly more opportunistic and exciting than maybe even what we've seen in the three decades I served before.

Speaker: And my last question, thank you, chief, for that answer, I appreciate it. I had an opportunity to meet with your deputy this morning and talked to some of your officers over the last month or so, and one of the concerns that I have as a mother of a 34 year old black man in this city. I want to know, what are your plans, because I'll be asking this of folks in the public safety department next week at my labor and workforce committee. What are your plans to improve and increase and expand the number of black officers on the Portland police force?

Speaker: Yeah. So recruitment challenges are something that's happening across the country and law enforcement right now. And certainly Oregon and Portland is no stranger to that. Just I was at a conference in dc two weeks ago with the 80 largest cities in America, and everybody is struggling with recruitment. Excuse me. So we have doubled our efforts, meaning we added an additional recruiter this year, a woman officer, I believe councilor Ryan, went and rode with her on one of her last shifts before she took this assignment. But we are constantly evaluating the process in which we go through recruitment and how we recruit and who we recruit and intentionality. Last week, on a snow day, we swore in ten new police officers and two were white males and two were females, and six were people of color. And we have a ways to go. I was looking at the numbers recently. In the last three years, I would say on average, and I can get you more specifics next week, but I would say we're probably run about 5 to 6% of our hires are african Americans. And we definitely want to continue to focus on that, the ways in which we do that, frankly. I'd say two things. One, Portland police officers are our best recruiters. I mean, really, the best people to recruit are the people that are doing the job. So I think by valuing and recognizing and honoring our black officers, making sure they

know that they're included and cared for and valued in the organization, and they can communicate that to other communities of color. And then second of all, you know, this is aside from the mechanics of where we advertise and what we do. Second of all, is really going back to what's been said several times is that community outreach, that community trust, and the number of Portlanders that we're hiring. And this is once again, a broad. I've got some numbers in front of me. I'll for the sake of time, but the number of people who are hiring out of our Portland public high schools is really remarkable. I was surprised when I asked for it, because I was concerned that maybe our emphasis on recruiting was casting too wide of a net, and we're seeing an increase in number of applicants. Just today, I was on the elevator. Young, a young man was introduced to me who was born and raised here, saw our podcast has applied is going on a ride along next week. So hopefully our internal efforts around recruitment, utilizing our members as well as our emphasis with our reliance upon community to direct people to this profession.

Speaker: Thank you. And thank you for your response. And thank you for your service.

Speaker: Councilor avalos.

Speaker: Okay. Let me start with some pleasantries because I forgot to do this with michael jordan. I like you as a human. I've really appreciated working with you. I think you are very honest, and I appreciate your efforts to be transparent. So let's start with that before all the hard questions come.

Speaker: Cool.

Speaker: Okay. So let me start here. A few years ago we and we means the citizen review committee, which is the outgoing police accountability board, did some research on, let's call it discipline off ramps. And in other words, alternative processes. To have with an officer and a harmed person in the community. To have

a mediated discussion to resolve misunderstandings. We even had the people from Washington dc office of police conduct come and explain their program. And some of the benefits to this was, you know, this was the goal is rooted obviously in reparation and restorative justice, repairing community harm. And importantly, this mediation process can be a substitute to the traditional hearings trial like process that ends in punishment. Right. I would encourage you to look at their website too. They have some really good testimonials that explain the impact. So I'm curious if you have experience with these systems. Do you support reopening that discussion at the time? You know, I know there is somewhat a mediation process built in, but the difference in dc is they have more mechanisms to encourage officers to go through that process. So yeah, I just wanted to see if you knew about that program and had any interest to try to make that a thing here in Portland.

Speaker: Yeah. So thank you, councilor. And I don't want to speak to the program exactly. I'm not familiar with it, but in terms of concept, absolutely. I mean, I think the opportunity for any time we can sit down across from one another and have a conversation and share experiences and perspectives. It's been my experience in the law enforcement world that sometimes when that's happened informally, maybe not around specific discipline, but when we've had a chance for officers and community to sit and share their stories, that that's really where the change happens, and not because we're necessarily seeking agreement, but, you know, understanding. And on Sunday, we're going to do a community academy. And I know some of you will be in attendance as well as others. And sometimes that's criticized as a form of propaganda by the police. We're trying to convince people of one thing or another, but I really feel like it creates a space for that type of conversation absent of maybe the conflict that exists when we actually are doing a mediation over a allegation, as you mentioned. So short answer. Yes, I would be

open to that. I'd be happy to look at that as we enter into this new police accountability commission and things that are going on. I think, you know, we want to make sure that we're doing it in alignment with doj, etc, but I would be open to that.

Speaker: I appreciate that. And I'll just say, in my experience in the crc, I saw a lot of cases that could have been repaired with discussion. Of course, these are you know, they're kind of like the professional conduct code or I'm forgetting all the terms. Do you know what I'm talking about? Anyway, I just thought that it's an important discussion we need to have here. Similarly, in about 2016 or 17, I can't quite recall at the time the Portland police president, daryl turner, sent a scathing letter to the crc, ultimately saying that he was urging all of his members, aka Portland police bureau members, to never again attend a crc hearing. This made it really difficult to judge cases when we only had one side of the story. It contributed to a spiral of negative morale that affected the appellants and the crc members. So what is your opinion in general, especially since we're entering a new system here? And I know there's some different rules that will be applying, but what's your opinion on officers participation in the conduct review process in the new system? And do you plan to encourage your officers to change this culture and begin attending those hearings?

Speaker: Yeah, I certainly am not going to in any way speak for the ppa here. And the role of the ppa president and certainly not a past president. But as chief, I'm regularly encouraging our all of our members to take advantage of any of those opportunities that may exist to tell our story. The reality is that if we don't, then that story is going to be told anyway. And so I will not be one to, you know, discourage or emphasize a non participatory role. I would want us to be able to be engaged. Certainly, you know, labor is going to have their opinions and thoughts. But as the

leader of the organization, I think that's paramount that we take advantage of those to tell our story. And then, you know, it's going to play out like it's going to play out.

Speaker: Yeah, culture starts at the top. So that's the context of my question. Two more questions. The context of this next question is sensitive because we are at the three year anniversary of the normandale shooting. I actually lived in that neighborhood that was my home park, and my neighbor was shot and survived that shooting. So it's very personal to me. First, let me say thank you for the apology that ppb issued ahead of the pcep, the Portland committee on community engaged policing. They were in the process of requesting police. I'm sorry, requesting, yes. This apology regarding the police communications after the normandale shooting, the communication occurred before your term as chief. I'll note that. But you have a person as the primary conduit for external communication from the ppb. Who was responsible for that dishonesty. So I want to understand from you, if a pio is accused of being dishonest, do you support investigation of them and possibly discipline? And secondly, do you support the integration of communications at all in the service area level? I'm curious what your thoughts are as we are moving into this new system about how communication will be coming out of ppb, if it might flow up to the dc area or not.

Speaker: Yeah. So on question number one, regardless if it's a pio or otherwise, I absolutely would want to be made aware of allegations of dishonesty. Any violation of bureau policy. I absolutely encourage people to either report to us or to ipr or whatever the new system comes online. Second of all, in the communication strategy, I think it's paramount that a chief of police has a dedicated comms team. The volume of information and expectation around communication from law enforcement agency, particularly in the municipality of this size, is staggering. I'm a I'm amazed at the amount of requests that come in and, you know, we're required

by law to respond to those requests. And there certainly is a nuance that goes with that. And so as we look at the efforts being made under the city administrator and the dca, I've shown a real propensity and appreciation for the public safety service area and the opportunity to increase efficiencies. But I will continue to be a pretty ardent proponent of having a comms team that is dedicated and a resource to me. I meet and talk with them almost daily and rely upon them, especially in today's age where communication and information flow is really just overwhelming.

Speaker: Thank you. One more question. There is a nominating committee that will be evaluating applicants for the new charter required. Community board for police accountability. This nominating committee includes three police officers, one of which is going to be appointed by the chief of police. So how will you be deciding on who to put on the nominating committee? And furthermore, how will you ensure that the nominating committee, despite having three police officers on it, promotes an independent police oversight board?

Speaker: Yeah. So decisions like this shouldn't be made in a vacuum. So I've reached out to my executive team and asked for their input on that very question. You know, and it's a diverse group of folks with very different backgrounds and tenure. So I'm certainly looking to them to provide that perspective to me, to that council. It's not an independent decision that I will make. Second of all, in terms of, you know, the process itself, you know, I'm going to communicate to the officers involved what I would always communicate that, you know, I expect them to be, you know, people of integrity, to follow the rules, to stay in their lane, to understand, you know, what is trying to be accomplished here, regardless of our personal feeling one way or the other, that they maintain a level of neutrality and professionalism in their recommendation. I think it's important that we do have a law enforcement voice on the as this commission becomes formed, I do think it's

important to have that perspective shared. I'm a big believer in having what I like to say is the entire conversation, and to eliminate law enforcement from that, I think would not be in the best interest of the council or the committee as it comes together as well as its legitimacy going forward. So I will use a collaborative approach to seek out recommendations and then to make sure that whoever is selected understands my objectives and goals and values.

Speaker: I appreciate your answers. I'll stop there for now.

Speaker: Thank you.

Speaker: Thank you. Councilor. Councilor dunphy.

Speaker: Thank you, madam president. Chief. I brought up a number of times from this spot that I have a deep concern about the city's long history of using police as a general purpose government response tool, especially after 5:00. I think that the volume of calls you were mentioning of those, you know, 200,000 calls, probably it wasn't necessary for every one of those calls to have a sworn officer show up. I'd like to know specifically about your vision for the ps3, the public safety support specialists. These are non-sworn officers who are not are not sworn members of the pbb who are responding to things. What is your vision for what that system would look like in an ideal situation, and how would you use them within the bureau?

Speaker: Yeah. Thank you councilor. First of all, let's be clear. They're being underutilized currently, as is. You know, city's been very gracious. We have 40 of them. I'm super appreciative of their service. It's really some tremendous people there. Some, you know, are retired law enforcement. Some are people who truly are drawn to the role. Some are interested in maybe moving into policing. But real public service is a couple of things. One, I think we need to do some structuring within the psc program itself to create some supervisory or leadership opportunity.

I'm not suggesting a sergeant rank, but maybe a lead ps3, you know, understand, and I know we're on the record. These are ideas that I have floated with the union and I have thought about internally, but we haven't put into action. But since you opened the door, one is I think we need to give them a little bit of ownership. Right. We haven't done a good job as an organization, really bringing them into the fold, holding them accountable, but also not really giving them clear direction. So I think we need to create, you know, like a lead ps3 role. Maybe it's somebody they could rotate every, you know, two years I don't know. But we need to give some ownership and some accountability to them. They know best what you know, some of the capabilities and opportunities are. Two we just recently identified that they're not being dispatched by boec. This was news to me. It's always embarrassing to admit what you don't know as the boss, but unfortunately, in an organization this size is some things that I still don't know. We're working towards figuring out. You know, why is that the case? Why can't they be dispatched to calls for service instead of waiting for another officer to call them, or assuming that they will take the initiative, which many of them do? We have some ps3's that have done some really amazing work, and so I don't want to suggest that they're not, but, you know, providing a little bit more direction. And three, we have not had a quote unquote home for them, and I won't get into too much of the structure of the organization, but they are going to be we're going to be assigning them into the precincts in more directly, having them work with the different precincts. So instead of sort of like, hey, here's your ps3, here's your like, know each precinct, these are your ps three. Let's bring them into the east precinct community. Let's help them understand the needs of these Portlanders and make sure that they're working in line and in conjunction with our officers. So those are three things that are top of mind that I'm hoping to implement sooner than later.

Speaker: Just a quick follow up. Do you think that within the scope of what the work that they're already doing, are there things that ps3 could simply take off the plate of, of sworn officers generally?

Speaker: The short answer is yes. The long answer is I can't give you examples of that right now. That's just based upon gut feeling and experience. But as the council has noted before and I've said, you know, I mean, I'm the only the only ceo in America who goes to work every day and tries to put himself out of a job. So if we can identify those and make more space for them, I'm all for it.

Speaker: Thank you.

Speaker: Councilor morillo.

Speaker: Thank you, madam president, and thank you, chief dave, for being here and for your presentation. It's obvious that you've earned the respect and care of your colleagues, and that's not easy to do in this position. So I appreciate that a lot. Thank you. I have and I appreciate your candor and the way with which you responded to councilor koyama lane, you know, experience and sharing about that, the way that you acknowledged that history and the fact that there are changes that need to be made, I think meant a lot to me and to a lot of the people listening. So I appreciate, you know, your willingness and humility in that, because I think that that can be hard to do sometimes. And I think that's a sign of good leadership. I just have one question for you. So it'll be short. We have, you know, obviously a terrible budget crisis. And we one of the things that we're looking into is the call reallocation process to make sure that the right nine, 11 calls are being triaged to the right spaces. And that's going to be happening in two parts. The first stage would be to identify low priority calls that can be distributed, redistributed. And obviously that would happen through bargaining with pbb as well, or with a police union to the appropriate responder. And then to ensure that the high priority calls

are also going to the appropriate responder and with the appropriate response time. I'm just curious what your commitment is to ensuring that that call reallocation process actually happens, so that we're having a data driven approach to ensuring that we have the right number of officers on staff, and that we're taking a data driven approach first before saying, you know, we need more staff, because the reality is that across all bureaus, there's going to be pain points. This is something that I'm not taking lightly. There's going to be a lot of we talked about monuments that are going to be closing, you know, just yesterday or the day before during our council session. And we're going to need your cooperation with the call reallocation process and assigning officers to work on that process. Is that something that you're committed to as we answer those hard questions as a council about how many officers we need on staff and who is the appropriate responder for each 911 call?

