



CITY OF  
**PORTLAND, OREGON**

OFFICIAL  
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 31<sup>ST</sup> DAY OF OCTOBER, 2012 AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Saltzman Presiding; Commissioners Fish, Fritz and Leonard, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Roland Iparraguirre Deputy City Attorney; and Steve Peterson, Sergeant at Arms.

Item No. 1212 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

| <b>COMMUNICATIONS</b>   | <b>Disposition:</b>   |
|---|-----------------------|
| <b>1205</b> Request of Stan Herman to address Council regarding a park he wants to build (Communication)  | <b>PLACED ON FILE</b> |
| <b>1206</b> Request of Barbara O'Hare, Better World Club, Inc., to address Council regarding the nation's only eco-friendly auto club (Communication)   | <b>PLACED ON FILE</b> |
| <b>1207</b> Request of Francesco Lopez, Causa Oregon, to address Council regarding Paid Sick Days for Latino Families in the City (Communication)   | <b>PLACED ON FILE</b> |
| <b>1208</b> Request of Yolanda Cabrera Miranda to address Council regarding Paid Sick Days (Communication)  | <b>PLACED ON FILE</b> |
| <b>TIMES CERTAIN</b>  |                       |
| <b>*1209 TIME CERTAIN: 9:30 AM</b> – Authorize a grant agreement not to exceed \$100,000 to the Oregon Food Bank to provide food for families in need (Ordinance introduced by Commissioner Leonard) 30 minutes requested (Y-4)   | <b>185703</b>         |
| <b>1210 TIME CERTAIN: 10:00 AM</b> – Approve the Third Amendment to the Amended and Restated River District Urban Renewal Plan to clarify that public buildings are included within the Plan’s Projects Including Public Buildings and establish authority to allow urban renewal funds to be expended on certain publicly-owned buildings and spaces (Resolution introduced by Mayor Adams) 20 minutes requested for items 1210 and 1211 (Y-4) | <b>36973</b>          |

October 31, 2012

|  |  |
|--|--|
| <p><b>1211</b> Authorize a Disposition Agreement with Multnomah County for the eastern lots of Block U (Ordinance introduced by Commissioner Fish)</p>   | <p><b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 7, 2012<br/>AT 9:30 AM</b></p> |
| <p><b>CONSENT AGENDA – NO DISCUSSION</b></p>   |  |
| <p><b>1212</b> Reappoint Kyle Busse, Allan Lazo, Damon Isiah-Turner, Ashley Horne and Deyalo Bennette to the Human Rights Commission for terms to expire October 31, 2015 (Report introduced by Mayor Adams and Commissioner Fritz)</p>  | <p><b>REFERRED TO<br/>COMMISSIONER OF<br/>PUBLIC UTILITIES</b></p>             |
| <p><b>Mayor Sam Adams</b></p>  |  |
| <p><b>Bureau of Planning &amp; Sustainability</b></p>  |  |
| <p><b>*1213</b> Authorize the Bureau of Planning and Sustainability to apply for grant funding of \$50,000 from the Bullitt Foundation and the Funders' Network for Smart Growth to integrate social equity metrics and outcomes into the Climate Action Plan (Ordinance)<br/><br/>(Y-4)</p>   | <p><b>185698</b></p>   |
| <p><b>Bureau of Transportation</b></p>   |  |
| <p><b>*1214</b> Accept a grant in the amount of \$200,000 from the Oregon Department of Transportation for Evaluating the Effects of Peer to Peer Carsharing project (Ordinance)<br/><br/>(Y-4)</p>  | <p><b>185699</b></p>   |
| <p><b>1215</b> Accept a grant in the amount of \$90,000 from Oregon Department of Transportation to develop and implement specific efforts to improve transportation safety on ten high crash corridors and to work with the Metro Traffic Safety Workgroup to support transportation safety efforts in the Portland metropolitan area (Second Reading Agenda 1184)<br/><br/>(Y-4)</p> | <p><b>185700</b></p>   |
| <p><b>Office of Management and Finance</b></p>   |  |
| <p><b>1216</b> Accept bid of Landis &amp; Landis Construction, LLC for the NE Klickitat Neighborhood Greenway project for \$1,097,706 (Procurement Report – Bid No. 114757)<br/><br/>(Y-4)</p>   | <p><b>ACCEPTED<br/>PREPARE<br/>CONTRACT</b></p>                                |
| <p><b>Commissioner Randy Leonard<br/>Position No. 4</b></p>  |  |
| <p><b>Water Bureau</b></p>   |  |
| <p><b>1217</b> Authorize a contract and provide payment for the construction of the Fulton Pump Station Replacement project (Second Reading Agenda 1188)<br/><br/>(Y-4)</p>  | <p><b>185701</b></p>   |

|   |  |
|---|--|
| <p style="text-align: center;"><b>Commissioner Dan Saltzman</b><br/><b>Position No. 3</b></p> <p style="text-align: center;"><b>Bureau of Environmental Services</b></p> <p><b>1218</b> Authorize a contract with BergerABAM, Inc. for professional engineering services for the Tryon Creek Sewer Upgrade Project No. E10251 and provide for payment (Ordinance)</p> | <p style="text-align: center;"><b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 7, 2012<br/>AT 9:30 AM</b></p> |
| <p><b>1219</b> Authorize three-year grant agreement with SOLV to involve community volunteers in watershed restoration, maintenance and monitoring activities (Ordinance)</p>   | <p style="text-align: center;"><b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 7, 2012<br/>AT 9:30 AM</b></p> |
| <p style="text-align: center;"><b>City Auditor LaVonne Griffin-Valade</b></p> <p><b>1220</b> Approve Council Minutes for January-June 2012 (Report)<br/>(Y-4)</p>   | <p style="text-align: center;"><b>APPROVED</b></p>   |
| <p><b>*1221</b> Assess property for system development charge contracts, private plumbing loan contracts and safety net loan deferral contracts (Ordinance; Z0790, K0138, T0149, W0021, Z1190, K0139, T0148, Z0789, W0020, P0116, P0117, Z0791, W0022 (Ordinance)<br/>(Y-4)</p>   | <p style="text-align: center;"><b>185702</b></p>   |
| <b>REGULAR AGENDA</b>   |  |
| <b>Mayor Sam Adams</b>  |  |
| <b>Bureau of Police</b>   |  |
| <p><b>*1222</b> Accept a grant in the amount of \$80,000, appropriate \$33,000 for FY 2012-13 and authorize an Intergovernmental Agreement with the Oregon Department of Justice Crime Victims' Services Division for Crisis Response Team personnel expenses (Ordinance)<br/>(Y-4)</p>   | <p style="text-align: center;"><b>185704</b></p>   |
| <b>Office of Management and Finance</b>   |  |
| <p><b>1223</b> Authorize the Office of Management and Finance to exchange real property with Legacy Emanuel Hospital and Health Center (Second Reading Agenda 1180)<br/>(Y-4)</p>   | <p style="text-align: center;"><b>185705</b><br/>AS AMENDED</p>  |
| <b>Commissioner Randy Leonard</b><br><b>Position No. 4</b>  |  |
| <b>Water Bureau</b>   |  |

October 31, 2012

|  |   |
|--|---|
| <b>1224</b> Amend contract with Moore Excavation, Inc. to increase compensation and scope of work for the Westside Header Relocation Phase 2 project (Second Reading 1192; amend Contract No. 30002064)<br><br>(Y-4) | <b>185706</b>   |
| <b>Commissioner Dan Saltzman<br/>Position No. 3</b>  |   |
| <b>Bureau of Development Services</b>  |   |
| <b>1225</b> Amend fee schedules for building and electrical construction permits (Second Reading Agenda 1197)<br><br>(Y-4)   | <b>185707</b>   |
| <b>Bureau of Environmental Services</b>  |   |
| <b>1226</b> Authorize grant agreement for restoration, education and stewardship services with the Johnson Creek Watershed Council (Ordinance)   | <b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 7, 2012<br/>AT 9:30 AM</b> |
| <b>1227</b> Authorize Wholesale Sewer Services Agreement with Clean Water Services for conveyance and treatment of sewage (Second Reading Agenda 1198)<br><br>(Y-4)  | <b>185708</b>   |
| <b>1228</b> Authorize Pretreatment Program Implementation Agreement with Clean Water Services for sewer services (Second Reading Agenda 1199)<br><br>(Y-4)   | <b>185709</b>   |

At 10:43 a.m., Council recessed.

October 31, 2012

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 31<sup>ST</sup> DAY OF OCTOBER, 2012 AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Fish, Presiding; Commissioners Fritz and Leonard; Mayor Adams teleconferenced, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Tracy Reeve, Chief Deputy City Attorney; and Harry Jackson, Sergeant at Arms.

Commissioner Leonard arrived at 2:03 p.m.

The meeting recessed at 2:07 p.m. and reconvened at 2:10 p.m.

The meeting recessed at 3:03 p.m. and reconvened at 3:11 p.m.

|   | <b>Disposition:</b>         |
|---|-----------------------------|
| <p><b>1229 TIME CERTAIN: 2:00 PM</b> – Tentatively uphold appeal of Brett Laurila, applicant, with conditions and overturn Hearings Officer's decision to deny a four-lot subdivision and environmental review with modifications for property located on the southeast corner of SE Berkeley Way and SE Cesar Chavez Blvd (Findings; Previous Agenda 1154; LU 11-153362 LDS ENM) 10 minutes requested</p> <p><b>Motion to adopt findings and grant the appeal, overturn the Hearings Officer's decision and approve the land division and other reviews applied for:</b> Moved by Commissioner Leonard and seconded by Commissioner Fish: (Y-3; N-1 Fritz)</p> | <b>FINDINGS<br/>ADOPTED</b> |
| <p><b>1230 TIME CERTAIN: 2:10 PM</b> – Recognize five ecodistricts for sustainability initiatives and direct Bureau of Planning and Sustainability and Portland Development Commission to support efforts and strategies that promote Healthy Connected City concepts and economic prosperity and affordability (Resolution introduced by Mayor Adams) 1 hour requested</p> <p><b>Motion for Bureau to report back in one year:</b> Moved by Commissioner Fritz and seconded by Commissioner Leonard. (Y-4)</p> <p><b>Motion to accept the Resolution:</b> Moved by Commissioner Fritz and seconded by Commissioner Leonard.<br/>(Y-4)</p>                      | <b>36974</b><br>AS AMENDED  |
| <p><b>1231 TIME CERTAIN: 3:10 PM</b> – Kilowatt Crackdown: Partner with Portland's commercial building owners and managers to benchmark building performance, improve energy efficiency and recognize high-performing buildings (Resolution introduced by Mayor Adams) 30 minutes requested</p> <p><b>Motion for Bureau to provide annual update showing energy and cost savings for all Portland building participants in aggregate and the city buildings in particular which are City Hall and the Portland Building:</b> Moved by Commissioner Leonard and seconded by Commissioner Friz. (Y-4)<br/>(Y-4)</p>   | <b>36975</b><br>AS AMENDED  |

At 3:25 p.m., Council recessed.

November 1, 2012

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 1<sup>ST</sup> DAY OF NOVEMBER, 2012 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz and Leonard, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney; and Wayne Dykes, Sergeant at Arms.

The meeting recessed at 3:56 p.m. and reconvened at 4:06 p.m.

|  | <b>Disposition:</b>  |
|--|--|
| <b>1232 TIME CERTAIN: 2:00 PM</b> – Authorize the Mayor to execute an Agreement with the United States Department of Justice Civil Rights Division and United States Attorney for the District of Oregon regarding changes to policies and procedures in and oversight of the Portland Police Bureau (Ordinance introduced by Mayor Adams) 3 hours requested | <b>CONTINUED TO<br/>NOVEMBER 8, 2012<br/>AT 3:30 PM<br/>TIME CERTAIN</b> |

At 4:53 p.m., Council adjourned.

**LAVONNE GRIFFIN-VALADE**  
Auditor of the City of Portland



By Karla Moore-Love  
Clerk of the Council

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

October 31, 2012  
**Closed Caption File of Portland City Council Meeting**

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

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

**OCTOBER 31, 2012                    9:30 AM**

**Saltzman:** Good morning, we gave our spirit of Portland awards to many wonderful organization, and individuals who do outstanding things for our city, and we have two of them here today. And we have the mayor's office proclamations, which as the mayor is not here I will read them. The first one for dr. Preston Pulliams. Whereas, since may of 2004, dr. Preston pulliams has been president of Portland community college. The largest post secondary institution in Oregon. Enrolling nearly 95,000 students each year. And whereas, dr. pulliams is passionate about increasing access to education through his leadership, the college passed \$374 million capital bond measure in 2008. That will increase classroom space and expand workforce training programs. The largest educational bond measure in Oregon's history. And whereas, in partnership with the city of Portland, he helped to launch the future connect scholarship program which supports 200 high school graduates in Multnomah county each year, who are their families first generation to attend college and whereas he has worked hard to make his vision a reality that no one is turned away from pcc because of financial reasons, and whereas commitment to fundraising has enabled the pcc foundation to more than triple the annual scholarship awards and contributions and whereas under his leadership, the college's enrollment has grown 40% and whereas has served on the boards of several nonprofit, nonprofit business and educational associations as well as his appointment to the Oregon board of higher education in 2007. Now therefore i, sam Adams, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim october 31st, 2012, to be day of recognition for dr. Preston pulliams in Portland and encourage all residents to observe this day. I will read the proclamation for, for Gwyneth Campbell booth, as well.