Speaker: Yeah. Thank you, councilor. And so in regards to the study itself, I made the call to bob cozzie early last year and asked him to begin this process. So would be disingenuous to have started something and not demonstrate ongoing support to it. So I'm very, very supportive of it. I mean, as I mentioned earlier, I mean, policing has evolved in a way that is really remarkable as we look at, you know, what is the role of law enforcement in the community and what are the calls that, you know, police need to go to? Portland police bureau was one of the first when I was handed the instructions to start the behavioral health unit in, I don't know, 2012, 2013, something to that effect. You know, we looked around the country, there was only 1 or 2 that we could find that had clinicians embedded with their police officers. We now have five in our behavioral health unit is a national model, where the first agency in the country to go to all crisis intervention team training. And then we developed enhanced crisis intervention team training. So, you know,

I'm really proud of the history of the police bureau and of the city to be progressive in its thinking around law enforcement. And I think this alternative response is there, as well as how we utilize the system, the 911 system, to identify what calls officers go to. I would caution council, though, that that is a study and it's happening and it needs to happen. And I will be supportive, including dedicating resources to it as available, but also know that I will continue to message that we are, you know, at a all time low of staff and if we are going to make changes to a system, and that's what we rely upon right now, the 911 system, then we need to have those alternatives in place. And my concern, particularly going into the next couple of budget cycles, is that, you know, we can't stop and wait to see what that's going to look like, that we have to continue to hire. We have to continue to fund the police bureau while we look for that. And I think the goal this, this, this aspirational goal, which I think exists, I really believe exists, that someday we could have smaller police departments and more civilian responses or non-armed responses. I believe that exists. I think it's smarter financially. I don't think they need to go to all these calls, and a lot of cops, frankly, don't want to go to them. But I don't think that's a year out. I mean, I think that dream is three to 5 to 10 years out. And the reason it's been so difficult is because it's hard to make that commitment. It's hard to make that commitment in these chairs 2 to 4 years, however long you sit you're making. You know, it's hard to make that commitment because it's expensive. It takes time. It's it seems, you know, almost fiscally irresponsible because to your point, and I agree, you know, what's the right number? I mean, geez, if we have these calls that we don't need to go to, do we need all these police officers. That's a great question to ask. The problem is, is in real time right now, people are calling 911. And I haven't looked lately, but I wouldn't be surprised if there's 20, 30, 40 calls holding right now and we're operating at a shortage. So it's a matter of, you know, that flexibility and

being able to build the plane while we're flying. And I hope that we're able to get there. But in terms of specifics right now, this call study and this review, absolutely. I'm excited to see where it comes and what we what we learn from it.

Speaker: Thank you so much. Appreciate your answers.

Speaker: Councilor canal.

Speaker: Thank you, madam president. Thank you for being here. Chief. I'm going to ask a few questions and i'll pause and give my colleagues some time in discussion regarding rank and file officers career pathways. One thing I've heard is that having more opportunities for officers to become investigators detectives would be beneficial for that career path. As a second sort of pathway, eventually, vertically and increasing, investigators would also help resolve one of the two biggest criticisms of opb that I've heard, which is the feeling that when your bike gets stolen or there's a burglary at a business, that there's little to no expectation that any person would be found and held responsible. At the same time, when we're hearing about staffing requests from pbb, it's usually framed as needing more patrol officers rather than investigators. So my question is why does pbb prioritize investigators lower than increasing patrol officers?

Speaker: Yeah, well, first of all, you know, sadly, your comment about the feeling around the bike or the burglary is there's legitimacy to that feeling. I'm not going to sit here and say that we're meeting the expectation of Portlanders in many ways in property crimes. Probably most significantly, I had a conversation with this about with the comms team just today. So it saddens me that to know that the number of people who experience, whether it be minor or significant break-ins, we just saw the article a couple days ago about the car store, you know, a couple of break ins in a week and, you know, several over the course of a decade. And that's unacceptable and is worthy of our attention, but not just because it was in the

Oregonian. So the reason that we frame it that way is because people come through the organization to the rank of detective through officer. And as we have this conversation around staffing, and I know we don't need to go into detail this evening, but it can. It all starts at the officer rank. The system is designed, and this is true of any agency I know of in the country. We wouldn't hire somebody as a detective and as an investigator. They don't have any frame of mind. They don't have any reference. They have to go through the basic police academy to do that. So as I'm speaking about the officers, the need to increase officers, I'm speaking about the organization. I have 18 sergeant vacancies right now, 18 sergeant vacancies. Usually when police departments are sued, they're sued because of training and lack of supervision. He asked about what keeps me up at night, you know, knowing that I have vacant supervisory roles. But if I fill those 18 sergeants with 18 officers now, I got 18 officer vacancies. My call times just went from 19 minutes for a priority call to 25 minutes for a priority call. If I fill those 18 officers, if a sergeant's out of the officer ranks, my overtime just went from, you know, 25 million a year to 25.5 million a year. It all starts at the officer rank and comes through. We have 88 detectives right now. When I made the move to reassign some of those detectives in the precincts that were focusing on property, and we moved them over to our special victims unit because I wanted to prioritize domestic violence, elder abuse and child abuse. We granted the opportunity within the precinct. We have officers that are working as active detectives, so we understand the importance of investigation. And some of those officers have produced some amazing cases in their investigative role. So investigations is a significant priority. But it all comes from the officer piece. So when I'm speaking of staffing, I'm speaking about the whole organization when I started. I'll end with this. And I promise not too many war stories to my staff. But when I started, we had detectives

at 24 over seven. And if you made a felony arrest, that person was brought downtown and they were interviewed and there was an investigation done on every felony arrest except for drug cases. But any property crime or person assault or, you know, person crime or property crime, and that was about 135 detectives, roughly. And today we have 88 positions. And I think we have about 83 of those positions filled. So I would love to grow the investigation arm. I think it is a great pathway for our members, the work they do with their victims. I mean, it's it is important.

Speaker: Thank you. Yeah. And I'd like to support in that regard as well. I've heard you say many times that the mission of the police bureau is to reduce crime and the fear of crime. And I'm curious how you view solving crime as part of it as it relates to that, and specifically around clearance rates, because one of the best ways to reduce gun violence is to increase clearance rates for both fatal and non-fatal injury shootings. I believe that every bureau in the city, not just the police bureau, should have metrics for its success. And I would personally like to see clearance rates as one of the, if not the primary metric for the police bureau's success. Could you speak to why it isn't already one and your thoughts on that? And there's been the feeling, and maybe this is not necessarily accurate of pushback on that.

Speaker: Well, I'm not aware of any pushback on it. I am aware of the fact that, you know what, there are many things that, you know, we don't measure that might be beneficial to measure. I'm not opposed to the clearance rate metric. I do know that in my conversation with other police leaders around the country, much like anything else, there's a lot of different factors that go into even how you clear a case. And excuse me, how you listed as cleared or closed or, you know, if there's no other leads, you know, there's a lot of nuance to that. But and I don't have the

numbers in front of me. But once again, and I'm not trying to kick the can down the road, but maybe in our public safety committee we can revisit that. And I would love to bring our investigative leads in, you know, whether it be around the gun violence or or others who are really experts in the clearance rates conversation, just know that I am looking at that. I am we are doing and starting a review, actually not in anticipation of your question, but we are starting to review just the end of this month, the 1st of March, around clearance rates as a whole in our investigation unit just to try and get a handle. The mayor has commented a couple of times and as a priority for him as well as understanding, so I hope to be able to provide more as we go through the year on that.

Speaker: Yeah, thanks. And two notes on that. There's a I shouldn't imply that was ppb. There was a conversation around the gun violence emergency declaration, including that as a metric, which was there were it was reduced as a as a reference under previous leadership. And that's not a police bureau comment. Also, I think that when we're using it, using it not in comparison to other cities because of the difference in how it's measured, but in comparison to itself year over year. Third, I've heard you say that community engagement is a core priority for you, and one of the ways that you've described community engagement is sending armed officers to community events or just sort of being out and about by patrol, for example, which obviously does more than just being out and about. One example was the use of roughly half \$1 million in overtime expenses, sending police officers to holiday patrols, sorry, holiday markets. In December, best practices on community engagement generally include lower barrier forms of engagement. I know you know this because you often personally choose to attend events without a visible weapon. For example. I also know that due to fears of retaliation, many community members, though not all of those who want to weigh in on police related issues,

don't necessarily want to weigh in to police, and it's vital to have opportunities for people to speak directly to police. As our testifier, miss gomez herrera's, I think, and groups like tac, it's also vital to have independent community engagement without administrative, housing and police. I'll note some members of the Portland committee on community engaged policing are here. Can you speak to your theory of community engagement and the parts of it that do not involve interactions with armed officers?

Speaker: Yeah, and in 2006, I went to work as a lieutenant in north precinct and probably had worn a uniform every day up until that point. And I worked for commander brett smith, who dressed much like I did today. In fact, he wore jeans often. And, you know, we called him kitzhaber and spirit of the governor at the time. And we were going to a community meeting. And I'm like, what's the matter? You're not proud of the uniform? You know, you're not proud of? I mean, I'm saying this to my bosses as politely as I can, and, and he didn't order me to change, but he just shared with me some of the very things that you just expressed. It took me a while to get there. It wasn't something that I embraced because I as I said earlier, I'm incredibly proud of the uniform that that I wear and that I represent, and not just the Portland police bureau, but what it represents. Councilor zimmerman's comments about an oath. And I would never ask anybody to be in uniform and not be armed. Unfortunately, we live in a violent society, and regardless of our position on law enforcement, that that would be an unacceptable risk. So what I'm encouraging, and this has happened even in recent weeks, as we've talked about attending events, is attending events more dressed like this, dressed more casually. You know, tonight had a long discussion with my lovely wife about, you know, do I wear a tie? Do I wear a uniform? What does it look like? What do you do? And this is where I landed. Because this is how I've showed up for the last 16, 17 months. And

this is how I intend to. It doesn't mean that you're obviously not going to see me in uniform. So community engagement for me is twofold. One, we have to recognize the barriers of the uniform and of the presence of a firearm. And that that shows up. And we have to know the history. We have to understand that experience is real. We also need to ask the community to understand that that is a uniform. It's part of what we wear. It's part of what goes with, you know, the outfit, so to speak. So there's some understanding on both sides there a little bit. But then also as I look at it, is looking for ways to reduce those barriers, whether it be in plain clothes or as I mentioned, you mentioned the holiday walking beats. You know, we've done this three times now since I've been here. We did it twice during holiday seasons and once during March madness, when the women's sweet 16 and the elite eight were here. And you know, when I first proposed this in the fall of 23 and said, you know, I don't want you to go out and do police work. I just want you to go out and just visit. I just want you to go out and visit and just be seen. I just want you to have coffee. I want you to go to mother's and have lunch. I want you just to be out. And, you know, it was a little bit of a head scratcher for folks, but we found as this thing progressed, the feedback from the community was amazing because they appreciated the opportunity to have conversations even though they were in uniform. But one of my favorite comments was when an officer, about 3 or 4 weeks in mentioned to one of the other command officers, like, does the chief know that we actually enjoy this to. And so I want to be looking for ways to reduce the mandate that the only time that police are in our community is when it's enforcement oriented, and whether that's in plainclothes or whether that's in uniform, I think we need to start there challenging to do. But I think that's where we start, is creating other spaces, because in the moment, in the intensity, that's a really difficult time.

Speaker: Thanks. And last question for this round. Can you speak to the decision? There was an investigation of a sergeant for including a slide in a training presentation that's been talked about a lot. There was a discipline imposed there after that. There was an investigation over whether or not the sergeant was dishonest in the initial investigation. Out of that, the police review board, which is part of the current system, recommended termination of that officer. And that went to mayor Wheeler as well as yourself. And the response to that recommendation was not to impose any additional discipline. I want to recognize there was discipline on the original investigation. That was your decision, as I understand it. Could you speak to your thoughts on that?

Speaker: Yeah. So the discipline cases, when they go through the process, when they get to me, they're completed. There is, you know, an extensive review. There's citizen input. There's the independent police review, there's internal affairs investigation, etc. When they get to me, they're completed and they come as a recommendation. And out of all of the roles that I have learned in this assignment, it is the one that weighs heaviest on me is discipline. So a couple of things about I see the role of discipline is to correct behavior and to hopefully change culture, or send a message to culture to try and impact culture. So I'm not looking at a case sometimes just as an individual. I'm looking at it as an organizational responsibility. There's an organizational responsibility. Oftentimes I have seen in policing and probably in other professions, but this is where I've spent my life, work that a member will make a mistake and we are quick to off with their head because by golly, we have to get rid of that bad apple. And I've come to believe and have coined the phrase that it's not the apple, it's the barrel. We put really, really good apples in the barrel. And yet the barrel is really the challenge. It doesn't mean we shouldn't get rid of bad apples. Since I've been here, I've terminated four members

of the of the police bureau. Two one, and then one additional one resigned and probably in lieu of termination, and another one retired, probably in lieu of termination. We're completing those investigations, by the way. So and none of those have been challenged by the labor organization because they're seen as just and legitimate and a case of truthfulness in this particular case that you're speaking of the standard is high in terms of the directive. It requires an intentionality or requires an intentionality. And if we're going to step in and take away an officer's career and decertify them so they will never, ever be able to be in law enforcement ever again, I want to make sure that we have really dotted our i's and crossed our t's. And I do this with all of our investigations, but certainly those with this level of scrutiny, as well as this notoriety that it had in the public space, even though, you know, I wasn't here when it came to light, it was an investigation that went on over several years, I think 8 to 10 years. There were a lot of competing points of view, and at the end of the day, it's a recommendation. And much like each of you, frankly, I get paid to have an opinion, I get paid to have an opinion, and I don't make the decision lightly. I spend a great deal of time with the investigators. I met with the city attorney. I met with the independent police review. I laid out my reasons why and still stand by that decision because I believe it was the right decision, not only in the sense that I don't believe that it rose to the level of a violation of directives. Let me be clear. I don't believe the evidence showed that. But two, it sends a message organizationally about my greater expectation overall, not just of this member, but of all the people who touched and were responsible for that in the process. And I think that's how we begin to, you know, help the barrel get a little healthier.

Speaker: Thank you for that response.

Speaker: Councilor green.