**Fish:** This is called an embarrassment of riches.

**Saltzman:** Whereas, although born in Washington, mrs. Booth considers herself true Oregonian, and whereas she was a former television journalist, producer, and anchor for Oregon public broadcasting, and whereas she was the first woman to be named to the board of directors of Portland general electric in 1981, and has been the chair of the pge foundation since the inception in 1997. And whereas, gwyneth and her husband, the late brian booth found the literary arts which merged with Portland arts and lectures and is literary arts, inc., and whereas for the last 21 years gwyneth has volunteer as a facilitator at the dougy center for grieving children and families. And whereas, gwyneth has serve on the boards of the Oregon community foundation, the regional arts and culture council, reed college, northwest pilot project. Oregon institute for literary arts, and is the chair-elect of the Portland japanese garden board, and whereas, she twice serve on the board of the Portland art museum as well as the Oregon symphony. And whereas, in 2004, both gwyneth and her husband were honor by friends of the performing art center with granite stars on southwest main street. For their community leadership and whereas, gwyneth's leadership within Oregon's philanthropic community has created far reaching impact for more than three decades. Now, therefore i, sam Adams, mayor of the city of Portland, Oregon, the city of rose, do hereby proclaim october 31st to be day of recognition for gwyneth gamble booth in Portland, and encourage all residents to observe the day. [applause] would you like to start?

**Gwyneth Campbell Booth:** I would, I am a bit reminded of the woman at the ladies club meeting- such a very flowery introduction. She said, I just can't wait to hear what i'm going to say. I can

October 31, 2012

wait but I would like to begin by thanking mayor Adams and the commissioners. It was a lovely evening night before last and one that I will remember always, and I would like the mayor to know how much I and many others appreciate his steadfast support of the arts. He recognizes they not only feed our souls but are important economically but to our children, and in an interdisciplinary way, and I want to thank the council for its recognition of citizens in our community who give so much, you know, i'm paraphrasing when I say that they are the rich. But they are, and I am one of many. I'm sure I can speak for you by saying that we feel blessed to live in this incredible, incredible community. So thank you, mayor Adams, and thank you, commissioner Fish, commissioner Saltzman, and commissioner Fritz, and commissioner Leonard. And by the way, I thought that one of your, your appointments the other night was so inspired. He was, he just left us breathless because it was so meaningful to him and to all of us. So thank you for that nomination, as well.

**Saltzman:** Thank you. Dr. pulliams.

**Dr. Preston Pulliams:** Mr. President and each member of the commission, thank you very much for, for this wonderful recognition. I'm really accepting this on behalf of my great, great team and posse at the college, and our board of directors, and our staff, and faculty who, who each day come to work to, to meet the mission of our college, and that's about providing higher education opportunity in many cases of those who simply cannot afford it, or maybe challenged for other reasons. I also want to say that, that none of this would be possible without partnerships, not just what i'm doing or the college is doing, but come together with, with, elected officials, with businessmen, nonprofits, individuals throughout this community who stepped forward. In my last nine years to help us to achieve our mission, and thank each of the commissioners who are your support, for future connect, which as you say, has 00 students at the college who probably many of them would not have an opportunity to go to college, and next year, I can say that we have, we hope to have 4 will you know there provided with support from, from the support of the council and others who come together so thank you very much for this recognition.

**Saltzman:** We want to do a quick picture.

**Fish:** Can we do comments before we do that? I don't want to miss this opportunity to, to personally thank both of you. Gwyneth, when my wife and I moved to Oregon, the first, two of the first people we met were you and brian.

**Booth:** I remember.

**Fish:** And at the time we did not know that we were meeting first citizens. But, you welcomed us into your life, and you gave us some great advice along the way, and you've been enormously supportive, and I just thank you from the bottom of my heart for your work on the arts, we are so proud of your leadership of the japanese garden. I just say personally, on behalf of my wife and me, thank you for the friendship that you and brian extended to us, and to preston, there is a reason why you've been enormously successful, and that is that you have built relationships with everybody in the local community. And I don't know that it was always the case that someone in your position was as well-known and visible. But, the reality is, because you have spent so much time in this building, and at the county, and in salem and Washington, you established an enormous amount of credibility for your institution. It's a tribute to the leadership style that you brought, and so I want to say you will be greatly missed but you have done a great public service in building up pcc while here, so thanks to both of you.

\*\*\*\*\*: Thank you.

\*\*\*\*\*: A quick picture.

**Saltzman:** Ok, the city council will officially come to order. Karla, could you please call the role.

**Leonard:** Here. **Fritz:** Here. **Fish:** Here. **Saltzman:** Here.

**Saltzman:** Ok. We'll start with communications. If you could read communication 1205.



October 31, 2012

**Item 1205.**

**Saltzman:** Welcome, mr. Herman. So all you have to do is give us your name, and you have three minutes. And there is a clock in front of you that, that keeps track of the time.

**Stan Herman:** My name is stan herman, may I have couple words if I don't use up my three minutes. But, I will try to be as efficient as I can. What i'm going to be proposing is history collection. The mission, statement of this history collection is a dedication to education and providing multi-purpose museum, on the willamette river, and the final one, the history collection will convert a warehouse locate at 1300 north river street into multi-purpose museum. The unique museum on the willamette river will house various historical education entities, including native american indians, maritime floating museums, military history, waterfront activities, and other educational activities for the Portland metro area. The city of Portland, parks department, in this direction, we meet and compete all the goals that the park, the parks and planning, parks and recreation plans are required. The park is located in front of the proposed greenway path to the st. John's. The current high priorities for the Portland parks and recreation, which we will provide, is concessions in the recreation park facility that improve the visit experience recreation programming promoting physical activity. And capital improvements and the park facility that enhances visitor experience. Programming river use, as well as dock use, developing and operating indoor recreation facilities. My group has survey the possibility of having native american indians use the building as an indoor museum and canoe and kayak launching area, and to boat up to the city or down the stream to the kelley pointe park. And other interested tenants, two or three floating museums and the world war ii boats that will allow onboard visitation. I would like to touch on one item, this I know you people have been addressed with this before. But I think that the city of Portland is missing out on one of the greatest opportunities that the Portland and the pacific northwest has ever had the opportunity to have. I know the city council passed a resolution not to have the uss ranger located in Portland, although i'm not an advocate for the uss ranger, but after reading the rejection letter, that stated, whereas the city evaluated, evaluated accommodating this vessel in the jurisdiction on the willamette river, determined that the placement was not feasible due to enormous concerns such as size of the vessel, restricted navigation channels, where exist frequent traffic, large ocean and cargo ships. I don't think anyone from the city or a representative of the people took good job and took time to establish the feasibility of the u.s. Ranger located in Portland. There is only one person that I know of that I have talked to that thinks the uss ranger would not be good for Portland. Why not offer this idea to the neighborhood involvement project, and fill out, you know, find out what the citizens were like about it. I have written a proposal. I have a written proposal from the columbia river pilots, you can read the proposal that they see no problem with the ranger being locate at this street, and location, there is no navigation depth problems that exist. And I have an existing water leash from the state lands that accommodate the floating vessels for our particular park that we want to proceed with.

**Saltzman:** Your three minutes are up. I have given you 3.5.

**Herman:** Two sentences.

**Saltzman:** Ok. Finish two sentences.

**Herman:** We got great support from the u.s. Coast guard. And all I need from the city is somebody to help us fast track this, and perhaps, with some associate fees and costs.

**Saltzman:** Thank you very much.

**Fish:** Mr. Herman, my office is down the corridor here and I am the parks commissioner so, we welcome any good ideas for new parks, if you could drop off copy of your proposal.

**Herman:** Ok. As well, I got copies.

**Fish:** That would be great. You can drop off copies and we'll get back to you.

**Herman:** Ok. I thought you would be interested.

**Saltzman:** Thank you very much.

October 31, 2012

**Saltzman:** Karla, read 1206.

**Item 1206.**

**\*\*\*\*\*:** Thank you.

**Saltzman:** Good morning. Miss o'hare. Please all you have to do is give us your name, and you have three minutes, and the clock is in front of you.

**Barbara O'Hare:** Can you hear me? Good morning and thank you, amanda, for the opportunity. And good morning to all of the commissioners. I am barbara o'hare, and I represent getter better world club, we are locally-based right here in Portland, and we are the nation's only echo friendly auto club. We offer 24-7 nation-wide road service assistance and insurance and travel, and we are the green alternative to other, other auto clubs because we are different in that we donate 1% our sales, gross sales to, to advocacy and environmental cleanup. The corporate values around the environment are somewhat aligned with what the city of Portland's values are, and we think that we're in the right town. We've been here for ten years. We are located downtown in the goldsmith building, and we give discounts for people with alternative forms of transportation. And we have an 80% customer retention rate, and we are located in 50 states, and canada. Better world provides auto insurance, clients with a free carbon offset, and carbon offsets are the, the moneys that we donate to offset greenhouse gases create by fossil fuels. We also donate money to the Portland public schools. We have in the past ten years, and that's to help them to retrofit oil burners or boilers not, not fuel efficient, and we also purchased sensors for classrooms, we donate moneys to the arbor foundation, to plant more trees, and better world club has made donations to increase fuel economy standards, and we are not part of the highway lobby. We discount our memberships for hybrids, and other alternative fuel vehicles, and we offer discounts to, to green hotels and cars, and we are the pioneers, so it's a uniquely Portland company, and in july, better world club became the first company to offer cyclists the only comprehensive and affordable accident and liability insurance at 39.95 year, and it includes 1 million of liability insurance. So if you harm someone else's property or they sue, you have got up to a million dollars in liability, and it also offers up to 100,000 in medical insurance reimbursement. Right now, we are offering discounts to corporate accounts that I can find. And in Portland, or in the state of Oregon, and they range from 15 to 20%. So, we're hoping that the city will become like, like a beacon of what people ought to be doing around the environment and maybe decide to use our services. Our ceo and co-founder mitch roske has been involved in socially responsible businesses in his entire career. He was the first chair of business for social responsibility, he was also featured as an expert at the social enterprise, inc. Go green conference in Portland. And he writes for the los angeles times. The boston globe. The huffington post, and [inaudible] and is a graduate of wharton school of finance from the university of pennsylvania, and also holds a law degree in environmental law so we know that, that sam is a biker, and we hope the rest you get onboard with us. Thank you.

**Saltzman:** Thanks. Can you please read item 1207.

**Item 1207.**

**Saltzman:** Welcome, mr. Lopez, just give us your name and you have three minutes, and the clock is in front of you.

**Francesco Lopez:** You know, before the clock is running, I want to make sure that if I -- and I will do bit in spanish, if I go over the three minutes, will that be ok? If I do -- I will have to do this in both languages. If I go over the three minutes, will that be ok?