Speaker: Thank you, madam president. And thank you, chief, for being here tonight and standing for the job. It is service to the to the city. Just want to start by, you know, councilor kanal your your questions on the barriers to community engagement and your response on risk. Just reminding me of my service in the army. My job was civil affairs. And when I was overseas, we would we would sort of take our body armor off. We'd leave our long rifle in the truck. We'd we'd go in and have tea for an hour and a half. And that felt really dangerous. And it was, but it was a pretty, pretty necessary step in the rapport building. So as you say, you're paid to make decisions and have opinions. So I trust that you'll sort of be weighing the risk and reward to that level of style of engagement. Really what I want to talk about is so recently I was at a, I was at a meeting with you and some other members of the committee or the community policing community, and also just folks in district four who are really trying to find a path forward on unsheltered homelessness, crime, drugs, all the nexus of all that. And I was there to kind of listen, really, because that's not a space I'm normally in. And I was really impressed by something that you said, which was was sort of like, look, we can't arrest our way out of this. And if we want to solve this problem of homelessness, we have to take a systems approach. And I don't think you had to say that in that crowd. And so I just wonder if you, you could expand upon that philosophy a little bit for the, for the rest of the council here.

Speaker: Yeah. Well a couple of things. One, I'm a, I'm a systems thinker. This is something I've been learning the last 5 or 6, seven years is, you know, police work is a very cause and effect profession. You know, we see this, we do this, we see this, we do this. And I think that's what's been a struggle of ours over the years, you know, very literal. You know, cops are very literal. We're very, you know, it's very, you know, simple in some ways. And this certainly isn't disparaging any of them. I'm

a passionate defender, but, you know, I think it's important that we look at the system as a whole. And we've also and I said in that meeting, I believe and I've said before, you know, we have relied upon the police to suppress problems that we're not willing to fix. And that goes back decades, if not centuries in this country. And I would argue it's probably replicated in nations around the world and so forth. The challenges that we're facing right now around houselessness and its intersection with law enforcement are, you know, to say the least, significant. I really appreciate mayor wilson's clarity and vision about where he wants to go. And I'm in full support of ending unsheltered homelessness in 2025. And it's, you know, we can agree or disagree, whether that's the right approach. But when I think of it from a systems thinking, it does have a systems thought to it. And that's one of the reasons why it's easier for me to get behind. There is an enforcement component to this conversation. It's an uncomfortable one. But there is an enforcement component to this conversation. And I say that, you know, we are a nation of laws, and those laws have not always been applied fairly. I think I've recognized that. But laws provide a level of predictability and a level of certainty for our community. And when we grant exceptions for the obedience to certain laws, that begins some of the breakdown, in my opinion, of the overall sense of community and overall sense of safety, even if the threat might be lower than what's anticipated or what's perceived. And so making sure that we take a systems approach, recognizing that there's it's a complex issue. It's not complicated, it's actually complex, and that it has to have advocacy. It has to have, you know, outreach, it has to have services. It has to have a place for people to go. But there also has to be a component, an enforcement component to that for when we get to a place of resistance where that's not no longer where they no longer want to participate in whatever that system is created. I think the struggle we have is, of course, identifying what's the

right one. I do not believe that entering people into the criminal justice system is the answer. But as we heard in that meeting, there were a number of people, and I have experienced this personally testified in that meeting that jail saved their life and that was the wording they used. Jail saved their life. And I know that that is a third wheel, a third rail to touch in a lot of communities. But I've spent enough time with enough people to know that some folks needed somebody to step in and hold them accountable and tell them, no, this is your option. This is your choice. I think it's a horrible use of the criminal justice system. I want to be clear about that. I think it's absolutely unacceptable that our county jail is our largest mental health institution, but this because these other systems have failed and these other systems have just said, well, we'll turn it over to the police. And as we talked about in that meeting, you know, we're the tip of the spear. So I think a systems approach means law enforcement has to be at the table. Outreach has to be at the table. Services have to be at the table. Shelter has to be at the table. It's looking at all of it from start to finish and then looking at, you know, what's that role? What's that role. What's that role. How do they how do they support one another. We haven't done that because it's awkward because there's a lot of people that are in one or the other and they don't necessarily want to see the whole thing. That's what I was trying to convey.

Speaker: I appreciate that response, and that's pretty succinct. And it's pretty much what I heard in that meeting. So now full council gets to hear it. And I'll just remind I remember you. I think you told that same group that it is a horrible use of the criminal justice system, even though I think people were saying that was that was the thing that saved their loved one. It's really it should be the last. It should be the last choice that we make. And so I guess my next question would be, you know, in your role as chief, you're part of the city's executive leadership team. And it's not

just public safety or the police bureau that you're on. You've got the you got the ear of the mayor. You're going to be interfacing with other parts of, you know, the administration of the city that have to deal with these big questions. And so are you willing to take that leadership view, that systems thinking to say, look, we we're not investing in the parts of the city that we need to invest to make it my folks job easier. So we're not the last resort option the first time.

Speaker: Yeah. And I and I absolutely. The short answer. Yes. The long answer, if you haven't noticed I always have one. The long answer is that I think that this goes back to my comment about being poised for change, because we are seeing from the governor, from the chair, from the mayor's leadership, you know, his level of engagement, his outreach is unsurpassed. I mean, he is he is out there bringing those systems together, challenging those systems. And it's one of the things that gives me confidence when he asks me to stay on. As I said, you know, I had to think about that. And, you know, I don't know this guy. I don't know this, you know, this is all new. It's like, how much, you know, how hard do I want to work, quote unquote. But seeing this response that he's leading and seeing the people that are coming together around it, you know, absolutely. I want to be a part of that. And in fact, I'm going to insist that that the police be at that conversation. We haven't always done that as a city. And because of our history and because of the failures of the police bureau, we haven't always done that as a city. And I totally understand why I totally do, but I think it's essential now. We don't have the time or the resources or the ability to exclude any particular aspect of the city to try and take on this issue.

Speaker: Thank you, chief, and I appreciate your comments.

Speaker: Councilor novick.

Speaker: Thank you, madam president. Chief, I've got two questions for you. One is following up on councilor small's question about investigations, and I'm going to

pose a hypothetical situation and a hypothetical solution. And you tell me if the hypothetical situation actually exists and if you think my hypothetical solution is crazy, the hypothetical situation is suppose there's a group of crimes. Crimes that have already been done, not crimes in progress, where police respond to calls about that crime. They go out there to the victim, but then nobody ever investigates it because there aren't any investigators. Is it possible that it would actually be more effective to say, you know what, we're not going to respond to 80% of those calls at all, but we will respond to 20%. And by freeing up time from responding to calls, nothing will happen with will be able to add some more detectives to actually investigate that 20%.

Speaker: Yeah. I mean, I always appreciate your hypotheticals. And the reality is they're they're very practical. I mean, that's a tough conversation to have when we talk about calls for service and we talk about responding to calls for service, it's really twofold. And I think there's a little bit of a misunderstanding. One, it's a customer service issue. The vast majority of what we go to is long over. By the time we get there. It is rare. You know, we do catch people in the act of committing serious crimes. And, you know, that's a win when we can stop that immediately. But the vast majority of what we get to is over by the time we get there. So you're gone on vacation for a week, and you come home and your home has been burglarized, and you call 911, and we don't get there for four hours, and you're understandably upset because your house has been burglarized. From an investigation standpoint, it didn't matter if we got there in ten minutes. It didn't matter if we got there in four hours. How do we have that hypothetical conversation with the community? Because we're basically going to tell people, no, we're not coming. Your car just got broken into, we're not coming. This happened. We're not coming. We are doing these things we have looked at. I gave djokovic a task when I first came on board.

And we have implemented this because it's not too far off, but we have looked at a high priority call response model. How do we take what little bit of resources we have and really focus on that? But already, you know, we're looking at three, four, five hour wait times for that person whose homes were burglarized. Now we're going to tell them, forget it. We're just throwing in the towel. I mean, it's a tough conversation to have, but I welcome it with our, you know, with our leadership, with our community.

Speaker: I really appreciate that answer. And I should make it clear that I think that the this council and the mayor would have to take leadership and having that conversation with the community, we wouldn't leave it to you. But if we asked you to do that, it would be up to us to go to the community, and we'll probably go to community first and say, what do you think about this? Should we stop responding to a lot of calls so we can investigate some calls? So thank you for that answer. My other question is there's a tool to reduce gun violence which includes suicide, which is less used in Portland than in a number of other parts of the state. And that's the red flag law, where you can initiate a civil process to take away a gun from somebody who is a danger to themselves or others. And deschutes county uses it a ton. Washington county uses it a lot more than we do. Clackamas county uses it a lot more than we do, and the secretary of state actually did a study that sort of pointed to these disparities. And by the way, it's usually police that are invoking the red flag law, like in deschutes county. It's not the sheriff's office. Mostly it's ben police. So the secretary of state like did this study showing these disparities. And they were asked, what do you think the reason for the disparity is? They said, well, maybe like in some police bureaus, there was a big training program out and others there wasn't. So I wanted to know, what's your do you have an explanation for why

Portland uses that tool less than these other jurisdictions? Do you know what training was done when the red flag law was passed?

Speaker: No, that's my short answer, and I don't have a long answer, but I can definitely get back to you on that and we'll have some information on that going forward. But I'm I'm familiar with the red flag law, excuse me law, but I'm not aware organizationally where we've been on that at the time that I've been back. I haven't asked those questions. So I will lean into that and figure it out.

Speaker: Thank you chief.

Speaker: Councilor koyama lane.

Speaker: Thank you, madam president. Thank you. Chief. I genuinely appreciate what you've said in our meetings and in public about non-cooperation with ice on immigration enforcement. I think your leadership in this area has been strong. I want to continue to collaborate with you on this. I'm wondering how you would handle a situation if you were to learn about an officer coordinating with ice. What does accountability look like?

Speaker: Yeah, well there's the. What I want to call the mechanical approach to it. Right? If we have an officer who commits a violation, then we're going to go through the investigation process. You know, they're entitled to their rights. And we want to make sure that we follow all those, you know, the depending on the degree or where the infraction occurred. You know, there's limited opportunities we have we can, you know, remove them from an operational setting. We can put them on adamant leave. We can put them in an assignment where they don't have contact with the public or whatever that might be. But I've made it really clear to the organization, and I believe that there's good understanding. And one of the reasons that I believe that so strongly is the majority, if not nearly all. I'm one of the old guys now. Don't remember the days prior to this law going into effect and this directive

being what it is. So frankly, in the conversations I'm having around the organization, they're not unaware. You know, they're certainly know what's happening in the world around them, but it doesn't even occur as part of the normal lexicon. So I but know that if that if we became aware of that, we want to look at that and make sure, you know, is it an intentional act, is it a misunderstanding, is it being accurately perceived? But we have been messaging regularly our roles and responsibilities in trying to keep those lanes really, really clear.

Speaker: Okay.

Speaker: Thank you. One more question. We've talked a bit about heightened federal pressure for pbb to comply and cooperate in possibly ways that could violate rights. I'm wondering, can you commit to notifying us in some way about any violations?

Speaker: Yeah, I think that goes to councilor novick question earlier, and I'm happy to do that. You know, certainly we'll keep the mayor advised, keep the council president advised, as I said, and I've been very public about this with our immigrant community and others. I mean, I'm meeting I'm talking to ice, I'm talking to dea, I'm talking to fbi. I'm, you know, I'm I'm keeping these folks close in conversations so that they know that we're engaged and we're paying attention. And then we can also hear from them and keep, keep avenues of communication open. So certainly, you know, keeping the mayor advised, keeping the council president advised, and then making sure that that information is shared with you folks. Yes.

Speaker: Councilor Ryan.

Speaker: Yes. Thank you, madam president. Hello, chief. Good to see you. Thanks for hanging in there. This will be quick if I can find where I went. There it is. As a leader, you're wisely finding your assistant. You wisely talk about systems. And I noticed that in every conversation I'm in with you, you connect dots and you go all

over the place, and then you land it. It's very gifted, and it's why you're entertaining to listen to. We have a new government on the elected level, and we're trying to figure that out and we're building it. And that was mandated. We're now in the process of, I think, finally getting to that when it comes to the organization where we clumped work areas together. But some of the efficiency work hasn't taken place yet. Public safety is a good example of that. And you're part of the public safety work area. And we also now with the departure coming with mike myers, we have an opportunity to, I think, expedite that process of what collaboration looks like. So as a system thinker, as a collaborator, what do you see as your opportunity coming up over the next few months as we welcome that new leader? And what kind of steps can we take to actually see more seamless collaboration amongst the public safety units?

Speaker: Yeah, I appreciate that, councilor. And in full transparency, this is a little bit of a challenge for me because appropriately so under the charter, you know, I still report to the mayor and to the city administrator, which is true nationwide. I mean, that's a very common practice. I think it's absolutely appropriate. So there's a part of me that sometimes like to think, well, i'll just go to the mayor or go to michael jordan, and I don't have to play well in the sandbox just being, you know, fully transparent about that. And but I have a great deal of respect for the leadership in the public safety service area. I've appreciated mike myers leadership and direction over the last year. And I think the team right now with with stephanie and skyler and elizabeth are really, you know, top drawer. So but it's also been a work in progress for all of us, right? We just started this in July. And so we're learning and figuring that out. I think, you know, some of the opportunities that lie ahead. We've already demonstrated some of the work that we've done around inauguration, the work we just did around the winter storm last week. Those were

collaborative efforts that historically have just been on our own. I made a mistake on Monday. We had a significant protest downtown on Monday. I didn't advise the mayor. I didn't advise my public safety partners. I was kind of. We had we've had several protests. They've gone, well, I had the information and I kind of got back into the old school of thinking like, well, pbb has this. And, you know, unfortunately we had great relationships with the organizers and we had a fantastic demonstration of our first amendment rights. And it was a classic Portland event. But I need to do a better job of just seeing our our role in that. I think as we approach and, and certainly will be city administrators decision. But, you know, I would encourage a significant effort and search or review about who steps into this to this place to replace mike, because this specific model is so new that we're sort of coming together and finding out our way, but the next person is going to really be the one to set the tone in the culture and really be able to strengthen that and then look for those efficiencies. The one thing I would just caution us all, I think it's absolutely paramount we work together, but we are in these really uniquely distinct, different lanes. And that's why we have to look at it from a system standpoint, because it's, you know, to advocate for just one over the other, over the other is not going to be effective. So we need a leader who can step in and see the benefit of sharing and the benefit of collaboration to strengthen overall public safety. And I know the mayor and I know city administrator jordan, because they have done this, they'll also make sure that I'm doing my part and not just running around everybody, because I can get to the boss and make sure that I'm collaborating as well.