**Saltzman:** Sure.

**Lopez:** Ok. Great, thank you. Good morning, president of the council, mr. Saltzman and city commissioners, I am francisco lopez, and I am the executive director of causa, Oregon. It is a statewide latino civil human rights organization with officers in Portland, salem, and bend. And first, I would like to recognize all the council leaders in attendance today, so I would like to ask them to -- oh, they are ready. Stand up and be recognized. And, and, you know, we have been here

October 31, 2012

since, since 8:00 in the morning or 7:30 with this sign here. And, and it's a day in Portland. I want to speak on this equity issue. In Portland, more than 40,000 workers of color do not have a single basic day from work to recover from common illnesses. And at a time when family funds are at stretch and unemployment is high, no worker should lose critical or risk of being fired when they take time off to recover or care for a sick loved one. [inaudible] includes labor, and community organization sectors that see this is a fundamental equity issue. That seems to be affecting working families in Portland. Those impacted are the members of the latino community. 50, over 55% of latino workers in Portland do not get paid sick days. 55 percent. Over 55% of latino workers in Portland do not get paid sick days. You know, Portland has great restaurants. When my friends come to visit Portland for, for all these, always compliment the great quality of foods, my friends mention to me the great hotels. Pubs. Cafes. And many other great places to have fun and enjoy brunch or dinner. But, there is something that my friends do not know about Portland, that many waiters, waitresses, cooks, bus boys, house keepers, janitors and workers in the manufacturing and many others come to work sick because they do not get paid for sick days. Because they are afraid to loosen, losing their jobs. And because losing their -- they work means that they will not have enough money to pay for rent or medicine. For many latino families in Portland, even a few days of lost payee acquit to the entire monthly grocery or health care budget. And in this economic climb, in which 27% of latinos in Portland are living in poverty, the sick days are vital to the economic security of the latino families. Providing sick days is, actually, good for business. Those see reduction, those businesses see reductions in turnover, and increases in employee morale, and health care employers, employees at work. Before I end my remarks, I would like to express my appreciation to the city of Portland commissioner, amanda Fritz. For announcing last saturday at st. Michael's episcopal church, and here in Portland, northeast Portland, that in front of 150 adults and 75 children, that she will work with all of you to pass earned sick leave before the end of the year. And I want to let you know that we will join commissioner Fritz, and all of you, your heart is in the right place. I know you have paid sick days, and we want, also, all our latino families and all workers, white, brown, black, regardless of their color of the skin, working families to make the city great, have access to paid sick days so commissioner, thank you for making that announcement. And making that commitment to work with us, and we hope all of you will do it. And can I say my remarks in spanish?

**Saltzman:** I have given you spanish, I thought you needed translation.

**Lopez:** Ok, sorry. Thank you very much. Yolanda is not here yet.

**Saltzman:** Karla.

**Fritz:** If I might comment. If anyone is interested on that measure we have a draft that will be circulating and are happy if you could make an appointment to work with my office.

**Lopez:** Thank you.

**Saltzman:** Karla, the last one, 1208.

**Item 1208.**

**Moore-Love:** She's not here right now.

**\*\*\*\*\*:** She's coming from northeast Portland.

**Saltzman:** If she shows up later we'll give her, her three minutes. Thank you, and now we're going to deal with the consent agenda. Does anyone, have an item they wish to have removed from the consent agenda.

**Fritz:** I would like 1212 to be pulled back to my office.

**Saltzman:** Without objection, 1212 will be returned to commissioner Fritz's office. Anybody else? Ok. If you could call the roll on the consent agenda.

**Leonard:** Aye. **Fritz:** Aye. **Fish:** Aye.

**Saltzman:** Aye. Ok, the consent agenda is pass and had we'll move to the first time certain. Item 1209.

October 31, 2012

**Item 1209.**

**Saltzman:** Commissioner Leonard.

**Leonard:** Is Laura present? Come on forward. In year's past, the council has granted in each budget year money to the Oregon food bank. This year, the council has agreed to grant 100,000, we don't usually have a presentation, but this year, I thought it was important for Laura, on behalf of the Oregon food bank and, your new executive director that will take her new position next Monday. Susanna Morgan. I read her bio from Alaska. She was the, she was the head of the food bank in Alaska, and she brings with her great recommendations and credentials. About 13.6% households in Oregon, that's more than 491,000 Oregonians, which is equivalent to the entire population of Marion and Polk counties, suffered food insecurity in 2009 and through 2011. That means they lacked consistent access to adequate amounts of food. And, and/or nutritious food. About 5.9% of households in all of Oregon, more than 213,000 individuals, which is equivalent to, to 11 packed rose gardens, suffered very low security as, as, food security also known as hunger. In 2009 and 2011. They ate less, skipped meals or sometimes went without food for days. Our Oregon food bank is the hub of a statewide network of 20 regional food banks and 947 nonprofit hunger relief agencies and programs conserving Oregon and Clark County, Washington. The Oregon food bank works to eliminate the root cause, not just by providing food, but through advocacy, nutrition, education, learning gardens and public education. The food bank collected and distributed 45 million pounds of food, a 12% increase over the previous year. In total the Oregon food bank network distributed 81 million pounds of food. I'm proud that the council has consistently supported the Oregon food bank. Our action today will authorize distribution of another 100,000 for the great work you do. Thank you, Laura.

**Laura Golino de Lovato:** Thank you very much. Thank you for giving me this opportunity, commissioners. Thank you, Commissioner Leonard for that great summary of the situation. I will just add that, that recently, we, yesterday, we released our summary of our report hunger factors, which we do every other year, to assess the state of hunger in Oregon by serving almost 5,000 people who receive emergency food through, in a different number of ways, either a pantry or at a, at a meal site, and what we see in the summary of that report, is that hunger is still a major issue in Oregon. And every month, about 270,000 people eat from an emergency food box. And most important in that number is that third them children. That means that, that the future our community, of our state, are often unsure where the next meal going to come from. We are facing challenges with our food supply as the, the economic meltdown in 2008 still affecting a number of our food donor. Farmers, retailers, manufacturers. And we're, we're challenge with bringing in enough food from that sector while we are also seeing less food coming in from the United States Department of Agriculture through the commodities program. That means that we have to buy about 2 million worth of food, about 4.5 million pounds of food. We purchase at bulk prices, so we get a cost that's an average of about 50 cents a pound, but it's still a significant amount of food that we have to purchase in order to, to keep up with the need that we're seeing. The slow economic recovery has affect Oregonians significantly. There are still many people who, who are unemployed, who are underemployed. They are not earning enough to meet their family's expenses. And they are relying on emergency food programs from our partner agencies throughout the state. As well as from programs like SNAP and WIC. As you may know, SNAP is, is a, food starches, they supplement only nutrition assistance program, is facing a huge cut in Congress, and there is no farm bill passed. SNAP is part that, but we're estimating that, that, that the decrease in SNAP benefits would translate into an additional 4 million pounds of food that we would have to, to secure. That means that the work of Oregon food bank in its, and it's network, and the partner agencies, and the community, that supports us, is, is tremendously important. The benefit of the contribution from the city of Portland in the past and, and the, the contribution that you are going to vote on today is really significant in these times. It would allow us to, to secure 200,000 pounds of

October 31, 2012

food, equivalent to about 150,000 meals. For the next year for residents in Multnomah county. Where hunger is not escaping any, any victims, so to speak. Of Portland, just like other areas of the state, is, is hard hit with job loss, salary loss and benefit loss, and things that, that make people have to choose between getting a prescription filled or purchasing food. And often because they know that they can get an emergency food box, through the food system, they will choose to purchase their prescription knowing that they can get food somewhere at one of our service areas. So, the support from the city of Portland couldn't be more important than it is today, and we so appreciate the, the, the partnership and the support that you are going to give us. We are excited about, about our new ceo, susanna morgan, who will start on monday, joining us, and she comes from, from, from food bank alaska with 11 years of experience. We we believe that she is going to, to, to bring to us a commitment that rachel bristol had all of her 29 years, to, to serve the community through a number of ways, not just emergency food distribution, but as commissioner Leonard said, through our various programs that, that provide self sufficiency training in gardening, and cooking. That allow people to choose to eat healthy, to eat from an emergency food box, and not have to rely on fast food. So, we're really hopeful and energized by susanna's coming, and I hope that we will have an opportunity for each of you to meet her.

**Saltzman:** Thank you. I would like to read a --

**Leonard:** I would like to read a quote from your senator, who is democrat from alaska. Whether it's was learned, I don't know if you have seen this.

**Golino de Lovato:** Yes, I have.

\*\*\*\*\*: It's quote.

**Leonard:** Susanna has led the fight against hunger in alaska, said your senator from alaska. Her commitment to making sure no individual child or family goes hungry is unmatched. Having seen her passion and dedication first hand, I know this will be a true loss to alaska but a gain to Oregon and the lower 48. So, we're really pleased to have susanna join us here in Portland, and she can tell us what russia looks like from alaska.

**Golino de Lovato:** That's right. I think that she has a direct view.

**Leonard:** It's an international experience.

\*\*\*\*\*: That's right.

**Golino de Lovato:** And she speaks japanese.

\*\*\*\*\*: Oh, she does. Wow.

\*\*\*\*\*: Wonderful. Great.

**Golino de Lovato:** I think that she will be a great addition to Oregon food bank and the network and to our community.

\*\*\*\*\*: Great.

**Saltzman:** So why are we receiving less food from the united states department of agriculture, does that have anything to do with the drought or is this --

**Golino de Lovato:** No, not yet. We have not started feeling the impacts of the drought yet. The usda's commodities, it's the, the emergency, oh, the emergency food assistance program, provides us with pounds of food as well as some dollars to underwrite the cost of our transportation. In 2009, we received a boost in usda distribution from the stimulus dollars. And because of the economy, because of the loss of that one-year stimulus dollars and because of the certain factors in the economy, we saw a decrease. We are likely to see an increase next year as more farmers go to the usda to see that assistance to purchase their unsold commodities, which is how they get back into the system. But right now, we're looking at, at a decrease of about, about a million pounds versus last year. There may be supplemental bonus dollars they would be able to provide to us in the form of food. But, we haven't gotten confirmation of that yet.

**Saltzman:** Thank you.

**Leonard:** So, you were here last year, weren't you?

October 31, 2012

**Golino de Lovato:** Rachel presented.

**Leonard:** Rachel was.

**Golino de Lovato:** But I was here to thank you for the gift.

**Leonard:** So did you remember last year that commissioner Fish forgot that it was this January 1st I was leaving and he was thinking last January 1st?

**Golino de Lovato:** That was when I came and spoke to you about this.

**Leonard:** Right.

**Golino de Lovato:** And he announced that he would, from that point on--

**Fish:** In fairness to commissioner Leonard I grew up in states with fluoride in the water. [laughter]

**Fish:** And my memory has been impaired.

**Leonard:** In my black book, I wrote that he promised to be the point person when I was gone for the Oregon food bank. Do you remember that?

**Golino de Lovato:** I remember that.

**Leonard:** Ok.

**Fish:** Thank you, Randy.

**Golino de Lovato:** And we thank all of you for your support. Each individually and collectively you've been great supporters of Oregon food bank, and we appreciate it.

**Saltzman:** Thank you.

**Saltzman:** Does anybody wish to testify on this item?

**Moore-Love:** No one else signed up.

**Saltzman:** Call the roll.

**Leonard:** Well, you are lucky, commissioner Fish because this is a great group to work with. And one of the, one of the benefits of working with this group is it you get to see former commissioner Mike Lindberg regularly. He's very active in the Oregon food bank and, and I have just enjoyed so much working with them, and am pleased with the work that they do and pleased with the support of the council at each, as each council member will remember four years ago, we were all sworn in together, one of our first acts was to go to the Oregon food bank and pack boxes, so, this council has a huge commitment, the Oregon food bank and the work it does. I've been pleased to be a small part of that, aye.

**Fritz:** Thank you. That's a good reminder that indeed, the Oregon food bank depends not only on assistance from the city of Portland, and other donors, but also, on a lot of volunteers. It's really fun. It's really well organized. And I have very much enjoyed participating there. But there's always the need for an extra pair of hands, so please come and support that. I also was going to mention former commissioner Mike Lindberg, who has been a strong supporter, not only in the food bank but of the community so I appreciate the ongoing partnerships and look forward to continuing to work with the food bank. Aye.

**Fish:** I, too, want to thank the food bank for just their tremendous partnership. You were at the table when he launched the 1,000 gardens program and helped us come up with a plan. And the excess produce through the gardens that the city goes to the food bank through our produce for people program. You helped us to expand the program for hungry children, through the summer playground program, and I feel like we have just gotten started at figuring out how the city can be a better partner to address hunger working with our friends at the county. But you are really the gold standard in this work, so thank you, and as commissioner Leonard said, as long as I have the privilege of being the parks commissioner, which takes the lead in addressing hunger, at the city's side we'll be strong partners and thank you for your work. Aye.

**Saltzman:** I would like to thank commissioner Leonard for working to secure this grant for the Oregon food bank. Thank the Oregon food bank for being such an outstanding organization. And during the tough economic times, as your report indicated, more and more families are faced with the reality of not being able to feed their children. And the food bank is working to ensure that these

October 31, 2012

families get food as indicated, distributing more than 1 million emergency food boxes in just one year. As the children's commissioner, it has become clear that we need to do more to help hungry children in our community. Children account for one-third of all the food box recipients. To help the kids on the right health and developmental path, the Portland children's levy will be asking voters for the opportunity to do more to end childhood hunger. When we ask voters to renew the levy in may of 2013. We are going to concentrate more on getting food in the hands of hungry children. With the levy. So, thank you very much, and we look forward to working with you on that, as well. Aye.

**Saltzman:** ok. The item passes. And we're going to return -- we're going to return to communication item 1208. I think miss cabrera is here now.

**Item 1208.**

**Francesco Lopez:** I will translate.

**Saltzman:** Ok. Welcome miss cabrera. If I could give us your name and you have three minutes, and the clock in front of you, and I understand mr. Lopez will be translating.

**Yolanda Cabrera Miranda:** Members of the city council, city council.

**Cabrera:** My name is yolanda cabrera. And I reside at the apartment complex. It is located on 6706 northeast killingsworth. And I am a volunteer with the group [inaudible] in northeast Portland. I am a volunteer at the public school system, and I am a mom of five children. I've been a resident of the city of Portland for 16 years. My husband felipe has been working in the same place for the last seven years. In a factory that they make t-shirts. In seven years of working there, my husband never received a paid sick day. Many times my husband has had to work sick, and many times with fever. With colds or with, with back pain or problems with his feet. Many times I am sick, and my husband cannot stay home to help me with my kids. Because he's afraid he's going to lose job. We only have one day because when my children get sick felipe cannot stay and take them to the doctor. For us to lose a payday, means that he does not get paid. And that impacts our family budget. We are working families that would give a lot to this community. I was very sad to see my neighbors and friends and family members, they cannot go to the doctor when they get sick. For afraid of losing their job or having reprisals from their employer. And my question is, I question all the members of the city of Portland have paid sick days, all the employees of the city of Portland have a paid sick day. I wonder if any of you when you get sick, get a paid sick day. I wonder if any of you get sick, or one of your kids do, if you are afraid of taking them to the doctor. What is the difference between you and us. Paid sick days is not a luxury. My husband felipe and I will never get the benefits that you have. But at least as leaders of the city, with you compassionate organizers, will make it mandatory in the city of Portland for working families. Working families like us.

**Saltzman:** Thank you. [applause] ok, karla, could you read the next time certain, 1210.

**Saltzman:** Could you also read 1211 because they are both together.

**Items 1210 and 1211.**

**Saltzman:** Commissioner Fish.

**Fish:** Thank you, mayor Adams is home sick, he sends his regrets. I have a brief introduction but I would first like to invite the Multnomah county chair jeff cogan, KaRin johnson, Multnomah county health department deputy director, keith witkoski and jacob fox from the Portland housing bureau. Welcome all. Colleagues, today, we're going to hear these two items together. The first amends the river district ura plan to clarify that this particular development is plan eligible. The second, authorize the Portland housing bureau to convey the lot adjacent to the bud clark commons, to Multnomah county at no cost to support the development of the Multnomah county health department. Just a little bit of history on this particular site. When I was elected to the council in 2008, the council had already created a vision for what we now know bud clark common, a one-stop center for people experiencing homelessness. And there were some details to be worked out.

October 31, 2012

The original plan once block U was settled on as the site was to have a full block development of about two or three stories. It was actually, a beautiful design that was developed in concept, when we took a look at that, though, we thought that that was inconsistent with some of the city's goals around density, and urban design. And so, we asked the development team to go back to the drawing board and to design a building on a half block, more in keeping with the gateway to downtown. And what they literally did, with our architect team at holst, was they stacked the components of the building differently, is rather than occupying a full block, they stacked it to what we now have which is a half block building. And as a consequence of that decision, what we were able to do is create some new value in terms of space. That could now be developed. On the back side of block u. It has been our interest all along to find a use for that site that is compatible with bud clark commons. And as you know, there we provide shelter and housing for very low income people, many of whom have chronic health condition. So, in a sense, I think the stars aligned when, when the housing bureau, home forward and the county had a series discussions about relocating a county health department to that location. What that means to the people who live in bud clark commons is, adjacent to their building will be a place where they can get health care. What it means for the neighborhood is a lot of white collar jobs coming into a community and some economic vitality. And what I think is particularly important about this partnership is, there has been some concern all along about having a compatible site building. And part of that is to make sure that whatever building was built and designed on the east side of bud clark commons, did not detract from the amenities that were built in, including the outdoor area, which is a significant component. And i'm very pleased that in the initial concept work for this new health department, there is a consideration given for the ability to be stepped back and built in a way that does not, does not interfere with the light and air that people would otherwise need outside. This, in my view, is a great example healthy collaboration between the city and the county, and I want to first recognize chair cogan and compliment him for sort of could go a lot of the heavy lifting in terms of, of the vision and moving this process forward, and jeff, thank you for your good work.

**Jeff Cogan, Chair, Multnomah County Commissioners:** Thank you, commissioner Fish, for bringing this forward and members of council. I am really excited to be here this morning, and I am joined by KaRin johnson, the director of the health department, and I want to started by explaining why this is a big day for Multnomah county. KaRin is one of 250 people from our health department who work in the mccooy building on 4th and stark, which is the current health department headquarters, as well as the site of our downtown clinics. And the mccooy building is about 80 years old. It was originally designed as a department store, and is, frankly, not well suited in design to be either a health department headquarters or clinic space. It's also, a very old and crummy building. It is seismically unsafe, which is problem in any event, but particularly problem because one of the functions that we locate in this facility is the health department's emergency response team, the people responding to a public health emergency like an earthquake, and this building probably won't be around if there is an earthquake. So, for a long time, the building also is very inefficient, very costly to heat and to maintain. So, for a long time the health department has realized the mccooy building was really not a good place for the health department to be either in its headquarters or for the downtown clinical space but the county has been unable to find or afford an alternative. And the pieces began to come together originally because of the partnership with the city and the county around the river district urban renewal area expansion, which set aside 27 million for county facilities in the area. And even more so, when the bud clark commons was developed in the half block became available because as commissioner Fish said, this is a really compatible use. To be blunt about it, Multnomah county is probably one of the few entities that's really excited to be next to the bud clark commons, these are people that we serve. And we're really excited to be able to have that a nexus. We are also intent on making sure we partner with the broader neighborhood, we have done an extensive outreach and have been warmly received by the



October 31, 2012

old town chinatown neighborhood, the pearl district and the business associations in the area, and that's partly because we have expressed a willingness to work with the neighborhood, in terms of how we design this. Both in terms of being compatible with the bud clark commons but also compatible with the needs and desires of the neighbor this is terms of how that neighborhood develops. And also, because as commissioner Fish said we're bringing 250 white collar jobs into a neighborhood that really needs them. And so, this is a project that we're really excited about, and I think that a great example of how the city and the county can partner together to meet the needs of the community. So, I want to thank you very much for giving us a chance to, to make this partnership happen.

**Fish:** Thanks very much.

**Fish:** Who is next?

**KaRin Johnson:** I am KaRin Johnson, as chair Cogan stated, and I am the deputy director for the Multnomah County Health Department. And the actions you are considering today are to say that they are important to us would be an understatement. The director of the department, Lillian Shirley, had planned on being here today. However, Sandy, the hurricane, had other plans for her, so she remains on the east coast. On her behalf, as well as all the employees of the Multnomah County Health Department, and specifically, the 250 employees that work in the McCoy Building, we want to thank you for considering these actions today. I am sure that we will be compatible neighbors, with Bud Clark Commons and also be a positive and attractive addition to the neighborhood. Thank you very much.

**Keith Witcosky, Portland Development Commission:** Keith, deputy director of Portland Development Commission, just to tee up the process points, last week our board passed the third amendment to the amended and restated river district plan which made the public building findings, and those are passed onto you for your decision, as well. And our board also passed last week a 26.9 million grant agreement to help pay for the development and construction of the project. And those resources will be made available in June 2014. And as the chair had talked about, that was part of the, of the source an agreement from 2008 when the river district urban renewal plan was expanded into old town chinatown and this was increased.

**Fish:** Jacob is the deputy director of the Portland Housing Building.

**Jacob Fox, Portland Housing Bureau:** Thanks, Commissioner Fish. I am Jacob Fox, and I am the deputy director at the Housing Bureau. And I think both Commissioner Fish and Chair Cogan touched on this, but the partnership between the city and Multnomah County and Home Forward is an important partnership, and as one example of that, today, high ranking officials from Home Forward, the city, including Tracey, our director, and the county, are doing an all-day retreat focused on the reset of the ten-year plan, and it has been very collaborative and powerful effort, and it's an excellent example how we partner together. The document before you today, is a disposition agreement. The purpose of this agreement is to specify the terms for the disposition of city own property to Multnomah County. And the only thing that I would put on your radar about that, disposition agreement, is that the city has asked to sit at the table around the design of the building. The Bud Clark Commons is an exceptionally important building for the city. And we want to be at the table, and give input into the design. So again, the disposition agreement itself is, straightforward. I want to thank Tracey Manning, our director who has been with this project every step of the way, and three important staff members. Barbara Shaw worked to negotiate this, and Kathi Romero was involved in the documentation, and Trinh Tran provided the legal review. And that concludes my comments. Thank you.

**Saltzman:** Questions from council? Thank you all.

**Fox:** Thank you.

**Saltzman:** Anybody signed up to testify? On 1210 or 1211?

**Moore-Love:** No one else signed up.

October 31, 2012

**Saltzman:** Anyone wish to testify? We have one, one person. Come on forward and have a seat. If you can just give us your name, you have three minutes and there is a clock in front of you.

**Charles Johnson:** Thanks, commissioners, I am Charles Johnson. And effective today, after being on the waiting list for few months, I believe that I am a resident at the Bud Clark Commons. It took a few months, but, my only concern is that I don't feel that there's been adequate outreach to stakeholders, I am sure that's part of a disposition agreement, but, hundreds of your constituent go in and out of that building, daily, and I guess since there is no action planned for the structure, you are not required to post a public notice yet but I hope that the city and the county will not involve just salaried administrative stakeholders. But, have public forums so that my neighbors, our neighbors can, have input and awareness which happen at this crucial resource point. That's very helpful in our lives. Thank you.

**Saltzman:** Thank you. Ok, so please call the roll for -- 1210 is a resolution. Roll on 1210.

**Leonard:** Well, there are those that are critical of urban renewal areas and the activity that goes on within them. This is an example of why I have, most often, supported projects in urban renewal areas. Actually I voted against the renewal. Dan may remember, of another urban renewal district. So, I don't consistently support any project or any area, but, critically analyze not only the districts but the activity within them. This is a perfect example of what we saw at the pdc, for an example, when their headquarters were, were in old town, and we contemplated moving them to another location, and the unexpected feedback we got from the businesses in old town was that while the pdc in and of itself may not pay property taxes, as Chair Cogan pointed out, their employees utilize the businesses, and we heard from many businesses they would fold if the pdc were to move, I expect the same dynamic to happen on this spot that is close to the pdc, notwithstanding the services, not just in the Bud Clark Commons but that area is ground zero for homelessness in Portland, and also criminal activity associated with drug use, alcoholism, and other substances. Not to mention those that prey on those. So, I think for a variety of reasons, this is a very, very thoughtful project, and I commend Commissioner Fish for anticipating the future need for something like there on that spot, scaling the Bud Clark Commons back to accommodate a project like this because I think that this will raise everybody's economic boat in that urban renewal area, and will be a welcomed addition to the neighborhood, and I am very pleased to support it, aye.

**Fritz:** I am also very happy to support this resolution providing an up to date facility for the county's health department. It's another example of the city, the county and the Portland development commission working together to get things done for Portlanders. And it's important to know this does not raise the maximum indebtedness of the district, and it implements another strategy that the city and the county went to the legislature to pass in urban renewal. We are required to spend 26.9 million on county facilities as part of the urban renewal district, and this seems like a perfect use for it. It will provide the services and provide an anchor tenant to the old town Chinatown area so I am very pleased to support it, aye.

**Fish:** Well, again, thanks to pdc. Thanks to the Portland housing bureau and my team. Thanks for Chair Cogan and his team. I think this is a good partnership. It's a good fit. And I think it shows that when we are creative in how we use public resources, we can get added value, and this is a classic example of creating added value. We set a number of conditions for having this conversation with the chair, and one of them was we delegated to him the enviable task of going out and engaging the community, and when he said that it had generated a lot of public support, that's because the chair and his team met with all the stakeholders in the area. And presented the vision, and they got a lot of positive feedback so thank you for doing that. I am reminded, though, by the gentleman who testified that there will be an impact on people who live at Bud Clark Commons as we move forward with the development. So I think I can commit on behalf of Jeff and me that there will be representatives from the building on an ad hoc committee that, that will put together so that they get advanced notice of anything that impacts them and a chance to help us to shape this vision.

October 31, 2012

And the other thing that I want to note, and it's a preview of what I will say next week, is that I think that sometimes, we forget that the money that we spend through urban renewal, often satisfies and meets goals the county and the city have established. That's a controversial comment, and as Jeff knows within his commission there's a wide range of opinion but I don't think it's that controversial, for example, to say that when we spend money under the 30% set aside, in the main, those investments go towards shared city and county goals, and the reason I say that is because we have a city and county ten-year plan to end homelessness so we hammered out the shared goals, and when we spend above that on things, that benefit the whole community, I also think, think of those as being shared goals investments, so, to me, this, this makes sense. It serves people that we're responsible to serving. It adds value to a site that already has a, an award-winning shelter and building. And I think that it's another example of how the city and the county work well together on these kinds of projects, so I thank everyone who testified today. Aye.