Speaker: First, thank you for being a leader who can admit that they made a mistake. That's something we need to hear more of. Your humility is very refreshing and I want to also just move then into the thoughts about staffing because you

mentioned the inauguration week, election week, or was inauguration. Then we had election week.

Speaker: Yeah, election week.

Speaker: And what I recall is that you were prepared for incidents and things went swimmingly, but also you had to staff up. And the reason I know that is because I've seen I've been here when, when we didn't have very good responses. And you hear from the public frequently about that. It's improved immensely since 2020 when I was sworn in in the fall, but it still is a frequent bellyache, if you will. When you go out into the community and you talk to storefronts and the week where I actually got comments that the police were so responsive was during election week. Can you tell us what your staffing model looked like that week? And in terms of fte ballpark the budget, and it leads to the fact that we're experiencing, you know, budget season here. And it's helpful to hear exactly what it would take for Portlanders to feel what I think many thought was normal in terms of police response that week, but it's something they haven't experienced for years.

Speaker: Yeah, I appreciate that. Yeah, it was really an encouraging week, not only for different reasons, many different reasons. One, we had a really safe election season, which was fantastic. And we can't always say that we had that. And I'm grateful to Portlanders for how they showed up. That was our appeal. I'm grateful for the leadership of the city, for the county, for the state, for community organizations coming together. So I just want to recognize that was not police centric. That was really a result of us as a community saying, what does Portland value and how do we show up to do that? And we experienced, even though we experienced demonstrations during that time period, and we had similar successes in the inauguration. And once again, that's, you know, certainly we're part of that, but it's not police centric. It's really a community. It's really a

community lift. You know, second of all, for the inauguration, and I'm going to look over my shoulder for a minute, I think we budgeted about 2.5 million, and we spent about 1.5.

Speaker: Yeah.

Speaker: Yeah, 1.5, 1.6. Once again, don't quote me, but those are rough numbers. And that's an all hands on deck. That's 12 hours a day. Everybody working. And by doing that we were able to not only provide that level of service, but going back to councilor kanal comments about investigators that included investigators who then took that time to work on cases that had been sitting for an extended period of time. The encouragement, enthusiasm. I had officers stopping me, when are we going to do this again? I mean, when are we going to do this again? I'm thinking, you know, when I started 13 months ago, if I get to make a traffic stop, that was like a red letter day. And now they're coming to me saying, hey, when are we going to do this again? Because we have the opportunity to go out to be with community. When I'm showing up on a call, people aren't angry and mad because I'm five hours late. I'm there within 15 20 minutes. When we have a difficult situation that's going to take hours. We've got officers we can put towards that. I mean, the complicated calls we go to today with the mental health and addiction, we literally shut down deflection. I mean, you know, that we we're taking people over there and they're like, wow. I mean, we told them we were coming, but they had no idea the number. And I called the chair and I'm like, you know, we're we're filling up deflection, getting people connected to services, getting them connected to resources. It was you can tell in my voice it was an amazing opportunity. But you talk about staffing numbers. I will have to get you more specifics. But we did look at those and we were staffing basically just over what we kind of consider minimum staffing. Now we've talked about minimum staffing and there's a whole lot of conversation to have about that.

But to boil it down, if you need 20 people on central afternoons, we were putting out 25 or 30, so we were exceeding our minimum staffing number by a percentage. And the reason that's important is because we know that about 30% of our staff has given it gone at any one time training, sick vacation, whatever. So if you're going to staff up and say, we need 20 cops, you don't really need 20 cops. You need to have that staff. You need to have about 25 cops. So those 30% can be gone. And so that's what we did on that day. We had everybody working. So we were able to properly staff, you know, even above and beyond. And you see this both in the fire bureau and in boec. And I'm not throwing my friends under the bus, but I'm incredibly jealous about the fact that both of those bureaus have been authorized and able to overstaff and be able to provide that metric and that level of service to point to. And we did that during those two time periods. And i, you know, once again, and we've shared the data and I can get it. But the data, in terms of our ability to respond, engage, reduce crime, community engagement, on and on and on was off the charts. And that's that's where we can be, I believe in 3 to 5 years. And i'll end with this because you got me going on staffing. But I know it's late, but in the last two months at our workshops, we have a monthly workshop where people can come and apply to, you know, learn about the police bureau. It's been standing room only at the training division, standing room only for our workshops. Our applications are increasing the interest and the desire to come work for the Portland police bureau is growing, and I'm immensely proud of that. And it's a testament to the men and women doing the work, and it's a testament to the Portlanders that are saying, yes, we want a relationship with our police. We want to feel safe. We want to have this connectivity. We want to support them.

Speaker: You know, it was i'll end with this. It was actually somebody had a vandalism at their home. And they were they almost didn't call because the what

they had in their head that no one would show up. Was it worth calling? And someone was there quickly and they were just blown away by the service. So it actually was in response to a crime at their home.

Speaker: That's that's sorry, but that's just so meaningful to the officers. Well, right. You know, to be able to provide that level of service when we get into this job to help people sounds so corny to say out loud, but that's really where we start. You know, I'd encourage if any of you ever get a chance to go down to a graduation at dps east in salem. I'd go to every single one. I was out of town for the last one, but if I'm in town, I'm at every single one. I've done that since 2010, with the exception of my time on the golf course, and I will tell you that it is inspiring and encouraging because you see these young men and women, there's usually about 40 of them, and they stand up there and they raise their hand and they take an oath. And it is it is a commitment and a dedication to service that they're doing that. So it's that that experience that the citizen member that you just mentioned, I share with you. And I'm confident that officer being able to go in a timely way and provide that service was equally as meaningful.

Speaker: Thank you.

Speaker: Councilors. Folks left in the queue have already had one shot at questions. So I'm going to ask that because we do have another agenda item after this. If you are getting in the queue for a second round of questions, you try to keep it tight and to the questions that matter most so that we can get our staff out of here before too long. Tonight, councilor dunphy, go right ahead.

Speaker: Sure. I'm trying to tighten it, and I'm taking time to do that.

Speaker: Apologies. I didn't give you more warning.

Speaker: It's okay. Chief, how have backlogs within the broader justice system and the public defender crisis impacted morale within the bureau? Additionally, how is

that that that those that backlog impacted the perception of the police more broadly?

Speaker: Yeah. It's been very disappointing to see the failures of the on the back end. As I mentioned to councilor green, as we talked about in that meeting the other day, you know, we are the tip of the spear. Nobody comes into the system, excuse me, except through law enforcement contact. Through police contact. We're the tip of the spear. And frankly, we're pretty good at that part of it. And how we, you know, step into that space. But we're that first part, and then we pass it off. And whether it be the jail, which was closed a couple of times this weekend, I mean, this is not in any way a discredit to sheriff morrissey. I know she's doing the best she can with what she has. But as I'm coming to work and I'm hearing, you know, the jail is closed for three hours, I mean, that's, you know, frustrating. You know, you catch somebody who's committed a violent crime, and now they sit in your car or sit in a holding cell until the jail opens up. You know, we have to recognize what's I said. We have to have the whole conversation. You build a case, you get a you get a community member, you get a small business owner that says, yes, I want to prosecute for this vandalism or this break in. We go to court and the case gets dismissed because there's no public defender. That business owner has lost a whole day's worth of work while they while the system failed them. So, you know, I don't want to suggest to anybody here or anybody that's listening that these are easy solutions. They're expensive and they're difficult. And I'm not even convinced it's the best system, but it's the one we've built and relied upon for the last umpteen decades or years. And if we're going to change it, I don't see an opportunity to change it and not continue to support what we have. Because if we take away what we have and try to change it, I think we're going to see an increase in crime and problems. So it is it is very frustrating.

Speaker: And just briefly, for one last question. So following the 2020 black lives matter protests and the implementation of measure 110, there were some broad perceptions in the community of police work stoppages. Has there been progress in your perception internally to the bureau about officer morale, and has the work begun, do you think, in repairing those community relationships?

Speaker: Yes. And I mean, I have to be careful here because there's a lot of people in the Portland police bureau, and I can't speak for all of them, but I have a great deal of confidence that I have seen the improvement. What do I base that upon? Just a couple of weeks ago, it was a Friday evening, and I was going down to the basement and a young officer got on and he had a radar gun in his hand. It's a lighter gun, laser radar in his hand, and he's a district officer. Works in southwest. There'd been some neighborhood complaints around speeding and traffic. And, you know, it was 5 or 6:00 in the afternoon, I assume, you know, just be overwhelmed with calls for service. And I said, wow, you know, what are you doing tonight? He says, well, if it slows down, I know that people out in southwest have been saying that some of the community meetings, that they're concerned about traffic safety. And so it makes some traffic stops and try and, you know, respond to that. And I mean, it just made my week, right, that when you see officers being able to take this independent action, not having to be told, it's one of the reasons why I've been emphasizing our strategy around crime reduction around these missions is not just because they've been highly effective and they have been, but also because they give opportunity for officers to get out of this just call to call to call to call, given them a chance to be proactive. And it also gives them a development opportunity. We hired a lot of people in 20 and 21 and 22 who didn't get to really learn how to be cops. They got to learn how to stand on a line, but they didn't get to learn how to be cops, and they certainly didn't get to learn how to interact with the

community because nobody liked them. And so now we have, you know, a generation of officers that we're trying to bring into this fold, one, not only to train them, to help them be better police officers, but also emphasize to them that, you know, Portland is an amazing community, that this city loves their police department. And then how they show up, as we've already discussed tonight, is another step in that process. But I think, you know, I'm going to say, selfishly, as the chief, it's hard to say out loud. And if there was would I'd knock on it. But I couldn't be more encouraged with where the organization is going and where the community and how the community is responding to that. I'm seeing that from my position all the way down to the rank and file.

Speaker: I councilor kanal.

Speaker: Thank you. And I am I am shortening my list. I'm only going to ask two. I had six, but all grateful.

Speaker: Thank you.

Speaker: Councilor what? This is going to piggyback off of that, what did you learn from the outside or what do you think the bureau maybe has learned from the about crowd control from the experience in 2020? And I want to specifically know and ask if you've had the chance to read the citizen review committee's report, one of the authors of which is on our council. And if you have thoughts on that proposed approach and their their documentation.

Speaker: So, yes, I've seen the reports, we've implemented some of those recommendations. I know we've talked about just touched on that councilor avalos, you know, 2020 and 21, you know, really unprecedented in many ways nationally and in policing, but no more so than here in the city of Portland. I mean, we were the national story around how we showed up and how we being the police bureau, how we be in the community. I think the lessons learned during that time period

have made us now one of the premier agencies. And I recognize we've had officers and supervisors been asked to go train in London and do presentations internationally, London and Canada. Last year we hosted a Western Public Order, Western States Public Order conference, first time it had been happened on the West Coast, and we had sold out at the Hilton with hundreds of hundreds of agencies coming to see us and to hear from us, and hundreds of members from multiple agencies coming to see us and hear from us and learn about our story. We've been very transparent in our journey and lessons learned and things that we could have done better, as well as things we need to be proud of. I never want, ever want to characterize that time as a, you know, a complete failure on the part of the Portland Police Bureau. The men and women of the Police Bureau were put into an impossible situation, and clearly there were mistakes made. And we've identified those. The outside independent report identified those. We have taken steps to rectify and do better. But I am immensely proud of the men and women who put the time in night after night, day after day, and not just on the line. Organizationally, our sworn staff, our non-sworn staff, you know, we had civilians trapped in our building that couldn't get out, but they came to work every day and they showed up and they processed reports and they processed evidence. And so there were a lot of good things that happened during that time period from a policing standpoint, things that were done well in really exceptional circumstances. So I believe that, you know, the steps we've taken, even in the last year, our joint training with the Oregon State Police, our certification with DPS around crowd control, our selection of members to be on the team, the selection process when we came to Council and asked for an incentive to reconstitute our party, I thought, you know, maybe we get 20 people, right? Maybe we get 20 people. We had over 70 people apply. We have a waiting list of people. Why not? Because they want to go out and, you know, and be

aggressive and in a crowd situations because they're seeing the level of professionalism that is being applied. We've committed to the gold standard and our team is training every month, every month. That's a national standard that exceeds or meets the highest level where we're training every month. We've equipped them properly. Thank you to the city's financial commitment. And there's a sense of pride that goes with what those men and women are doing. And then this weekend is a great example. We had 3000 people, probably roughly. I don't know, we could argue numbers, but I'm going to estimate somewhere around, you know, 2000, 500, 3000 folks. And let's be real, we're not going to you're not going to control 3000 people, right? I mean, you know, you would need, you know, 5000 cops or whatever. That's not a crowd control situation. It's about relationships and our and our dialog officers working with the leadership of that of this week, this week, on Monday, you know, allows for that connectivity, that continuity to be able to help facilitate an event like that, to have a role where we can be present and we can manage and maybe keep, you know, quote unquote, whoever bad actors might be from hijacking that message and that need. But we've come we've come a long, long ways since 2020. And from a community standpoint, frankly, I think a lot of people are appreciating that. They're seeing that in our crowd response, at least in the conversations I'm having with people who are involved in first amendment activities. I'm hearing that and seeing that that they understand that there's a different tone, there's a different expectation. And, you know, the last thing i'll say about that, it's not going to slow down. I don't expect us to just, you know, I think we're going to see more events and it's going to require all of us, the leadership of this council, the leadership of the mayor and the city administrator, the county, the state. It's going to require all of us to continue to message how does Portland want

to show up? But I think the lessons learned are coming to fruition, and I'm excited to continue to build on them and continue to be a learning organization.