**Saltzman:** Well, as a former Multnomah county commissioner, I am very delighted to see the county health department moving into new corridors out of the McCoy building, which I know that there is probably two members on the panel that remember the department store, j.k. Gil. But, it's a really, you know, it's a great location. It's a terrible building. Your new place will be, you know, a great location, and a great building. You know, for both the people it serves and the employees who will work there. And I do think, and I think the county may have its own awards, unsung heroes but I think the Multnomah county health department truly is an unsung hero. They do a wide variety of very essential things for the betterment of the citizens Multnomah county. I mean, you know, restaurant inspections, without that, gosh, I would be scared. I'm scared enough in a lot of places. But, also, important things like having community health nurses visit families with newborns. To help get those families off on the right start, and I think that they provide maybe some library book bags and things like that. And important work on, on emergency planning, and running community-based health clinics throughout Multnomah county, which provide health care for many who otherwise do not have access to, to good health care, so, they do a lot of great things, and the health department to me always is like I said, one of the unsung heroes of, of Multnomah county. So, I'm very pleased to support this and to vote aye. Resolution passes. And 1211 moves to second reading next week. We will now move to our regular agenda, item 1222.

**Item 1222.**

**Saltzman:** Marcy, are you going to explain this? Give us a quick explanation. Since you are here, how we resist. Give us your name.

**Marci Jackson, Portland Police Bureau:** I am officer Jackson from the police bureau. There you go.

**Saltzman:** Move up the microphone.

**Jackson:** Good morning, I am the coordinator of the crisis response team that has held through the Portland police bureau, and we are applying again for the department of justice, the grant that helps us to do victims assistance. We have a team of volunteer, various ethnic cultures that also respond with us as citizens on the team. And we go out and usually as, as the bad news bears when bad things happen to people, we are going out to assist them through that. And this grant allows us to have the administrative assistance that we need in the office space. And so, we are excited to be before you today. And we are asking for you to approve this grant, and this line item on this. But this is what we do, and this is out of our office. One of the other things that our office maintains is the safe summer brochure. That goes out all over the city of Portland, and that comes out of our office. As well as one of the responsibilities out of our office.

**Saltzman:** Great. Thanks, officer Jackson, for all the great work you do.

**Jackson:** Thank you.

**Saltzman:** Anybody wish to testify on this item? Ok. It's an emergency item. Please call the roll.

October 31, 2012

**Leonard:** Aye. **Fritz:** Thank you for your good work, aye. **Fish:** Aye.

**Saltzman:** Aye. Ordinance is approved. Item 1223.

**Item 1223.**

**Saltzman:** Second reading, vote only.

**Leonard:** Aye. **Fritz:** Thank you very much, aye.

**Fish:** Dr. Morgan is here today so I can't resist. About a year ago, I had a chance to visit legacy emanuel hospital on some other matter, and I learned about this desire to do a land swap, so they could build a state of the art o.r. And I also learned that these discussions were going on for many years, and it was very complicated. And frankly, after learning sort of the first cut on this, it seemed like there were enough obstacles that this would never happen. What I don't think people fully appreciate is that not only did jack graham and bryant enge jump into this, but so did mayor Adams, and so did the chair of the Portland development commission. And that, that led to a lot of on-site meetings and a lot of follow-up and creative thinking. And bryant in particular went through, I don't know how many different scenarios in order to get this thing done. But, you wore out your copier and your printer. And it took, it took a lot of focus and hard work because this is not simply disposing of property. Everything had to be relocated to another location, and there was a series of dominoes that followed. And so I want to compliment everybody that, over the past year, spent so much time and energy making this happen. The ultimate goal was to give, was to free up a piece of dirt to allow one of our premiere hospitals to build a state of the art o.r., which was great news for the east side of the city, but, there are a lot of reasons, and I know more than most, why this may not have happened. And it happened because at a leadership level a group of people said we're going to fix it, and so I compliment the team at legacy, but in particular, I want to thank jack and his team, the mayor, and the pdc chair for their good work. Aye.

**Saltzman:** I'm very pleased to support this property transaction. Or disposal of surplus property to legacy. For a state of the art operating room and expanded pediatric trauma capabilities. There is a larger question here about fleet and our maintenance. We do have very necessary space needs. And the use of the stanton yard, which is used by several bureaus. We need a plan for all those needs, and we need to get our emergency vehicles and our essential maintenance vehicles out from under seismically unstable bridges from i-405. And I know we talked about this forever and I hope well not continue to talk about this forever, because we're not going to escape a large emergency forever. We need to look at this and as an example we talked about the most efficient ways for the maintenance bureau to work with both the environmental service bureau and the Portland bureau transportation, and those discussions really need to continue in order for us to make sure that we can serve our city's residents in time of need. So, i'm very pleased to support this, and I wish legacy well in its endeavors, and I look forward to it. The city needs to grapple with its own internal issues about keeping our citizens safe. Aye. The ordinance passes and we move onto item 1224.

**Item 1224.**

**Saltzman:** This is a second reading, vote only.

**Leonard:** Aye. **Fritz:** Aye. **Fish:** Aye.

**Saltzman:** Aye. Ok. Approved. Item 1225.

**Item 1225.**

**Saltzman:** Second reading, vote only.

**Leonard:** Aye. **Fritz:** Aye. **Fish:** Aye.

**Saltzman:** Aye. Ok. Item is approved. 1226.

**Item 1226.**

**Saltzman:** Briefly the bureau of environmental services had that has contracted with the johnson creek watershed council for the last nine years. To assist the city with restoration projects, program development and public outreach throughout the watershed. The johnson creek watershed council engages citizens, businesses and other agencies in the stewardship of johnson creek, working with

October 31, 2012

the watershed council advances the city goals of protecting salmon and water quality at johnson creek, and the tributaries. This ordinance will provide funding to the johnson creek watershed council in the amount of \$5,000 a year, for three years. The total will not exceed 15,000. Is there anybody that wishes to testify on this item? Ok. This item moves to a second reading. And then item 1227.

**Item 1227.**

**Saltzman:** Second reading, vote only.

**Leonard:** Aye. **Fritz:** Aye. **Fish:** Aye.

**Saltzman:** Aye. And then 1228.

**Item 1228.**

**Saltzman:** Sending reading, vote only.

**Leonard:** Aye. **Fritz:** Aye. **Fish:** Aye.

**Saltzman:** Aye. Ok. That completes our morning agenda, and we are adjourned until 2:00 p.m. This afternoon. Thank you.

At 10:43 a.m., Council recessed.

October 31, 2012

## Closed Caption File of Portland City Council Meeting

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

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

**OCTOBER 31, 2012                      2:00 PM**

\* \* \* [ roll call ]

**Fish:** I need to read something, and i've already not followed the directions of our able council, but i'll read it anyway. Pursuant to pcc 3.02.05, mayor Adams is participating by telephone because he is feeling ill. And without the mayor's participation by telephone, there are not enough -- there's an insufficient number of council members present to adopt the ordinance as presented. This afternoon the office of commissioner Saltzman was contacted to inform him that he could participate also by telephone and he indicated he was unable to do so. Do any of the council members physically present object to having mayor Adams participate by telephone? Assuming no objections, we'll proceed. I did not expect to be chairing this meeting, so without objection I'd like to move the fall bump with the modification. [laughter]

**Leonard:** No way.

**Fish:** Karla, please read time certain 1229.

**Item 1229.**

**Fish:** Thanks very much. Who is here to present? Good afternoon.

**Rachel Whiteside:** My name is rachel whiteside, I am the bureau of development services planner assigned to this land use case. Staff prepared findings based upon the tentative recommendation from council on october 10th, where council found issues raised by proponents of the proposal were adequately addressed in the record and additional materials provided by the applicant sufficiently addressed deficiencies identified by the hearings officer. The decision before you includes conditions of approval as included in commissioner Leonard's motion. The findings, conclusions -- [dial tone. Adams phone line disconnected, then reconnected at 2:06]

**Fish:** Mayor Adams -- we'll get him back on. Go ahead.

**Whiteside:** These findings, conclusions, and conditions have all been reviewed by the city attorney's office and were provided to council last week as requested.

**Fish:** Council discussion?

**Leonard:** We'll have to wait for mayor Adams. We're going to require his vote.

**Moore:** Mayor, are you there?

**Adams:** Yes.

**Leonard:** I'd move the findings as submitted by staff.

**Fish:** Do I have a second? I'll second it.

**Kathryn Beaumont, Chief Deputy City Attorney:** Kathryn beaumont, city attorney's office. Might I suggest just for the purpose of completeness the motion would be to adopt the findings and to grant the appeal, overturn the hearings officer's decision, and approve the land division and other reviews applied for.

**Fish:** Mr. Leonard --

**Leonard:** I would so move.

**Fish:** Second. Karla, please call the roll.

**Leonard:** Aye. **Fish:** Aye. **Adams:** Aye.

**Fritz:** No. [gavel pounded]

October 31, 2012

**Fish:** The matter passes. Thank you very much. Good work. Karla, what time do you have?

**Moore:** I have 2:07.

**Fish:** We'll take a three-minute break. Our next item is a 2:10 time certain. Thank you. The meeting recessed at 2:07 and reconvened at 2:12.

**Fish:** Council will come back to order. Karla, please read time certain 1230.

**Item 1230.**

**Fish:** Mayor Adams, would you like to introduce this matter?

**Adams:** 3 years ago the Portland development commission and the Portland, Oregon sustainability institute created five ecodistricts around the city. The ecodistricts were both an offshoot or a growth of our climate action plan, and also our economic development plan. The matter before you today, we will hear an update on the progress that's been made in these five ecodistricts, and it's also an opportunity for the city council to officially recognize them. So I'm pleased to turn over the presentation to Michael Armstrong and Patrick Quinton.

**Fish:** Are you watching this on tv? How did you know they were there?

**Michael Armstrong:** Thank you, commissioners, Mayor Adams. I'm Michael Armstrong with the Bureau of Planning and Sustainability. The resolution today would recognize formally the five pilot ecodistricts and direct the Bureau of Planning and Sustainability as well as the Portland Development Commission to continue to provide technical assistance and support project implementation in ecodistricts. As the Mayor noted, the ecodistricts initiative was launched three years ago with the goal of applying sustainability at a scale that's beyond a single building, a single site. With support from PDC, the city tasked Portland Sustainability Institute with developing a framework and working closely with the five pilot districts to test and implement that framework. In working through it, each of those districts has established a mechanism for working together, they've explored project opportunities and conducted feasibility analyses, and they have begun to pursue projects. Today you'll hear from each of those five districts on their progress to date as well as some of the next steps they're contemplating. You'll also hear from the Sustainability Institute. When you think of ecodistricts we want you to think of places like the Brewery Blocks, where you've got a vibrant streetscape surrounded by high performance buildings connected by a shared district cooling system. But at the same time we want you to think of things like Solarized, where you have neighborhood residents working together to buy solar at prices much more competitively than any of them get alone, and they did that by working together. These are the things that can make an ecodistrict real. What the districts are doing is putting into practice the climate action plan, the Portland plan, and showing that these are efforts that are implemented in the community and by the community. I think from the city's side we've gotten very good at getting great performance out of individual buildings, I think we've also gotten pretty good at communitywide policy and planning, but what we've left out is the district scale in between those two and it's really the district scale where people interact. It happens in a neighborhood, it happens not just in a building, but between buildings. That's the opportunity the ecodistricts present us. They also present us an opportunity to get performance that we currently aren't able to get out of a single building and we haven't yet figured out how to get a communitywide scale, and if we're serious about the carbon reduction goals we need to find better ways of delivering those reductions. The intent is to get environmental performance, community development, and economic opportunity all packaged together as we've gone through this process, many different bureaus have participated to inform the development of the Opportunities, environmental services, water, parks, transportation, certainly PDC, and planning sustainability as well. If you direct us to go forward it will take continued collaboration across all those efforts to help the districts succeed. We particularly appreciated the support and coordination with PDC. I want to turn it over to Patrick to comment on your role today.