Speaker: Thank you. Finally, it's a national strategy of white nationalists extremist groups to infiltrate law enforcement. Can you explain your policy personally and approach to pbb on pbb involvement with groups like the proud boys, oath keepers, et cetera. And what accountability looks like? Should you learn that one of your officers is involved with such a group, as has happened in the further back past?

Speaker: Yeah.

Speaker: And I appreciate the term accountability. And I think it's critical and it's sort of a but it's also sort of a little bit of a buzzword in terms of how we apply that. So I want to make sure that that you have an understanding that I will always be respectful of the officer's rights and the role of labor and process, and very important that we maintain that for a level of legitimacy. So, you know, hypothetically, become aware of a member who's a part of that organization. Absolutely. We're going to look at that. We're going to look at that from an investigation standpoint, a policy standpoint. We have very broad policies that really restrict behavior and association with other groups. You know, in terms of who you can be a part of and who you cannot. But I want to emphasize, and I agree with you, and I've read the studies and seen the reports and don't doubt the fact that there is an effort by white nationalists to try and, you know, attract themselves to paramilitary organizations, etcetera, etcetera. But our process is intended to weed out extremes on any end. It doesn't have to be just there. It could be. We don't want people that are extremes in any of these places. We want to have a heightened sensitivity because of the intentionality about what we read and what we've learned. But our personnel division and the process we go through to hire

people is really very intentional. The very detailed, we're relying upon the information that's shared with us, but we go out and make sure we do our best and do our due diligence. And then we also have an 18 month probationary period. So when somebody gets hired, we can evaluate their performance during that probationary period. So if things come up that they didn't disclose or information become aware of, you know, we can remove them without cause. We have a fantastic program, field training evaluation program. So I think, you know, the way that we ensure that our hiring end is we continue to strengthen our hiring processes, make sure we do our due diligence, and then you have a strong field training and evaluation program with good oversight. And then you have good policies so that if you have members who go through all of that, but then in the process we learn of their behavior, their association, we can step in and hold them accountable, which in my opinion, you know, would be, you know, looking at doing an investigation and trying to make a determination as to a violation of, of policy there.

Speaker: Thank you.

Speaker: Councilor Clark.

Speaker: Thank you, madam president. I think I'm getting a little rummy, but I feel like I've gone through police chief graduate school, and I'm ready to sign up for the force. It's I'm just it's I'm very proud. I'm very enthusiastic. After listening to you this evening, and I first became aware of you through the red door project, we're many, many years ago, I attended one of the performances at the armory, where you were trying to really bridge the gaps in understanding each other. And I knew at that moment you were a special person, and I really appreciate you coming back out of retirement to serve. I thank you for your transparency, your candor, your leadership, and I'm very confident that you are going to pull us into the future,

make us the most one of the most progressive police forces in the country. And I appreciate that. And with that, madam president, I'd like to call the question.

Speaker: Is there a second?

Speaker: Second? Okay.

Speaker: Keelan did you catch those?

Speaker: Was that councilor.

Speaker: Novick who seconded?

Speaker: No.

Speaker: Zimmerman.

Speaker: Councilor.

Speaker: Zimmerman.

Speaker: Okay.

Speaker: Thank you. Counselor.

Speaker: Would you call the roll Keelan.

Speaker: Yes.

Speaker: Avalos.

Speaker: All right. Is this the actual vote or is this the vote on voting?

Speaker: I believe this is the actual vote. There's nobody else in the queue for discussion. So we need to.

Speaker: I think as.

Speaker: Long as there's no objection, then we can proceed by unanimous consent. Otherwise.

Speaker: Okay.

Speaker: I think. Is that right? Sorry. Quick question. If there's no one, if there's no one in the queue, then we could then you could just withdraw the motion and just continue.

Speaker: I withdraw.

Speaker: The point of clarification. If there's no one in the queue, then we can just go ahead and vote yes. All right. That's where we're at. Great.

Speaker: There's no one else in the queue, so I think we can just go ahead and vote.

Speaker: Okay. So no.

Speaker: I think we need to do a vote on the vote if no one is in the queue.

Speaker: Okay, okay. Well, okay. Avalos.

Speaker: Thank you, chief de for your time today. I really do appreciate your candor and transparency. That is obviously of utmost importance in our police. I, I will just end with one of the most frustrating things that I've experienced in my time on serving on these police accountability boards is that there was resistance, even for the smallest things, and that does not inspire confidence in the public. If there's resistance. On what I think were interpersonal or minor code changes that needed to happen when it comes to an officer killing a community member. So I really expect you to change that culture. I, I think that it has to start from the leadership, and that is what I'm going to be monitoring in your tenure. But I do have confidence that you in general agree with that sentiment and are going to work towards achieving that outcome. And so for that I will vote.

Speaker: I dunphy.

Speaker: Chief, I think you're the right man for the job right now. Thank you.

Speaker: I smith I canal.

Speaker: Thank you, mayor wilson. Thank you, chief de for coming. Thanks everyone for being here. I did mention, I note this three times. I gave this feedback to mayor wilson that it is a little disappointing to see the same three folks brought up to the same three positions. But again, I want to note, I'm not inclined to make a

point out of that in any one of them, and my vote is based solely on this nomination. I'm going to vote yes. And it may be surprising to some who have asked me to use this as a vehicle for broader concerns with pbb. I don't believe that would be the effect of a no vote, nor do I think that's an appropriate use of a vote on this resolution. I think the people who have asked to prevent chief vote yea from continuing in this role for that reason, would be disappointed in what the outcome of that would look like. I do have significant concerns about some of the things I heard today, and I want to note those in terms of the first amendment and police responses to peaceful protests, the use of overtime in November, which is an overtime greater than the entire budget of our primary crime prevention program, the entire annual budget to respond to election related protests, the idea that the both sides ism of that response on the white nationalist question is equating the ax to the tree trunk as it relates to white nationalists infiltrating police forces. And I have these concerns not because of how the police bureau views these issues, but because of how the communities who have given me their input over the last several years have viewed it. I know that you, chief, are a fan of james baldwin, so I think you'll appreciate the if one really wishes to know how justice is administered in a country. One does not question the policemen, the lawyers, the judges, or the protected members of the middle class. One goes to the unprotected, those precisely who need the law's protection most and listens to their testimony. And so I want to stress that I won't be abandoning those concerns with this vote. I want to continue reaching out to the unprotected and listening to that testimony. But I've also come to the conclusion that as it relates to this moment, chief day is likelier than not to be supportive of some of the really important culture change work that we need to do at pb, and likelier than not to engage in conversation about the items I mentioned earlier. From the perspective of respectful dialog and possibly

disagreement, in the hopes of changing practices and improving outcomes. And I think the best example of that is your work on the call allocation process. This is the process by which we've seen you be willing to do things differently and going to contribute to resolving several issues, including psr, reduction of use of force, clarity of roles among first responders, and overtime costs. And it's not just you, chief. It's obviously Myers, Director Cozzie, Chief Gillespie. There's so many others working on it. And I do want to note that the full reallocation may take years, but we do have other responders available now, including psr, community health assessment, tree parks rangers and ps three. Finally, thanks for your statements regarding ps three. In response to counselor Dunphy's question, I agree with the having a lead, being able to be dispatched directly by 911 and taking things off of sworn officers plate. So in conclusion, our votes don't necessarily reflect our views on each and every action the police bureau takes, but rather on whether or not Chief Day should remain as chief. And so, given that I vote yes. Thank you Ryan.

Speaker: Yes. Thank you, Mayor Wilson, for bringing this item forward. I'm grateful that you extended the service, that you agreed to extend your service. Chief Day, and please pass on my gratitude to your wife. You know, when I was thinking about you as a public service servant, I took a pause. When I go to all of the promotions and new recruits, the ceremonies you talk about once a month, you always take some time to ask your new recruits and those being promoted to go spend some time in the city, not in your uniform. Just being with loved ones, hanging out, walking around and enjoying the city. And I know you're talking to yourself when you do that as well, because I assume that you're trying to get out there now and then to know that we live in a beautiful city and it's worth fighting for. And I can always appreciate that moment because you not only connect with the recruits, but you connect with the parents, you connect with the families. And it's that

authenticity that you provide that's been missing in roles like this often. So I just wanted to reflect on that and thank you for the way you show up all the time, but especially how I can tell you're building you're just building more respect and you're building more excitement among Portlanders that we have a police force that is actually authentically connecting with community. And culture does start at the top, and you're modeling that in a way that makes that pleases me immensely. So thank you. I had more to say, but no one needs to hear it. And I just need to thank you for your service. I vote i.

Speaker: Koyama lane I morillo.

Speaker: Thank you so much for taking time to present for us today. I appreciate you answering our questions. Councilor kanal really said everything that I wanted to say with such clarity that I won't repeat it. I will say I share those same concerns, and I look forward to working with you to address those concerns and make sure that we're serving Portland as well as we can. And I vote yea.

Speaker: Novick.

Speaker: Chief de. Our conversations were among the highlights of my first term on the City Council, and I'm delighted to have a chance to work with you again.

Speaker: I clark. I zimmerman. Oh sorry. Green.

Speaker: Thank you for being a systems thinker, a leader, a public servant and correcting the oftentimes incorrectly one bad apple euphemism. It is the barrel. And thank you for thinking about the barrel. I vote I zimmerman.

Speaker: Thanks. I didn't ask you any questions. I don't think there's any question what my vote will be, but I'm going to take a second since there were some things I think it can be difficult to get some of these criticisms and, and, and concerns and the rightful concerns. But I also I do want to highlight that. I think Portland has the most progressive police force that I've ever encountered, and I think you're a

product of it, and I am excited for you to lead it into its next chapter and put your stamp on the chapters thereafter. And frankly, if you're a parent out there right now or if you're a person in career transition, there's a thought that you will mimic the leadership of the early folks in which brought you into an organization. I'll tell you right now to anybody in the public that right now is the time to come into the Portland police force, because this is the type of leadership that we're looking for folks to lean into for a career. And as a member of the gay community, I'll just say I feel very served by the progressiveness of the Portland police bureau, and that our experience in this community is different than it is in other cities. And while we have work to do in many facets, and every time you peel the onion, there's another, there's another way we can improve. I don't want it lost that there are some of us in the community who in other places are not as. We're not, we're not as privileged as we are to be in Portland. And so Portland is a mecca for my community and a lot of ways. And it is related to our relationship with the Portland police bureau. So thank you for being here at this time. Thank you for coming back.

Speaker: I vote yea pirtle-guiney. I the resolution is adopted with 12 votes. Thank you.

Speaker: Thank you, chief day for your time.

Speaker: Yeah.

Speaker: Councilors, we have one item left on the agenda. Keelan, could you call item seven?

Speaker: Request city auditor perform a special audit of all unassigned funds for recent fiscal years.

Speaker: Councilor smith, this is your agenda item. Would you like to give the council a bit of an introduction to it?

Speaker: Yes, I'd like.

Speaker: To.

Speaker: Thank you. Madam president. I would like to first move to amend the resolution to replace the resolved section with. Now, therefore, be it resolved, that the City Council of Portland, Oregon, directs the city administrator to submit a written report to the finance committee detailing all financial activities to unassigned grant funds for the current fiscal year to date, as well as the three preceding fiscal years. The City Council further requests that city administrator provide these findings to later to no later than April 21st, 2025, to inform council and support its preparation for fiscal year 2526.

Speaker: And i'll note for councilors and for the public that this amendment is listed online, I believe, and was posted around 445 this afternoon. So if you are looking for this language in writing, it should be on our agenda.

Speaker: And madam president, and to amend the title to strike request city auditor to perform a special audit and replace it with. Direct the city administrator to submit a report. And may I have a second on.

Speaker: This second?

Speaker: Before we move to discussion, I'd just like to check and see if we have any public testimony signed up for this.

Speaker: No one signed up. Okay.

Speaker: I see. I see councilor canal in the queue.

Speaker: Yeah.

Speaker: I just have a question. Given this is about the amendment to submit a written report to the finance committee, would this be something that would be circulated to just the finance committee, or would it be circulated to the full council where the finance committee could pick it up and talk about it, or be requested to pick it up and talk about it?

Speaker: Councilor Kanal this amendment also says the City Council requests the city administrator to provide these findings to later to no later than April 24th 21st, 2025 to inform council in support of our preparation. So the full council will also get the report.

Speaker: Thank you for clarifying.

Speaker: And councilor. Just as a point of clarification, more broadly, reports like this would always be posted on the agenda and within council, so there are always opportunities. I know council isn't always visible right now, but in posting on the agenda, everybody would be able to see that. And what we haven't talked yet broadly about process for how reports move through. Generally, reports move on to full council unless it's something that is that is not adopted. So if this was a report we're adopting it would come to full council. If it's just a report that we are hearing in a presentation, it might not, but it would still be posted there where anybody could see it. And we certainly can make sure it's pushed out to inboxes as well.

Speaker: That last part is the key part for me. I just want to make sure we all get the same info at the same time. Thank you.

Speaker: And councilor Kanal in. The most important thing is that we're pushing it over to the finance committee so that there can be a deeper dive. Then we have opportunity to do in the council meeting. So thank you so much for that question.

Speaker: Thanks.

Speaker: No one else in the queue for discussion. Keelan could you call the roll? And just as a reminder to councilors, this is on the adoption of the amendment, not on passage of the final resolution.

Speaker: Thank you.

Speaker: I Dunphy, I Smith.

Speaker: I.

Speaker: Canal I Ryan koyama lane I morillo I novick.

Speaker: I.

Speaker: Clark I green I zimmerman I pirtle-guiney I the amendment is approved with 12 I votes.

Speaker: Is there.

Speaker: I move.

Speaker: To.

Speaker: Remove the question.

Speaker: Yeah.

Speaker: Okay.

Speaker: Go right ahead. Councilor clark.

Speaker: Can I can I move the is it a resolution now?

Speaker: It is a resolution.

Speaker: So you just need to call for the vote. Yeah.

Speaker: Call for the vote okay.

Speaker: No no, no. After.

Speaker: Is there a second.

Speaker: Oh, we don't need a motion. We don't.

Speaker: Need a motion.

Speaker: Okay, great.

Speaker: There is no one in the queue. So let's vote on the resolution.

Speaker: Do you want to.

Speaker: I did want to say something.

Speaker: First.

Speaker: Counselor smith. Go right ahead.

Speaker: Okay. I just wanted to give some clarification on this, on this resolution that this issue came to light following questions from the last council meeting. It highlighted a gap in our shared understanding of council's role in overseeing the allocation and expenditure of taxpayer funds. And with this, with this resolution will do is asking for the opportunity for council to be informed and exercises oversight responsibilities before these unassigned funds are allocated and as they come in to the city of Portland, that within 15 days of receipt by the grants office that it is brought to council meeting.

Speaker: Thank you. And in that amount of time, a few people entered the queue. Councilor novick.

Speaker: Well, I had one question and now I have another. My more my silly question is I still see a. Whereas conducting a baseline audit sentence in here. And if we're not no longer asking the auditor for an audit, I wonder if that still belongs. But my second question is. We were already going to begin receiving regular reports detailing proposed expenditures within 15 days of receipt. Is that is that something that was already planned? No, sir. Something that we're not going to do now.

Speaker: We. No, no, no, we don't do that now. We are not informed of the unassigned funds that has not been brought to council. And that is the reason why we're doing this, this resolution.

Speaker: Okay. But the soon begin receiving regular reports detailing proposed expenditures and transfers within 15 days of receipt. That's not part of the resolution, is it? Are we instructing that to happen?

Speaker: It is a part of the resolution. This is just the amended piece that you're looking at.

Speaker: Councilor novick, I believe what you're looking at is the whereas that talks about receiving information about new transfers of funds coming in. Right. And what councilor smith is talking about in the therefore is that we don't have any information about funds that have already come in. Councilor council receives information when new funds hit the books within the city, but for funds that have already come to the city but are unassigned within the grants fund, we don't have information about where those lie right now. So I believe that's the discrepancy between the two pieces.

Speaker: Okay. So that means we are receiving reports now about new expenditures or because if.

Speaker: No, we're not.

Speaker: Not new expenditures, new money coming.

Speaker: New money.

Speaker: To the city, which is different from new expenditures of funds going out from the city.

Speaker: Okay. Proposed. All right. I'm still a little confused because the now therefore be it resolved only talks about a written report detailing all financial activities for the current fiscal year. To date. There's not a resolved, as far as I can tell, unless I'm looking at the wrong document, that we will now begin receiving these regular reports about proposed expenditures and transfers. So what I'm wondering is either I'm missing something or does the whereas refer to something that we're not actually that doesn't exist yet and we're not actually mandating here?

Speaker: I believe the whereas refers to something that already exists. I'm going to look to our attorneys to ensure that that's correct.

Speaker: That's correct.

Speaker: That is I mean, that that is what. It the whereas would not require anyone to do anything.

Speaker: Which I think is what councilor.

Speaker: Novick is saying. So i. Agree that that is correct. It will not.

Speaker: Impose an additional requirement.

Speaker: I don't know. Oh, there we go. Good.

Speaker: Actually.

Speaker: Would you like to introduce yourself?

Speaker: Pleasure.

Speaker: Thank you so much. It's great to be here.

Speaker: Robert Taylor.

Speaker: I'm the city attorney. Naomi is terrific. And she's right. So if it's. If it's just.

Speaker: In the whereas clause, those are recitals. We're trying to recite the facts.

Speaker: For it to.

Speaker: Be a.

Speaker: Direction from this.

Speaker: Council, it needs to be in. The therefore.

Speaker: Be it resolved.

Speaker: So if those.

Speaker: Reports you're receiving within 15 days, are that something that's happening now and we're just reciting that as a fact.

Speaker: It's appropriate.

Speaker: To be in the whereas clause if it's something that's not.

Speaker: Happening.

Speaker: But you want.

Speaker: It to.

Speaker: Happen going forward. We should. Amend this to add a therefore be it resolved. So as far as what the fact is about, if those reports are being given. I would defer to mr. Jordan.

Speaker: The amendment says the resolution to replace the resolved section with. Now therefore, be it resolved, that the City Council of Portland, Oregon, directs the city administrator to submit a written report to the finance committee detailing all financial activities related to unassigned grant funds for the current fiscal year to date, as well as the three preceding fiscal years. The City Council further requests that the city administrator provide these findings no later than April 21st, 2025, to inform council and support its preparation of fiscal year 2526 budget and to amend the title to strike. Request city auditor perform a special audit and replace it with. Direct the city administrator to submit a report. May I have a second?

Speaker: Second? Second one to amend it?

Speaker: To amend it, we.

Speaker: Did. We just.

Speaker: We just approved.

Speaker: We've adopted the amendment.

Speaker: Okay.

Speaker: So now we're here.

Speaker: So I believe that the question at hand is whether current city code or charter requires that we receive a report within 15 days once new funds come into the city. Is that your question, councilor novick?

Speaker: It was my question, but to be honest, I no longer care. So I withdraw the question.

Speaker: And I will not ask for a recess for us to find the answer to that which I thought was yes, that we do receive such reports, but it sounds like others are not so sure. Councilor zimmerman.

Speaker: I'd probably say this nicer if this meeting was at 10 a.m. And not 10 p.m, so I will take the opportunity again to say that we should be very deliberate about what happens at this hour, at these late night meetings, because I don't think that everyone is thinking clearly. We're repeating ourselves. But to my point, the reason I raised my hand is I'm fully supportive of councilor smith's amended resolution, and i'll be a vote for it. I'm alarmed by your comments, though, councilor kanal, and I don't. And then, frankly, this conversation. Because if I understand the role of the finance committee, it's that we might be, in a perfect world, the opportunity to take a look at financial policies that we think make sense for this, this body as a whole to adopt. And I take that role very seriously. And it's something that I've heard from my colleagues on the finance committee. And so when councilor smith suggested sending this item to us, I'm very warm to that idea, and I think it's the right role, but I don't know councilor kanal what you mean by we'll all get the same information. And then in the next sentence, you say the finance committee will do a deeper dive. And so I recognize that you are a flat organizational type of person. And I am a hierarchical type of person. And so I am seeking. What you mean by that because I don't I don't understand what that means. I know it will get posted, but I'm taking this as something being referred to the finance committee as something that the five of us will work with the city staff to receive that report, but also not just will be an active player, meaning we're going to craft it in terms of, okay, what does this tell us? What do we learn from it? How do we then take it and do something with it? Does it inform a policy for us to send to the rest of us? So I just say that because I think the committee's I really have a hope that committees have a role, and the

committee's role gets diminished every time we say everything has to exact same time, come back to the full body, then I don't know the role of committees. So the with respect to the 15 days, I think the whereas was something that I've heard staff articulate that they are interested in getting toward because it says in the future and so I'm fine with it. I think I see councilor smith's point here, which was this. Body remains the budgetary body for this city, and we have to always authorize, receive and authorize where things get spent. And the city of Portland has in the past, this is my editorializing, has used big buckets to meet the letter of the law, but perhaps not the transparent intent. Always. And so I see where this is coming from, and I appreciate it. Councilor smith. So that's all my comments, madam president.

Speaker: Councilor green.

Speaker: Yeah, I just want to say briefly that I know that you dropped the question, councilor novick, but I understand the resolution to be very specifically about correcting a gap in our our accounting and our treatment of a specific historical grant process. And so I think the therefore, be it resolved, is just responsive to that piece. I and, you know, I'm very grateful for councilor smith for bringing this forward and identifying it because we must do this for all of our work if we're going to right the ship. And I look forward to looking through this through the finance committee.

Speaker: Councilor avalos.

Speaker: I think, why did i.

Speaker: Originally raise my hand? And now I have other thoughts and questions. I mean, I think what I heard in councilor canals line of questioning is something that we started talking about at the budget meeting. Right? Which is there's this tension between the role of the finance committee and the fact that we are a larger budget committee. And so and I also agree with your perspective, that we need to be clear

about what's committee and what's council. So I'm just naming what I'm seeing as the tension that I think we still need to work through. I also think like this context for this bill or resolution brought by councilor smith is because of some recent events that were going on where we were feeling like there was news about dollars getting reallocated, and it wasn't following a process that we believe we should be part of. So I just wanted to add that extra context. I know it's written in the resolution, but just to daylight that that's why we're doing this extra step. But I am supportive of the intent, and I look forward to continuing to discuss how we ensure that all of us feel equipped to make the final budget decision that we're all going to have to make, regardless of if we're on the committee or not. Thanks.

Speaker: Councilor canal.

Speaker: Just clarifying. I don't think I disagreed with anything you said, councilor zimmermann. I wanted to make sure that we all get an email with it. Not that the finance committee doesn't discuss it. I agree completely with your what you actually laid out there. I think I think when the administration sends something that relates to the budget because as you pointed out, we are the budgetary authority that that should go to everyone and we should all have time to read the physical document or maybe not paper. I also like paper. Read the whatever form of document and have it have the same amount of time to process it. Even if one committee is taking it up. So I hope that clarifies. I don't think we were in any disagreement there.

Speaker: Councilor smith.

Speaker: Yes, madam president, and let me make for the record, this this like councilor avalos said, this was an issue that came up in the previous council meeting. And for the record, I just want to say I do support the mayor's use of the opioid funds for what he has suggested over at bybee lakes to work with 50 folks who will benefit from the counseling and the housing at at bybee lakes. I'm

struggling not to call it wapato, but and so when I asked the question, where's the money coming from? The answer came back that from the opioid funds. And I'm like, what opioid funds? I don't know anything about an opioid settlement. And so this is how this whole thing has, has transpired over the last couple of weeks. And what I have since learned was that restricted funds and unassigned funds that we get from the state or the federal government, they're all put in one account named grants. And I was looking for the desegregation of the unassigned funds so that I know where they come from and what's available and what's going to be in play for 2025 and 26. So that's why this has transpired. And thank you for coming up with that idea, mayor. I didn't mean for this to be such a big deal, but I needed us to, in this new form of government, to really identify where resources are coming from so that all of us know where they are in the previous form, the way it was done, it was okay, and that was the way that things were done. But now that we have changed, we need to have some transparency and we're all of our funds are coming from. That's all it was. It's not a big deal. It's just a housekeeping kind of thing.

Speaker: Yes.

Speaker: Keelan could you call the roll and councilors, we are voting on the resolution as amended.

Speaker: Avalos I agree that it is a housekeeping thing, and it also speaks to a value of how we relate to the executive branch, especially as it comes to our budgeting process. So that is why I'm supportive. I vote i.

Speaker: Dunphy. I smith. I canal.

Speaker: Thank you counselor smith i.

Speaker: Ryan I koyama lane I morillo.

Speaker: Thank you counselor smith for identifying this. I agree that this is an issue between the executive and legislative branches, and I'm glad it's being resolved.

Speaker: I novick.

Speaker: Councilor smith, thank you for amending this item because otherwise I was afraid we were heading for all out war with the auditor, and I'm afraid that we would have lost that war because the clerk is in the auditor's office so she can bring us to a grinding halt. And I still have a couple of questions about the whereas clauses, but whereas or whereas is just a whereas I vote i.

Speaker: Clark i.

Speaker: Clark i.

Speaker: Green, I zimmerman. I.

Speaker: Pirtle-guiney I appreciate my colleague who described this as a gaap measure. There are many things where there's a tale that we don't have visibility into as a predominantly new body, and this helps us get a little more visibility there. Thank you for bringing it forward, counselor, and for finding an amendment that works well for everybody. I vote aye.

Speaker: The resolution is adopted as amended, with 12 votes.

Speaker: Colleagues, I was remiss at the top of the meeting not to note some referrals that have happened this week. There's a piece of our code that states that. Committees must have, that committees must make or cannot make recommendations upon matters unless they have been referred to them by counsel. We have a behind the scenes process to make that referral, which will hopefully be public for everybody to have visibility into, which will be fantastic for transparency in our processes as soon as the tech catches up. But until that happens, I wanted to note it here for all of you. There were three items this week,

all of which were referred based upon the requests of councilors. The item direct city attorney's office to seek required approvals related to the settlement agreement with the united states department of justice to comply with the mandatory collective bargaining obligations and amendments to city code related to the community police oversight board. Thank you. Councilor canal was referred to community and public safety declares actions concerning zenith energy terminal holdings, llc, including placing communications into the public record. I am not reading this whole thing. You all know what resolution this is. Thank you. Councilors morillo and green has been referred to the committee on transportation and infrastructure and the resolution adopt the budget calendar for fiscal year 2025 2026. Actual. Thank you, counselor zimmerman, for a short resolution. Title is heading to the finance committee. With that, we will recess until tomorrow when we have a land use meeting.

Portland City Council Meeting Closed Caption File

February 20, 2025 – 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: Good afternoon. We are reconvening our council meeting from February 19th. It is February 20th at 2 p.m. Councilors, this is a land use meeting. Keelan, could you please call the roll?

Speaker: Avalos.

Speaker: Present.

Speaker: Dunphy here.

Speaker: Smith here.

Speaker: No. Here. Ryan. Koyama lane here. Morillo here. Novick here. Clark here. Breen here. Zimmerman.

Speaker: Pirtle-guiney here. Thank you. And could you could we have our attorney read our rules and rules of decorum, please?

Speaker: Yes. I'm going to read the rules of decorum and then I will I'm going to read the rules of decorum. And then i'll also run through the specifics for the land use.

Speaker: Thank you.

Speaker: Okay, so 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. Do you want to call the item?

Speaker: Oh no I'm sorry.