**Patrick Quinton, Director, Portland Development Commission:** Thank you very much, Michael. Good afternoon commissioners, good afternoon Mayor Adams. Happy to be here today to

October 31, 2012

lend our support to this resolution and to express directly that we plan to continue our support of ecodistricts. I think you know that ecodistricts have been part of our efforts for the past 3½ years, they were included as part of the economic development strategy, and so they have been a priority for us. And I think it fits in with our work in a variety of ways. First the most obvious way is certainly within the economic development strategy, one of our three major goals is what we refer to as urban innovation, but it's maintaining Portland as a national and international leader as a place for innovation, as a hub of design activity, and a lab for the latest thinking in the next generation built environment, and for high-performance buildings, and so that's -- we feel like Portland has played that role for quite a while and we think it's important for the Growth of our economy to continue that. And that's largely because for the second reason this matters to us, we think it benefits our clean tech companies. And we have a very strong green building, green development sector in the city, and in the region, and they benefit from being located in getting to work on projects that get to test the latest in these techniques, and we believe districtwide innovations are where the next wave of this development. So it supports directly local companies, and it's more than just thinking about kind of our standard definition of clean tech. It's extends into our manufacturing cluster as well. Because one of the things we've learned about clean tech it's a lot about making things, manufacturing things, so we're working hard to connect our existing manufacturing base to the opportunities that we see with work and ecodistricts. And then third, as michael mentioned, this is an evolving aspect of the work, because it does overlap with our neighborhood economic strategy, and it becomes a way for neighborhoods to organize around particular priorities. So it doesn't have to be infrastructure per se, it can be initiatives like solarize now, where the community comes together and decides they want to collectively invest in certain things. And so as we think about the priority areas we're working in the city, we would like these principles to be in use there as well. And lastly, I think as we think about pdc's traditional role as the funder of infrastructure we would like to think about, if we're going to continue that role and we're going to continue to put our scarce dollars to work we would like them to go to work in a very strategic way, in a way that not only meets the infrastructure needs of the city, but that advances innovation around this, so we think it helps inform our ongoing role as a funder. So I think as the resolution, the detail behind the resolution with regard to pdc is that one, we're going to continue to offer resources within the pilot areas which are within our uras to help with implementation. As I mentioned we're going to continue to connect our firm's clean tech firms with the opportunities that arise out of the ecodistricts, we're going to continue to look for district scale opportunities whether they be in the lloyd district, you'll hear about these, but we'll be looking for very specific districtwide opportunities to test these principles, and obviously we're going to continue to work with the bureau of planning sustainability and our other bureau partners to make this reality. So once again, in summary, we believe this is a core part of our ongoing economic development work. So with that, unless you have any questions --

**Fish:** One question for you. I saw something in the newspaper this week about our ranking in clean tech. We're ranked third in the nation or something?

**Quinton:** Yes.

**Fish:** Am I accurate?

**Quinton:** Yes. I'm blanking on which ranking, but we continue to get rankings, whether it's clean tech jobs, the latest thing we put out was a report by clean edge, which is a research firm that's tracking and a leadership in the clean economy, and that might be what you're referring to, which aggregates leadership across a number of different sectors. So use of renewable energy, clean tech firms, and jobs, and those things, and we came out the third ranked metro area in the united states behind I think san jose and somewhere else in california. Two california metro areas.

**Fish:** Congratulations.

**Quinton:** Thank you.



October 31, 2012

**Fish:** Council questions? We have some panels coming up?

**Quinton:** We do.

**Adams:** First we're going to hear from the lloyd ecodistrict, sarah, wade, and justin.

**Fish:** Welcome.

**\*\*\*\*\*:** Thank you.

**Fish:** Thank you for joining us this afternoon. Who would like to go first?

**Sarah Heinicke:** I will. My name is sarah, i'm the lloyd ecodistrict executive director. Thank you council members, mayor Adams, susan anderson, patrick quinton. Rob bennett and the countless others who have worked so many years to make the concept of ecodistricts a reality. And to keep Portland in the lead innovating in the areas of smart growth, sustainability, and Urban planning. I also want to take this moment to thank my stakeholders and board members who are critical to my lloyd ecodistrict's success. They are Portland sustainability institute, langley investment properties, liberty northwest mutual, ashfourth companies, bonneville power administration, pacific power, Portland trail blazers, Portland development commission, Oregon convention center, lloyd transportation management association, left bank development, the office of the mayor, and metro. Today I want to give my stakeholders the majority of time to speak on behalf of the lloyd ecodistrict, so with that, I will hand the mike over to wade lang, lloyd ecodistrict board member and vice-president of property management at langley investment properties. And then over to gwen baldwin, who will be speaking on behalf of the lloyd executive partnership in absence of dan field from kaiser permanente, who could not be with here with us today. Dan is the director of government and public policy at kaiser permanente. With that I hand over the mike to wade. Thank you.

**Wade Lang:** Thank you. I'm wade lang with langley investment properties. And a board member for the lloyd ecodistrict. Commissioners and mayor Adams, thank you for allowing us to speak today. Having the opportunity to talk to you about the next step in The formation and growth of the lloyd ecodistrict, as you've read in the synopsis, the lloyd ecodistrict has been very busy advancing the goals and missions of our ecodistrict. I want to emphasize the importance of city council's action today to the private sector. There's currently a lot of activity beginning in the lloyd district. Elite platinum super block development, a district shared thermal system and zero waste strategy program, all three of these projects were require the heavy lifting to be done by the private sector as it should be. With this resolution, we set in motion the next steps for how the city bureaus interface and take seriously their role in these and future ecodistrict projects. The responsibility to coordinate interbureau efforts and how current and future policies should be directed to assist businesses and development is a key component to the success of lloyd or any of the other ecodistricts. With this resolution, we can envision the opportunity for sdc reform, permit expediting and other forms of financial partnerships for innovative projects that will enhance livability and economic growth while creating a model for what a sustainable community will look like. The private sector within the lloyd district has already proven a readiness and willingness to take on this challenge, and we sincerely hope the city will be our partner. Thank you.

**Fish:** Thanks very much. Gwen, welcome.

**Gwenn Baldwin:** Thank you, commissioner Fish and council members. My name is gwen baldwin, i'm here on behalf of the lloyd executive partnership. The lloyd executive partnership was formed in 2005 among some of the larger property owners in the lloyd district to create a focused and unified voice for economic development, job creation, and housing options at all levels. Members include langley investment properties, the trail blazers, kaiser permanente, pacific power, and liberty northwest. The lloyd ecodistrict is absolutely a driver of job creation. Of economic vitality, and of housing. It fits very neatly into our focus. It is a rational way for the public and private sector to work together with our mutual interests in mind, lower energy consumption, waste reduction, they improve building performance bottom line. And they meet policy goals of the city.

October 31, 2012

Integrated bidding performance -- integrated systems create the next generation of urban living, and work environments that attract more jobs and more residents to the lloyd district. This isn't wishful thinking, this isn't a pretty design on a paper. It's purposeful planning and good business. With the passage of today's Resolution, the lloyd executive partnership looks forward to the city bureaus and the private sector launching the kind of projects that wade mentioned. Where this ecodistrict designation adds value to the business equation. So let executive partnerships strongly encourages the passage of this resolution and deeply appreciates the work of the lloyd ecodistrict board, sarah posey, mayor Adams, and his staff, the countless hours that city staff have put into this resolution, and into the work leading up to this resolution. And the city council for its support. Thank you.

**Fish:** Thank you, gwen. Any questions from council? Ok. Thank you very much.

**Adams:** We'll now hear from representatives of the south of market ecodistrict. Welcome.

**Bob Naito:** We've gotten so used to calling it the soma ecodistrict. I didn't recognize it in its full incarnation. My name is bob na naito with naito development. I'm the chair of the soma ecodistrict. I thought i'd start with a kind of an interesting summary of the composition of our ecodistrict which basically is everything south of market and follows the 405 freeway loop and naito parkway. There's 173 acres in that area, and 90 city blocks. Nine of those blocks commissioner Fish are park blocks, including the south park blocks and the halprin park Sequence. There are 10 leed-certified buildings in the district, 9 million square feet of space, 3.6 million square feet of housing 2 porch 3 million square feet of office. 200,000 square feet of retail space, and 3 million square feet that is owned by psu, and that's their office and classroom space. It doesn't count the dormitories during the residential space. The 4,000 residents that live in that area south of market street, 10,000 daily office and retail employees that come in on max and the streetcar, and a certain small number of them drive, there are 29,000 psu students in that area. We did a study created a road map for the future of this ecodistrict, and estimated that about 7.1 million square feet of new building will take place between now and the year 2035. I think in our district, which actually was -- started in 2010 by psu, the university really has a major focus in the district and what we're doing, and it has it in a couple ways. One is the number of students and faculty and employees that work and study in the district. But also the fact that you have major sustainability institutions doing research, and setting sustainability. The thing that has been difficult for us since we really got rolling has been to hold the faculty and the student body at bay because there's so much interest in creating an ecodistrict and what can be that it's been hard to keep the number of people that have Contacted kirsten and the other members of the ecodistrict trying to get involved in -- trying to hold back at least get walking before we start running. We have a steering committee that comprises the major property owners and several of the major commercial tenants in the ecodistrict. There's a list on that fact sheet of who they are, so I won't read them. But what's been interesting has been the call to action from the private sector members in that group. There's one whose name I won't name him, but who came several meetings and said, I appreciate having the opportunity for a free lunch, I appreciate seeing everybody, but what are we going to do? Let's stop talking, and actually start doing things. And so we've had a real strong if kind of initiative within the group to actually start seeing changes on the ground. And commissioner Fish, I want to tell you about one program that the city council approved, and it's a partnership between -- it's really parks, this ecodistrict and the health and landscape conservancy, we created this adopt a block program that came before city council I think six months or so ago, and it was where the sort of pilot for this was the 200 market associates, the 200 market building, basically, picking up some of the maintenance requirements or enhancing the maintenance of the pettygrove park, and I think if you go by there in the next Couple months you'll just be astounded at green grass, the restoration of the irrigation system, and just the maintenance and the cleanliness of that park. It's night and day. Now we're working on expanding that kind of guerilla fashion block by block up the landscape conserve singling -- signaling. If you walk between the zion building and the parking lot you'll notice that

October 31, 2012

block has been improved substantially. We recently in fact on thursday approved the road map, which is a fairly extensive plan for short-term and long-term activities. I think the next things that we are going to do on the ground involve working with parks and the landscape -- landscape conservancy to see if we can't activate the lovejoy fountain park at the south end, which is a wonderful -- when I was in high school that was the park to go to. It was like the -- it was like the jamison square or tanner place is today. And we want to bring that back, and there's all those 30,000 students and 10,000 office workers, and you wonder where they go, because the park is empty. So that's something we thought we could do as an ecodistrict and we could do it by this spring. In terms of other things that we're working on, one of the montgomery green street project, which I think is going to have to develop block by block because the funding isn't available to do whole thing at Once. We're talking about a retail strategy for the district and that's part of this gathering place and creating community. When we surveyed the property owners we figured out that 100% of that 200,000 square feet of retail is occupied. And there is demand for more retail space in the district that's just not being met. So we're working on a retail strategy to address that. One of the things is a potential for a grocery store. And we're looking really hard at energy retrofit programs. One of which I think you'll hear about shortly, the kilowatt crackdown. But when you think about it, and i've been saying this for 20 years, if we build 7 million square feet of new space, what happens to the existing space that may or may not be energy efficient and john russell at 200 market, and we have got basically rehabilitated some of that existing space into leed platinum high-efficiency space, and I think that's something our group is very interested in doing. So I hope you pass the resolution and we can keep going.

**Fish:** Thank you both for your great work. I see on the map, I don't see the source fountain.

**Naito:** It's there, it's so small.

**Fish:** Thank you both very much.

**Adams:** Next we'll hear from representatives of south waterfront.

**Fish:** Welcome, gentlemen.

**Peter Collins:** Thanks for having us. My name is peter collins, the director of south waterfront community relations, which is also the transportation management association and the ecodistrict. Over the past two years, posey and the south waterfront -- and south waterfront community relations have worked with stakeholders in the south waterfront to -- through a sustainability lens. The stakeholders include ohsu, zidell, and many of the repellants who live there. Through sharing ideas, plans and resources, stabling holders have grasped on to ecodistricts as a strong model of planning for neighborhood scale efforts. The model has provided a great road map for the district, and has helped tie together a larger community vision where neighborhood -- the neighborhood has real ownership of the projects. Just to mention a couple of the upcoming projects we've been working on, south waterfront smart grid and demand management program, working with buildings and owners, managers and residents and utility providers to use technologies and education to create efficiencies in -- create efficiencies and usage of energy and water and waste. We're also looking at an interim greenway strategy, planning for a seamless connection and access to the greenway as the district develops. Without the ecodistrict work to date, this work really wouldn't have been possible. I think it's been a real connector for the community. We're in the south waterfront we have emerging buildings and infrastructure, and I think the ecodistrict model has been a real catalyst to bring the community together. So we hope you pass the resolution. Bryan newman couldn't be here from ohsu, but rob is going to talk about integrated infrastructure work.

**Rob Bennett:** Good afternoon, mayor Adams, commissioners. I am pinch hitting for brian newman of ohsu. -- champion and partner with all of us, with the ecodistricts initiative for the last three years. I'm going to talk briefly about the integrated infrastructure strategy that is underway in south waterfront. It's a natural evolution and a significant part of the ecodistrict initiative, which is to look at how our neighborhood infrastructure can be built and operated in an efficient way in

October 31, 2012

which you're looking to integrate multiple lines of activity in sort of a seamless infrastructure strategy. In south waterfront, if you think of the central district, we've done a lot to do -- to integrate storm water management at the district scale, we've integrated green buildings, but we've also missed some opportunities and the initiative is allowing us to go back and look at some of those missed opportunities in the 1st phase that we can develop in the second face. In the north district it's roughly 50 acres, 20 acres owned by ohsu and 30 by zidell. We're looking in partnership with Portland development commission, ohsu, zidell, and a consortium of private utility providers led by corks utility at an integrated strategy to manager energy and water for that portion of the district. Why this matters and why it's an important part of the overarching strategy is that cities are facing an enormous and growing infrastructure deficit, and to the tune in this country of over \$2 trillion, and we need to as patrick said, identify unique and smart ways to bring additional capital to the table for these projects. So in the case of south waterfront, we're lacking a partnership that would bring private utility money to help us design 21st century water and energy infrastructure that can ultimately serve that portion of the district and then move into our portions of the district over time. This is consistent with what's also happening in the lloyd district we're we're looking with the remodeling of the veterans memorial coliseum to bring additional private capital to increase the efficiency and grow the energy infrastructure that can ultimately serve a larger part of the district. So this is an important partnership, an important part of the overarching ecodistricts initiative, and we're thrilled that down south waterfront, ohsu, and zidell are taking a lead in helping the city and helping the utility providers and others to design the system. The hope is at the end of this year we will have a business Strategy for a design build operate for the system, and ultimately a business strategy that the city would take a look at in partnership with corex. And we're thrilled this partnership is happening, and it's another indication of the integrated nature of ecodistricts. When you bring the community together with the city, agencies, and utilities, and put sustainability metric in front of it, better outcomes and more resilient and more efficient infrastructure will follow.

**Fish:** Thank you both very much. I should also announce I think an invitation went out this week, december 14th, which is a friday, at 3:30, the city will be cutting the ribbon on grays landing, which is a leed certified building, first affordable housing in south waterfront, named for john gray, who just passed, and I think fits in very nicely with what you're talking about in terms of an ecodistrict. Thank you for your great work.

**Adams:** Next we're going to hear from folks from growing gateway.

**Fish:** Good afternoon.

**Colleen Giffords:** Good afternoon. Commissioners, mayor Adams, thank you for allowing us to tell you more about the strengths of the growing gateway ecodistrict today. The growing gateway ecodistrict can be a successful story for not only our community, but also for the work that you all are doing for the city of Portland. I was born in Portland, and I have lived in the gateway and Parkrose area for the last 26 years. My neighborhood is one of the most diverse neighborhoods in the city. There are 77 different languages spoken in our community. Imagine that. A community, world community within the city boundaries. The strength of this community is the volunteers that work year after year and never give up. We have a strong community that wants to see change, and community members that get involved in making change. Growing gateway ecodistrict has many advantages. We have a strong stakeholders group, and partners such as gilbert brothers, realty brokers, adventist health, hazelwood and parkrose neighborhood associations, east Portland action plan, gateway urban renewal advisory committee, parkrose, mpi, parkrose, david douglas, Portland christian high schools, fred meyer, and I could go on and on, but it would take up way more than my three minutes. We are continuing to outreach to bring in more groups and residents to help with the ecodistrict goals. We have a long list of sustainable ideas that we would like to committee our time and efforts to. We are working on strong projects we feel important to the growth of our

October 31, 2012

community and including gateway green and a gateway education center. Among all of the unique and innovative technologies that one might imagine for an ecodistrict, perhaps the most powerful one environmentally is to create a nonautomobile dominated community, a true transit oriented district. Because of its extraordinary transportation infrastructure, gateway is positioned to do this unlike any other area in the region. And with the tools of a regional recreation destination, such as gateway green, an economic development incubator such as the gateway education center, and an existing urban renewal agency in place with substantial untapped bonding capacity. And a committed core of involved citizens, the growing gateway ecodistrict is positioned to become something that the city of Portland can utilize to demonstrate our city's leadership and sustainable urban planning. We are establishing partnerships with the bureaus such as pdc and bps on projects that will help our community lower our carbon output, as well as help all of our citizens and businesses within our district. Each project touches on one of the areas that you may be working on, such as water, equity, human rights, seniors, urban forestry, energy efficiency, education, and I could go on. What we are asking from you today is to recognize the work that we have been doing over these last several years as a strong community of volunteers and find a resolution to make us an official group and to the success and future of growing gateway in a sustainable manner. We have the passion, but we need the city's recognition giving us the strength to bring in others in our community that may have not come on board because we are not an official organization. The ecodistrict can become the umbrella of all the organizations giving structure and partnering with city bureaus, we can work together to create change and do it for the community's economic growth, creating local jobs, creating safe neighborhoods, and strengthening education around our environment and our commitment to our next generation for the health and safe place to grow and live today and in our future. Thank you again for listening and considering our request for approval of the ecodistrict.

**Jeff McDonald:** Hi, i'm jeff mcdonald, and some of you know I work for the immigrant and refugee communication organization. Where I direct economic development initiative for the agency. Thank you so much for the chance to speak today. Irco relocated to gateway in 2001 to better serve the diverse refugee and immigrant community that colleen already mentioned that is resident in the area. Since then we have been an active partner with Portland development commission, the urban renewal area, and the neighborhood economic development plan. In march the 2011, as part of our ongoing commitment to gateway, we became a member of the growing gateway ecodistrict for which I serve as treasurer. Irco was pleased to be invited to partner in the district and has sought to ensure the Ecodistrict not only included broad equity goals, but also had a practical means of engaging the diverse communities of east Portland. Something that I believe irco brings to that mix very strongly. We also believe that it is important to engage refugee and imgrant communities early on in such efforts. Many of us, myself including before this, knew little about ecodistricts, so imagine how little refugees and immigrants coming from other lands understand these concepts. However, they do provide important ways to achieve civic, social, and economic equity for these communities. As part of our commitment, irco is serving as fiscal agent for the gateway district on the reenergizing gateway project colleen just described. Reenergizing gateway is designed to engage refugees and immigrants and the senior citizens in the area specifically. Tore speakers have spoken about large projects and very innovative work. I think in the gateway area we should also remember that ecodistricts offer a way for businesses and neighborhoods to change the way they do business and the way they operate. And i'll just over irco as an example. Since we became a member of the gateway ecodistrict, we've aligned our own strategic sustainability goals to those of the district, strengthen our own sustainable business practices, and perhaps most importantly, Have incorporated training on sustainable business practices for refugees and and immigrant owned businesses served by our microenterprise development program. We think that this is a model that other businesses in the area can follow. Finally I wish to acknowledge the work

October 31, 2012

of posey to launch the gateway ecodistrict and thank the city for having the vision to support posey's efforts. As you can see from the other speakers, ecodistricts are at different levels of development. Gateway I believe is really in its beginning stages, and as such, needs to build its capacity to realize its potential for guiding smart environmentally sustainable and community inclusive economic development. Portland is a leader in the ecodistrict movement worldwide as recent submits have shown, supporting the districts such as gateway is the next logical step in helping all of Portland become sustainable.

**Fish:** Linda?

**Linda Robinson:** I'm the sweep I guess. My name is linda robinson, and when they 1st started -- began the formation of the gateway ecodistrict, I told them I was too busy to be involved. I think i've missed two meetings in the last three years, so I guess -- it just aligns so well with the other projects I work on, and as you know I work on a lot of projects and events in east Portland, and I have for some time. And having this designation as an ecodistrict, I see this as really supporting some of our Other efforts to raise money, to do community building activities, so I see this as an important step, even if the projects aren't specific projects of the ecodistrict, they're aligned with that in many ways, and it will help with fund-raising efforts and help the community building, bringing people into it. So I just -- I liked her statement about, the people involved are people who don't give up, and my motto is patient persistence.

**Fish:** Thank you all very much.

**Adams:** Next we'll hear from foster green.

**Fish:** Good afternoon.

**Ryan Givens:** I'm ryan givens, and i'm representing the foster green ecodistrict. To put a place where it is, the area along foster road south of powell between 52nd and 122nd. We're pretty ambitious as far as a geographic area.

**Fish:** You have zenger farm and leach botanical within your district.

**Givens:** We have it all. Basically we're a collection of neighborhood groups and also nonprofits. Rather than just doing a visioning kind of process, we love the planning, but we've got a little planning fatigue. A lot of times it's just independent smaller projects throughout the corridor that's really going to change people's lives and that's why our group has capitalized on the ecodistrict concept. And identifying appropriate projects to improve our Neighborhoods, we're working closely with pdc who is facilitating the flip project, it's basically looking at that -- the foster corridor and pinpointing some really neat projects that would spur redevelopment reinvestment. Basically the city is going to be committing to a lot of capital improvements in that corridor, but there's going to be a lot of projects that are homeless, who is going to take them on. That's the where the ecodistrict would like to step up to the plate and go, this park project, or this little business project here, that's going time prove our life, so we want to take that on. So we're that organization to do that. We need you to adopt a resolution because it gives us credentials when we make that phone call, to somewhere in the city, like hi, this is ryan from the foster green ecodistrict. That's going to carry more weight than if I just say i'm a citizen that would like to do good things. So please adopt the resolution and thank you posi for helping out through the process and also pdc for helping us through the process.

**Fish:** Thank you very much.

**Adams:** Next we're going to hear from the founding director of Portland Oregon sustainability institute and then final thoughts from michael armstrong.

**Naomi Cole:** Good afternoon mayor Adams and commissioner. This is naomi cole, i'm going to speak on behalf of the Rob Bennet founding Director and the -- I run the program for posi and i've had the privilege of working with the 70 all these folks you've just heard from for the past three years. I've been inspired by their dedication to their neighborhood and by their willingness and enthusiasm to work with us in this emerging field of ecodistrict. It always reinvigorates me to hear

October 31, 2012

from them. When we started the pilot program, this is exactly what we had in mind. The mayor recognized the opportunity around neighborhood scale sustainability and asked us to develop an approach for creating ecodistricts in Portland and piloting it in these five neighborhoods. The work to date reinforces the fact neighborhood sustainability matters. It's a critical scale to understanding what works and what doesn't work across the city. It's also a scale that really resonates with people. People identify with their community and they're willing to invest time and resources to improve them. Our ecodistrict's approach, and I believe you have a few slides that describe it, recognizes the need for a strategy that leverages these public and private investments and coordinates them with community sustainability goals. We developed eight ecodistrict performance areas to integrate city policy goals with community priorities. The bureaus have significant Responsibilities around policy and program and development, and we think ecodistricts help link and coordinate these priorities with community initiatives and leadership for overall improved sustainability performance. The districts and the city have been patient, flexible and innovative, and have helped refine a new approach for creating sustainability neighborhoods through ecodistricts. And thanks to this willingness to innovate here, ecodistricts provide yet another opportunity for Portland to lead the way. The approach is proving to be just what other cities want as well. Last week as you heard from Michael we hosted our annual summit, we had 450 people from 77 cities and 14 different countries here in town. Many of the attendees are actively leading their own ecodistrict development in their hometowns and they're eager to know what's happening in our neighborhoods and to share their lessons learned and help build this ecodistrict movement. In May Posey hosted the ecodistrict institute, leadership training program for 10 cities who came to Portland to be trained on how to develop ecodistricts, and they went home with a road map on how to do that. Now most significantly I think we're putting the finishing touches on a north american ecodistrict program. To respond to all of this existing demand. We worked with a group of 15 different cities, funded by the Urban sustainability directors network, and these were cities from across north america, to refine the ecodistrict approach and make it more broadly applicable and -- so this might sound familiar, because it's a model that Portland has proven over the last couple decades around transportation, light rail, storm water management, and green building. We're creating new markets. We're building expertise and stimulating economic development and I'll give you a couple quick examples. A couple of our local design firms have cut their teeth in Portland's ecodistricts and now there's an ecodistrict in Mountain View, California, one in Washington, DC, China, and we're also attracting new forms of investment. Ecodistricts is appealing to them because it creates a market of stakeholders who already have shared neighborhood sustainability goals and are willing to consider this new form of district infrastructure. So this all gives a sense of the momentum and really the movement that's grown out of this early day work in Portland. We greatly appreciate the city support over the last three years and we urge you to continue to support these ecodistricts directly, now that they have leadership and clear goals and project priorities which you heard about. Ecodistricts are clearly a long-term play, they have very ambitious long-term goals, and the work to date and even this resolution is just the beginning. We ask you to formally commit to ongoing support now, while also recognizing there's significant work ahead. And we ask you to further clarify roles and responsibilities as well as a broader city policy framework in the coming years as the city and these neighborhoods develop ecodistricts together. Through our work it's become quite clear the future of cities is in neighborhood revitalization, and it's essential that city leaders develop more rigorous policies and provide clear guidance and incentives to vent projects these neighborhoods are interested in. So congratulations to the city and to the district on all the good work to date and we thank you for your leadership.