Speaker: Okay. Sorry wwe Portland council agenda information on engaging with the council can be found on the council clerk's webpage. Individuals may testify for three minutes unless the presiding officer states otherwise, your microphone will be muted when your time is over. The presiding officer preserves order 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. If you cause a disruption, a warning will be given. Further disruption will result in the ejection from the meeting. Anyone who fails to leave once ejected is subject to arrest for trespass. Additionally, council may take a short recess and reconvene virtually. Your testimony should address the matter being considered. When testifying, state your name for the record. Your address is not necessary. If you are a lobbyist, identify your organization you represent and virtual testifiers should unmute themselves when the council clerk calls your name. Okay. Council clerk, do you want to read the item? And then I can go into the rest of the.

Speaker: Thank you Keelan.

Speaker: Yeah. Thank you. Item eight amend the comprehensive plan map and zoning map for properties at 3508 northeast 11th avenue and 1123 northeast fremont street, at the request of derek metzen greenbox. Architecture lu 20 4073674 cp zc.

Speaker: Okay.

Speaker: Thank you.

Speaker: Me again. This is an evidentiary hearing. This means that you may submit new evidence to counsel in support of your arguments for council consideration on a comprehensive plan zone map change testimony will be heard as follows. We will begin with a staff report by staff for approximately ten minutes and following the staff report, the City Council will hear from interested persons in the following

order. The applicant will go first and will have ten minutes to address the council. After the applicant, the council will hear from individuals or organizations that support the applicant's proposal. Each person will have three minutes to testify. Next, the council will hear from persons or organizations who oppose the applicant's proposal. Again, each person will have three minutes to testify. If there was any testimony in opposition to the applicant's proposal, the applicant will have an additional five minutes to rebut the testimony given in opposition to the proposal. The council may then close the hearing and deliberate. As this is a non emergency ordinance, it will pass. The second reading council may make amendments to the ordinance and findings and direct staff to return with revised findings and amendments. The scope of testimony for evidentiary hearings. I'd like to announce several guidelines for those who will be addressing the City Council today. Any letters or documents you wish to become a part of the record should be given to the council clerk after you testify. Similarly, the original or a copy of any slides, photographs, drawings, maps, videos or other items you showed to the council during your testimony, including powerpoint presentations should be given to the council clerk to make sure they become part of the record. Testimony must be addressed to the approval criteria. Any testimony or arguments or evidence you present must be directed toward the applicable approval criteria for this land use review or other criteria in the city's comprehensive plan or zoning code you believe will apply to the decision, and staff will identify the applicable approval criteria as a part of their staff report to the council. Issues must be raised with specificity. You must raise an issue clearly enough to give the council and the parties an opportunity to respond to the issue. If you do not, you will be precluded from appealing to the land use board of appeals. Based on that issue, applicants must identify constitutional challenges to conditions of approval if the applicant fails to

raise constitutional or other issues relating to proposed conditions of approval, with enough specificity to allow the council to respond, the applicant will be precluded from bringing an action for damages in circuit court. Thank you. I'll now turn back to the council president to address conflicts of interest and ex parte contacts.

Speaker: Thank you. And councilors, before we ask about conflict of interest, I do just want to give a little bit of information on what we're doing today. This is a hearing about an amendment to the comprehensive plan map. And what that means is that this is an item that has been reviewed by our planners and then reviewed by the folks above them within the bureau. Before it comes to us. We receive these items, whether or not the recommendation from staff is to approve or to not approve. It's not an appeal to us. It is just the next step in the process and then comes with a staff recommendation. So it's a little bit different from what we did the last time we did a land use hearing. But as with other land use hearings, the first thing we need to do is see if any councilors have any conflicts of interest. Okay. Seeing no conflicts of interest, do any members of council have any council members of council had ex parte contact to declare or information that you have gathered outside of this hearing to disclose? Fantastic. There are no conflicts and no ex parte contacts have been had. I will call for testimony now. We will begin with the staff report and it looks like we have our staff up here. Could you please introduce yourselves and go ahead and go over the information for us?

Speaker: Yes. Good afternoon council. Thank you all for having us today. My name is david kuhnhausen. I'm the interim director of Portland permitting and development. I am here purely to support staff. Amanda rhodes, the planner assigned to this case as a subject matter expert and is going to be leading the

presentation today. I will then kick it off to her to walk through this case with you all.

Speaker: Great. Good afternoon, madam president and members of the council. My name is amanda rhodes and I'm the staff planner for this case from Portland permitting and development. And again, this hearing is for a comprehensive plan map amendment with a concurrent zoning map amendment for a property at northeast fremont street and northeast 11th. The proposal, if approved, would be changing two maps, the comprehensive plan map and the zoning map. The comprehensive plan map represents what we expect to happen in the 20 year time horizon, and the zoning map reflects what can be developed today. There's a relationship between the two maps. Sometimes some comprehensive plan map designations have more than one corresponding zone, and sometimes the zoning on a site is not in compliance with its comp plan designation. In this case, the zoning map is compliant with the current comprehensive plan map designation. The current zoning is r5 or residential 5000, with the residential 5000. Comprehensive plan map designation and if approved, the proposal would apply the cm one or commercial mixed use one based zone and the mixed use dispersed comprehensive plan map designation on this corner property. And a few things to point out about this land use review type, which is different from other type three reviews. Again, this hearing is not for an appeal of a land use decision. Land use reviews that include a comprehensive plan map amendment. First, have a hearing with the hearings officer who makes a recommendation to council, and then the final local decision is made by City Council. I'm here today representing the hearings officer's recommendation. This case type is not subject to the same statutory time limits as other land use cases. We don't need to issue our final local decision within 120 days. And finally, this review is only about the map changes. No

development is proposed at this time. If these changes are approved, any future development would be subject to the development standards of the new base zone. Now I'll share a few images of the site and its vicinity. It's. The site is 5850ft². It's a residential site shown on the left for with a red dot. It's within a single dwelling residential area of northeast Portland. It's located on northeast fremont street, several blocks east of northeast martin luther king jr boulevard. Irving park is to the southwest of the site. Directly south across fremont is the irvington historic district, which is also primarily zoned single dwelling residential, and a small commercial area is located to the east of the site on fremont at 15th avenue. The existing building, shown in the photo on the right, was originally a commercial structure. It was expanded and converted in 1986 to a residential unit, and the western portion of the site is currently vacant. There had been a house there which was demolished in 1991. Some more photos. I'll be going clockwise starting in the upper left, and you'll see the arrow pointing to the site. Here we see the neighboring house to the east in the foreground on the upper right. Again, that arrow is pointing at the site, and then you'll see the existing house to the north. The picture on the lower right shows the houses across fremont. Those houses are within the irvington historic district. A few more, again, starting in the upper left, there's a view of a few houses along northeast 11th avenue. You're looking in the second one at irving park to the southwest from kind of the corner of the site, and then you see some storefronts from the cm one area several blocks to the east. If this request is approved, the map changes will result in an increase in development potential. The numbers here don't reflect opportunities for bonuses for the two base zones, but in short, the cm one zone will allow a small increase in height from 30 to 35ft and larger increases in floor area and building coverage. And the cm one zone will allow more of a wider range of uses, including commercial uses, to take place on the site. Now, I'll

summarize the two relevant sets of approval criteria for the review. The approval criteria for the comprehensive plan map amendment. Focus on looking at the proposal against the relevant goals and policies of the comp plan, and determining whether, on balance, the proposed designation is equally or more supportive of the comprehensive plan than the existing designation. So when we're doing this, we don't weigh every single goal or policy. We don't weigh them all equally. In this case, for example, we ignored policies on industrial development or employment districts. We were paying closer attention to housing policies, public facilities, urban form design and development, things like that. The comp plan also refers us to a number of other plans that have to be shown to be consistent with the proposal as well. So we're looking at the statewide land use planning goals. The metro urban growth management functional plan and the adopted area plans, in this case the albina community plan and the sabin neighborhood plan. Through these plans, we're looking at a similar set of issues, but we're getting more and more focused on the geographic area. To address these criteria, the applicant provided a detailed narrative responding to each of the relevant goals and policies of these plans, and these were reviewed by city staff and the hearings officer. The zoning map amendment criteria ensure that the proposed zoning designation is the most appropriate of those corresponding zones, and that public services are adequate to serve the proposal for criterion a, the applicant submitted a detailed narrative and additional exhibits addressing why cm one is the most appropriate of the two zones, and to respond to criterion b, the applicant provided a transportation impact study, a stormwater report, and a geotechnical report. These documents, similarly were reviewed by city staff and the hearings officer. The sabin community association land use and transportation committee did submit a letter of support stating that the changes will enable, quote, low impact, small scale development

that provides services for nearby residences and is compatible with the surrounding area. One neighbor did attend the hearings officer hearing and asked questions about height limits, but no other public comment was received. The hearings officer's findings conclude that all applicable criteria have been met based on several key points. The proposal was found, on balance, to equally meet the relevant comprehensive plan goals and policies. The proposal maintains or increases development potential of a site which is within the urban growth boundary. It's within the inner ring area of central Portland, and it's located close to several bus lines. The proposal enables development of small scale commercial uses, which is seen as positive at this location. The proposed zone cm one was found to be the most appropriate due to its location on fremont. Its close proximity to another cm one zoned area, and its proximity to civic resources like irving park and nearby churches, and the proposal would adequately be served by current city infrastructure. With those findings, the hearings officer recommended approval of both map amendments with no conditions. Council has four alternatives in this case. Today, you can tentatively approve the application and direct the applicant and staff to return to amend the ordinance to include the final decision and findings. You can tentatively approve the application with conditions of approval and direct the applicant and staff to return. To amend the ordinance, you can delay the decision to a future date and request alternatives be explored. Excuse me, or you can tentatively deny the application and then direct staff to return to amend the ordinance. And that concludes my staff presentation. I'm happy to handle any questions if you have any.

Speaker: Are there any technical questions council, before we hear from the applicant.

Speaker: I'm curious.

Speaker: About something. Yeah.

Speaker: Counselor.

Speaker: Ryan. Yes. Thanks. Madam president, just real quick. I'm curious because that neighbor asked about the height limits and I didn't hear what they were.

Speaker: Oh, right. Now it's 30ft for the r5 zone, and cm one gets you up to 35. And there are bonus opportunities if they provide affordable housing for floor area. But even with those there is no height increase in the cm one. So 35 would be where it tops out.

Speaker: Great. Thank you.

Speaker: Councilor dunphy.

Speaker: Thank you, madam president.

Speaker: I'm a little surprised that the first or third slide, or whatever it was says that there's not a planned development for this. This is simply changing the underlying zoning without it. And I'm also looking at the map and recognizing that it's almost a block and a half from the other cm one zone. First, do we often do a lot of spot zoning, like this post comp plan 2035? And second, does something like this anticipate that? I mean, does this set a precedent that we can expect the rest of the fremont facing blocks between 11th and 12th to eventually also come before us and ask for this up zoning?

Speaker: That's a really good question. You know, I whether or not this is spot zoning is was really central to this review. And the hearings officer recommendation really felt like it was not. That term isn't really in the code, but that the criteria and the kinds of factors we were weighing were central to kind of that question of whether this is appropriate for that location. It is, you know, we don't get very many comprehensive plan map amendments. We get maybe one a year. And so it is possible that other properties along this corridor could come in, but it's not

something that we've really seen before in any I mean, these this is a fairly involved review and not something that people undertake lightly. We don't want to necessarily approve a specific development proposal, because if that were to change due to any factors going forward, they'd have to come back through the process and get approval for the new proposal. And, you know, 50 years down the line, we really don't want to be referring back to very dated land use approvals when we're just talking about what the zoning regulations are that will apply to the site.

Speaker: And just so I'm looking between the f.a.r increase and the height increase and the massing abilities, we're functionally quadrupling the amount of developable land on these two lots. Is that more or less correct?

Speaker: So I wouldn't I mentioned that there are bonus potentials for the current based zoning. The current site can have up to four units. It can even if they're going to do deeply affordable units, they can have up to six units on the property. And with that they will get the extra five feet of height and they will be allowed more floor area. So they, you know, it's it is an increase. It's not I wouldn't say it's quadrupling.

Speaker: Well, didn't it say that it was not only increasing f.a.r but also going from 40% developable on the lot to 80% developable.

Speaker: Right. Residential building coverage is determined through a calculation. So it will look different for smaller sites versus larger. But yeah, for this calculation, the current building coverage allowance is I calculated 41%. And that would be going up to 85.

Speaker: Thank you.

Speaker: Councilor smith.

Speaker: Thank you, madam president. Have we seen in the past before where people will get the zoning changed? It's easier to get the zoning change without having a project on it, and then come back six months to a year later to now ask for permitting for a new project. Have you seen that pattern in, in terms of how others have done different zoning requests?

Speaker: Right. Since we're not approving a specific development with this particular case type, they will be limited to what we're granting them in terms of the maximum kind of box they can build to. And so that would be, you know, something that these applicants do have a proposal kind of in their back pocket. It's I don't know what, you know, development stage that is.

Speaker: But right. Because I can just imagine someone is just trying to get zoning just because just just for their health, I mean.

Speaker: Right, right.

Speaker: Yeah.

Speaker: Exactly. Yeah. What I understand is that they would like neighborhood scale commercial use on the site, which is not allowed on the under the rfp. So they're what they were, what they have looked at, which is not what we're reviewing in this case. But what they've looked at is like ground floor retail use with a couple of residential units above two story.

Speaker: Because when I looked at this and they said there's no plans, I was like, this is crazy. Nobody's going to do that.

Speaker: It's the only development type where we're a land use review where we're not.

Speaker: So the other thing is they said that they had community input. Did they go to a neighborhood association? When was there community conversation that they had?

Speaker: So we through land use reviews we have a notice requirement. So we're noticing to all properties within 400ft of the site. And we have our public hearing that we're sending out that notice regarding. So anyone can come to that public hearing or submit testimony directly to the hearings office. And that would be recorded and incorporated into the analysis.

Speaker: So if we're talking about 400ft, that's probably only. Maybe 6 or 8 residents.

Speaker: In each direction.

Speaker: Direction. Yes. Okay. Well, thank you for explaining this and bringing this forward today. Thank you, thank you.

Speaker: No one else in the queue. Thank you for bringing this forward and for the work that our planners have done. And we'd like to invite up the applicant at this time.

Speaker: Thank you.

Speaker: Thank you.

Speaker: Thanks.

Speaker: Should I sit. Over here?

Speaker: Sure.

Speaker: Okay.

Speaker: Hi. Good afternoon. I'm christie white. I'm a land use attorney for the applicant, and I don't have to state my address. It looks like I want to start by thanking staff and the hearings officer for their work on this project, and for the recommendation of approval to the City Council. And as council president said, this isn't an appeal. It's a review by the City Council of the lower hearings, officers decision to recommend approval. And thanks to the saban neighborhood association for their support of this amendment. And there was reach out to the

neighborhood association. And as a result of that, reach out, we received this nice letter of support. So there was no opposition to this. This is a housing project with a small commercial node that is the impetus for this zone change and comp plan amendment. The idea is to provide a historic and small commercial node gathering area across from Irving Park, which was historically how this neighborhood gathered. And so bringing that capability back to this vacant corner lot on the ground floor, with modest residential development above and beside it, is the idea behind this amendment. And to respond to a couple of questions from Councilor Smith and Councilor Dunphy, you don't move forward with a proposal unless you know you have the comprehensive plan map amended and the zone amended, because, of course, that would be incredibly risky without knowing whether the city was behind this. So the comprehensive plan map designation of mixed use disperse only has two implementing zones there CR and CM1. So those are the two zones that were compared throughout the process. And to answer another question about density, the forgotten fact here is the site is really small. So and the height limit is very modest. So you can't get the kind of far within that height limit based on a really small site being the relationship between the square footage you're allowed to develop and the square footage of the site area. So because we have such a tiny site, doubling that square footage keeps you under basically a two-story building, which is entirely consistent with the surrounding parcels. And like another comparison for you is the existing. There's two legal lots of record. The one that staff showed you, which was a converted commercial storefront, and it has a little residential above that building is already above the FA that would be allowed in the CR zone, for example. So that's how small scale we're talking. And when you look at the math and run out the FA numbers, what you find is this building at two stories will likely come in below 30ft. And 30ft is the height limitation in the existing AR five

zone. So it's once you input the site size into all of those equations, you end up with a pretty small and modest proposal. As we also discussed the area fremont carries other cm one zoning episodically, and it's not really spot zoning. It's there's an active corner. And there's a reason for having cm one at this corner. Our corner is vacant. Nearby is two large neighborhood churches. Right across the street as you saw was irving park. So it's a nice little corner node to bring in some low density commercial operation of some sort with adjacent residential. The site isn't isolated, as we said, and because it's integrated into the fabric of the community, I think the hearings officer found that this would be consistent with the character of the area. The change allows this vacant corner. As you can see, it's been undevelopable. It's a vacant corner across from irving park and transform it with these needed housing units and the commercial node. So I don't feel like I need to say anything more, because staff did a very comprehensive job of explaining the fabric and the area and the consistency with the surrounding zoning. So I would thank you for listening to us request that you also approve the hearing officer's recommendation. And of course, here to answer any questions.

Speaker: Councilors, any questions for miss white? Okay. Thank you so much for being here today. We will move on to testimony from supporters of the applicant. Keelan. Could you call any testifiers up?

Speaker: Yeah, we have one person signed up in support, johnny cortez galindo. So.

Speaker: Sorry.

Speaker: Johnny cortez galindo. Okay. Does it look like they're here? And that completes testimony?

Speaker: Are there any opponents who have signed up to testify?

Speaker: No one signed up.

Speaker: We will move past the rebuttal to the applicant then, or for the applicant then and move into council discussion. Councilors, does anybody have questions, comments? Discussion? Councilor green?

Speaker: Thank you, madam president. I guess my only concern or question would be, would this one off zoning change preclude any future up zoning in that district? And I guess maybe that's a question for any expert in the room, but or anyone on council.

Speaker: Lauren do you want to take that.

Speaker: So let me make sure I understand. Would this this zone change prevent future zone changes from coming in? No. Absolutely not. So the way it works is there's a legislative process for zone and comp plan map changes, which is what staff was referring to. Kind of happens on the 20 year plan. And then there's a process in the zoning code for individual property owners to come over in a quasi judicial and change their zoning. So this would not prevent future property owners from coming in, nor would it require future property owners to come in. It's specific to this site.

Speaker: Thank you. That does answer my question. I would then say, I think this is a great use of the flexibilities we have in our in our zoning code, and I think we should be accommodative to, to allow someone to fill a little gap that I think the neighborhood needs.

Speaker: Councilor clerk.

Speaker: Thank you, madam president. That's exactly what I was going to say. Just it's good to see infill. That's exactly what we want. We have vacant lots everywhere that we need to see more housing and small scale commercial development. So thank you.

Speaker: I have a quick question and I'm not sure if it's for staff. Perhaps there is a comment that there had at one point been a question about height, but no follow up through the process of review. Did staff here at all from any of the neighbors who had been notified about their thoughts on this? Since we don't have anybody testifying today.

Speaker: Right. So the individual who came to the hearings, officer hearing was the next door neighbor to the east and was basically asking, does this mean that they could build higher next to my property? And, you know, short answer, potentially, because they're going from 30ft to 35ft, that would be the extent of it.

Speaker: And we heard from the applicant that with the f.a.r as well, that is technically allowed by the height zoning, it wouldn't be functionally allowed because of the size of the property. Is that accurate?

Speaker: Right? I mean, I think the applicant intends to keep the existing kind of historic building in place and develop the vacant portion. Of course, this process wouldn't require that they do that. So, you know, I'm not a developer, so I don't know, you know, could they do three stories and still meet all of the other, you know, things? Would that look wild? Would it function the way we would want them to? I don't know the answer to that. So three stories is the max that you could get. And that would be the same right now. If they were to develop up to six units, they get an extra five feet of height as well. So potentially even with the current zoning, they would.

Speaker: So in terms of impact on neighbors, it allows for commercial as opposed to just residential. It allows for more of the lot to be used. But in terms of height, building type, things like that, there's not a functional change for neighbors in what's allowed.

Speaker: It depends on if you mean, you know, think five feet is functional. I will say that commercial zones require additional setbacks from adjacent properties to try to buffer against those, and require buffer landscape buffers. So instead of five feet, which is what's currently allowed the minimum setback from adjacent residential lots goes up to ten feet with landscaping.

Speaker: More setback would be required after the change.

Speaker: Correct?

Speaker: Perfect. Thank you so much councilor kanal.

Speaker: Just wanted to clarify for you. Sorry. I'm going to keep you up here. So you mentioned just a second ago that it wouldn't require and this is I want to be clear, I'm not suggesting it for this particular project. I'm just trying to understand. You mentioned that it wouldn't require any particular type of development on it. Is that the sort of thing and maybe this is more of a question for the attorneys. That could be you mentioned the four types of council actions to take on this. And the second one involved conditions. Is that the sort of thing that that would fit into a potential condition on? Again, not necessarily this project just in general.

Speaker: Yeah. So council does have the ability when doing a comp plan, zone map change to condition and specify. I think, as amanda alluded to earlier though, that that tends to create problems down the road. So for example, there in recent years there was a comp plan zone map change for a site in southwest. And the condition that council imposed at the time was to require it to be a grocery store. And that limited the. And there were some other limitations around that site and that limited council's ability or the applicant, the property owners ability to do anything with the site. Because it was such a specific limitation, it didn't really necessarily stand up the test of time. So, I mean, that's a choice, a policy decision council could make with a comprehensive plan zone map change. But there are

reasons to kind of keep it consistent with more the zoning. There are other types of conditions council opposes imposes as well related to improvements for things. And we can talk about those as they come up with specific applications. But it's within the scope of your authority. Yes.

Speaker: Okay. And then sort of to clarify the previous question, do we does this change require any of the use to be residential or does that remain entirely within the permitting process and the property owner's authority.

Speaker: Correct. We would we would just be going by what the cm one zone allows. Certainly residential isn't allowed use for all commercial zones.

Speaker: Allowed but not required under. Yeah okay. Thank you.

Speaker: Councilor do you have follow up there where we should have time for you to put forward a condition. Okay. Is there any other discussion? Okay. Given that we haven't had any testimony today and we haven't received any requests to leave the record open, I am going to close the evidentiary record. And counselors, you'll remember that land use items are a two meeting hearing. So at this point we are looking for a motion we can move to tentatively approve the application. We can move to tentatively approve it with conditions, or we could move to tentatively deny the application. There's a longer motion when we decide which we want to use, but I can help us read into the record, and then we'll vote on that and then come back at a time certain for a final vote.

Speaker: Point of order. Can I use that? But are you saying if we. Because there's two meetings, right. If we do something like a tentative approval or a tentative denial, what does that mean for the second meeting.

Speaker: That gives time for staff to prepare the official documents. And then at the second meeting, we vote on those official documents, which, unless we are

asking for approval with conditions, we'll look just like what we have today, but in formal form, and then we will vote on those.

Speaker: Yeah. And sorry, just to further, because this particular item is an ordinance. So typically for land use it would be a council order. And the council president's correct. It would come back for a second reading and it would be a final because it's an ordinance, because it's a map change which has to be done by ordinance. The code actually requires, unless there's an emergency, that amendment would happen and then there would be one more reading. So there's actually two more readings. Both of those would be short five minute roll call items. But the purpose of that is today, council would take a tentative vote, give direction to staff and the applicant to come back with findings reflecting how this application meets the applicable approval criteria. We return for this next reading, which we've been coordinating dates over here. That would be a quick item. And then one more reading for a final vote. Unless council decides to add an emergency clause and then it can be done at the second meeting.

Speaker: So if we give a tentative approval or denial, then that needs to come. Like it requires a motion to say tentative approval, right? But does that require that the motion or also say why or say I need these things, or is there there's some certain set of things we're already going to get, but is this a place for us to request other materials in between the hearings?

Speaker: Request other materials to review for the purposes of making your decision, or for what you would hope to see in the findings?

Speaker: I guess both. I'm just asking larger process.

Speaker: So typically the tentative vote gives direction for staff to make sure that the findings reflect council's decision and the things that we heard today. I recognize that there was not a lot heard today, but because the hearings officer's

recommendation, we just want to make sure it fully reflects and complies with all of the applicable approval criteria. So that's what staff and the applicant and our office will return with. If there are things that were salient that council wants to make sure are included in the findings, we would want to definitely hear that, that feedback, but it is not necessary for council to supplement it. And then if you if what you're asking for is more information, because your vote could potentially change between the tentative and the subsequent, my recommendation would be to not make a vote today, if that's if that was your inclination. Only because once you make a tentative vote, it's sort of sending staff and the applicant off to do a whole lot of work. And should they come back? And then council says, actually, I want to change my vote. We need to then go do a whole lot of work again and come back so that I hope that answers your question. Yeah.

Speaker: Councilor green.

Speaker: I move that we provide a tentative approval for the staff recommendation.

Speaker: Second.

Speaker: And just to clarify, the hearings officer's recommendation.

Speaker: That is right.

Speaker: Okay.

Speaker: Does that suffice for what you need for a motion?

Speaker: Yes. So i'll restate it for the purposes of the record. So the evidentiary record is closed for and no more oral and written testimony and council motion is to approve the hearing, uphold the hearing officer's recommendation, and tentatively approve and request that staff return. And I think the date that we settled on was March 19th at 6 p.m, with revised findings for council to amend the ordinance to reflect those revised findings.

Speaker: Thank you.

Speaker: I believe we have a second to that.

Speaker: Yeah, I still second that. Yeah.

Speaker: Councilor green, are you in the queue for discussion? Councilor canal.

Speaker: So my question is about the date you just mentioned. Is it possible to not have this be a evening meeting?

Speaker: I was discussing this with the council clerk. The alternative would be to have it on a Thursday. It's because it's a roll call item. It would be reconvening you on that Thursday meeting to just make a five minute vote, as opposed to having it during the evening meeting and have it be. So it's either lengthening the evening meeting or having a meeting for the sole purpose of just calling a vote and then leaving again.

Speaker: I think you may want to speak on this council minutes.

Speaker: Well, I a quick question. We have closed the evidentiary record, but this is an ordinance which we usually accept public testimony on. Will we be accepting public testimony at that meeting or not?

Speaker: No. The record would be closed. There'd be no testimony.

Speaker: Yeah, okay.

Speaker: And the amendment would not significantly lengthen that five minutes. What's that? My understanding is we would need to amend in the things that we've been discussing, that would not significantly increase the length of the.

Speaker: No. It would just be so the, the, the vote on the 19th would be I moved to amend the ordinance to include staff's findings, and it would all be written up, and then it would just should just be a quick call your names, roll call, vote.

Speaker: On the amendment. And then at the.

Speaker: And then one more final vote and again could be whatever. Yeah. Just speeches should you choose to make them. Otherwise a quick roll call vote.

Speaker: Thank you.

Speaker: Councilors. Any other discussion Keelan could you please call the roll?

Speaker: Avalos i.

Speaker: Dunphy i.

Speaker: Smith i.

Speaker: Canal i. Ryan hi.

Speaker: Koyama lane I morillo. I novick. I clark. I green.

Speaker: I.

Speaker: Pirtle-guiney I the finding or it's tentatively approved with a vote of 11 ayes.

Speaker: Thank you.

Speaker: So we'll return March 19th at 6 p.m. And i'll coordinate with staff and the applicant to get the findings prepared.

Speaker: We may want to say 6:05 p.m. I believe our meeting formally starts at 6 p.m.

Speaker: Right. Is the time certain? Yeah. Yeah. Okay.

Speaker: 605605 okay.

Speaker: Thank you. Lauren, do you have anything else you need from us on this agenda item?

Speaker: I do not, okay.

Speaker: We will reconsider this on our March 19th agenda.

Speaker: Council president, I'm so sorry. That was completely my mistake. We would actually want to set the time certain for 615, because we'll hear public communications first for the first 15 minutes. So I'm sorry, 615.

Speaker: We will hear this agenda item again on March 19th at 6.15 p.m. And with that, we will close the council meeting. Thank you all so much for being here.