**Fish:** Thank you.

**Michael Armstrong, Bureau of Planning and Sustainability:** Thanks very much, Naomi. I think the work of the district speaks for themselves. They have accomplished a lot already, the resolution

October 31, 2012

in front of you would both recognize that accomplishment as well as opportunity to do more, and I would the formulize the city's commitment to continue to provide technical assistance and project support to them. We're happy to answer questions if you have them and certainly would I expect the districts would as well.

**Fritz:** I have just one question in the resolution it calls for a report after two years. Why do we have to wait for another two years before we get another report on this excellent project? Would it be possible to have a report in a year?

**Armstrong:** It certainly would be possible.

**Fritz:** It's very inspirational, and I think with the added oomph of being recognized by the Council, I think there will be more to report. I certainly would like to hear this next year at this time.

**Fish:** Michael, as you refine your tool kit and capacity, look out 10 years, how many ecodistricts would you like to see in Portland?

**Armstrong:** It's a great question. In fact we're already seeing some parts of town that weren't part of this initial set of five pilots identify themselves as ecodistricts, approach us saying they would like tosh ecodistricts, how can they go about that. So I don't know if the sky is the limit, but it's a big number and I think our intent is to be clear about the ways in which the city can support these efforts in neighborhoods in areas without imposing things upon them. We want to help create the conditions through which the businesses, the residents, the community organizations in these districts can use the tools and build their own ecodistricts and so my hope would be 10 years from now, let's say there are 29 ecodistricts. [laughter]

**Fritz:** Mayor Adams, would you be open to a friendly amendment to report back in one year instead of 2?

**Adams:** Absolutely.

**Fritz:** So moved.

**Fish:** Do we have anyone signed up to testify?

**Moore:** No one else signed up?

**Fish:** Any further discussion?

**Leonard:** I second the motion.

**Fish:** Karla, please call the roll.

**Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye.

**Fish:** Aye. That was on the motion to amend. So we now are -- we come to the resolution. Do I have a motion to approve the resolution?

**Fritz:** So moved.

**Fish:** Commissioner Leonard seconds it.

**Leonard:** It's a pleasure to be the first vote recognizes the five ecodistricts. We just don't know, I may end up living in one very soon. Aye. [laughter]

**Fritz:** Just like everybody lives in a water shed, we all live in an ecodistrict. It's just that some of them have done a lot more work as you bring people together and look at all of the interest in the districts, so i'm very excited with this. Good to hear from long-time neighborhood association volunteers and the neighborhood prosperitive initiative and all the other things that in fact it does all fold together, and the more we coordinate the better. Thanks to the bureau of planning and sustainability and posi for leading this and mayor Adams for your leadership on this. Aye.

**Adams:** I want to thanks lisa on my staff, who's been a key part of not only getting the districts off the ground, but also getting the Portland sustainability institute off the ground as well. So a big thanks to her. I do want to thank rob bennett and the board and the staff, the team at the -- at posi, and of course the great work at the bureau of planning and sustainability. But my biggest thanks goes to the intrepid persistence of the volunteers in the ecodistricts. The citizen leaders who really helped us move forward to this stage. We get to officially recognize you because of your great work. I'm very pleased that we're doing this, and I vote aye.



October 31, 2012

**Fish:** Thank you all for very inspiring presentation. Someone who was testifying said that this was about leveraging public and private resources and aligning it with our sustainability goals. And to that I say amen. And in each of the five districts that you testified to about today, we have parks either planned or in the works or friends group providing some kind of amenity. We have an affordable housing and market rate housing on the books and we have people talking to each other about how to meet all these sustainability goals and job goals, and livability goals. And so I say kudos to every one. It almost feels like the east Portland action plan brought down to a smaller scale and expanded to include a focus on sustainability. So terrific work and thank you all for joining us this afternoon. I vote aye. [gavel pounded] resolution passes. We're going to take a five-minute break. [applause]

**Fish:** Karla, please read council item 1231.

**Item 1231.**

**Fish:** Mayor Adams are you there?

**Adams:** Three years ago we adopted the city of Portland and Multnomah county climate action plan. Road map to achieve 80% reduction in carbon emissions by 2050. Since then while total carbon emissions in the united states have increased 12%, in Portland, total carbon emissions are down 6%. Studies show that buildings in the united states account for more than 40% of the energy consumption and about 72% of electricity consumption. Kilowatt crackdown is an opportunity for Portland's big building owners, commercial building owners, to improve energy efficiency while achieving cost savings. Think of it as a place where pro wrestling meets energy deficiency, hence kilowatt crackdown. I'm pleased to introduce or bring michael armstrong, deputy director of planning and sustainability for sustainability back to testify and give more details to the city council, and then we just have two participants invited to testify.

**Fish:** Thank you very much. Mr. Armstrong.

**Michael Armstrong, Bureau of Planning and Sustainability:** Thank you mayor, and commissioners. It's my pleasure to be joined here by my colleague, alisa kane, has been instrumental in shaping this effort. So i'm going to turn it over to alisa to introduce this.

**Alisa Kane, Bureau of Planning and Sustainability:** Good afternoon. I'm alisa kane, I manage the green building and development program. I'm here to ask you to consider this resolution to partner with commercial building owners and managers in the region to benchmark energy performance, save metropolitan, and improve buildings. We formed the building performance partnership which includes the city of Portland, boma, Oregon, northwest energy alliance better bricks, energy trust of Oregon, Portland development commission, and clark public utilities. You'll hear from two of our other partners today, but we came together to promote the kilowatt crackdown, which is a free program that provides commercial building owners and managers resources to benchmark their building, track energy use, reduce operating cost and compete against other similar buildings for the most improvement. This is important program because we know that building owners, managers, and tenants in the commercial sector spend more than \$300 million every year on natural gas and electricity. We also know many of these buildings could save energy. The kilowatt crackdown is here to help. We are hoping to enroll at least 150 buildings and achieve an annual savings of \$2 million in energy costs. Specifically we're looking for buildings that are greater than 25,000 square feet and are predominantly used by offices. In addition to working with our Partners to get the word out, we plan to contact local chambers of commerce and membership organizations that serve tenants, owners, and managers of commercial buildings. You may have heard other cities like san francisco, seattle, Washington, dc, have used a different approach. In these cities they're mandating commercial building owners benchmark their buildings and disclose energy use publicly. They're using the stick instead of the carrot. We're trying a more cooperative approach, in a market-based approach and show the rest of the country that we can improve performance because it makes financial sense. So the city of Portland is going to enroll three

October 31, 2012

buildings in this, and as a program under a previous name, we enrolled the city hall and actually came in second place in that category. So I'm excited to join our colleagues here at the table, and say we're going to reenroll, and that it's actually game on. So we're here to compete. Thank you very much.

**Fish:** Thank you.

**Wade Lang:** Good afternoon once again. Mayor Adams, commissioners, I'm still wade lang with Langley investment properties. I'm also a board member of BOMA, Oregon and a member of the executive committee. And I'm excited to speak before you today in support of your adoption to the resolution for the kilowatt crackdown program. Property owners have long recognized the importance of energy efficient buildings. Since I started in the industry in 1977, there's been a top priority of every property manager. Though the northwest is blessed with relatively low energy costs, energy consumption still has a major impact on our budget. BOMA created the office energy showdown in partnership with Northwest Energy Efficiency Alliance in 2007, in part to get member buildings certified through Energy Star. We had 15 buildings participate. In 2010, the program was modified to include benchmarking use of energy, water waste, and transportation. We had over 80 buildings participate. There's a strong desire and motivation for building owners to participate. That is why we're excited to participate in the kilowatt crackdown. The resources energy trust of Oregon, PDC can provide a huge benefit to our buildings. And they not only help us benchmark our energy use but provide guidance and recommendation for energy saving projects. As important as the participation of NEEA and ETO is, so is the involvement of the city of Portland. It is important the city give building owners the opportunity to prove their desire to voluntarily benchmark their building and pursue energy efficient opportunities. This is contrary to the direction other cities have going, mandatory energy star reporting has added cost and burden to other owners. Langley manages six high-rise buildings. And we are proud to enter each building in the kilowatt crackdown program and although we have made great strides in reducing our energy consumption and our carbon footprint, we know there's always more to do and we look forward to getting started. Thank you.

**Fish:** Thank you, sir. Welcome.

**Phil Guay:** Mayor Adams and commissioners, my name is Phil, strategy manager for the Northwest Energy Efficiency Alliance here in Portland. And I really want to thank you for the opportunity to talk about the kilowatt crackdown this afternoon. NEEA and our funders in Portland, energy trust of Oregon, PacificCorp, and Portland General Electric have been conducting energy efficiency programs in Portland for over 10 years, and in fact this is the third competition that we've had in Portland, the kilowatt crackdown. It is, however, our first that now includes Portland and the Clark County Public Utility District. As I think about this Commissioner Fish was talking about opportunities to align and leverage private and public resources. And I think what we're doing with the kilowatt crackdown is a very perfect example of that. We're leveraging not only the private and public side, but the experiences that NEEA has in Seattle and the 2030 District in similar types of competitions. We like you believe that sustainability is an absolutely essential part of Portland's successful future. We also believe that energy efficiency is essential and an important cornerstone to assuring the economic viability of sustainability. Kilowatt crackdown is a resource that helps building owners and managers achieve savings through behavioral or as we call it, strategically energy management best practices. Low-cost, easily accessible savings that go straight to the bottom line. Kilowatt crackdown however is not wishful thinking that people will behave better. That they'll turn off the lights, so to speak. Especially trained energy efficiency engineers scope each building, individually examining the complex systems and processes of each building, and then make specific recommendations for low-cost improvements. Operational and maintenance changes and equipment settings. They then follow up with each building individually, and it's highly customize. That focus generates the most savings at the lowest cost. Buildings are very

October 31, 2012

complex operations, as wade could attest, but there are frequently very low costs, simple solutions. We also offer training at many levels within our competition, with follow-up in measurement building by building. While we call it a competition, it has no losers. It has those that do better than Others and they will be called the winners, but nobody loses in the kilowatt crackdown. Everyone wins. As alisa said, our goal is to save \$2 million in 1 -- [inaudible] and that's a significant contribution to everybody's bottom line, and because you have a few buildings in the city involved to yours as well. In addition, because a one-time activity or competition like this is not our ultimate goal, but long-term sustainable savings is our goal, we introduce bench mashing a as new tool, a tool called energy star. And it's much more than simply presenting energy consumption data on a traditional billing model. It gives owners and operators and managers the opportunity to continue time prove their energy savings year after year after year, along -- long after the competition is complete. I do have one request, an amendment to the resolution. Although I was offered the opportunity to make an amendment to the resolution, it was one of those emails I got to a bit too late. And I would like to offer the suggestion that the Portland city council ask for an annual update of the energy savings achieved by the buildings in Portland through the kilowatt crackdown on an aggregate basis, as well as specifically performance of the buildings that you've entered, the Portland building as well as city hall. I believe your involvement and continued interest in the Performance of these building and Portland's consumption of energy will add an incredible catalyst for us to get not only the first 150 buildings mobilized to save energy, but move on to the next one and next one and next one, so some day when you ask the question how many crackdowns will there be in Portland, we'll have to say none, because the entire city has succeeded in achieving the energy savings goals we've established. So that's my suggested amendment.

**Fish:** We'll accept your amendment as a friendly amendment.

**Guay:** Thank you. With that i'd like to thank you for the opportunity to talk, and your obvious commitment to energy savings here in Portland. Thank you.

**Fritz:** I do have a question. You mentioned it's not just turning the lights off in buildings. Is it going to include turning the lights off in buildings?

**Guay:** It might include turning lights off in buildings. I drive into town at night quite often and sometimes it's not as simple as turning off the lights, frequently the lights are the primary source of heat, and if you turn on the lights, you turn on the heat too early in the morning to recover heat for the tenants. The simple answer is it is turning on the lights and off at the right time. As i'm sitting here I can hear your fans. I know that's inefficient. When you can hear them in the chamber room you know it's inefficient. It may not be a simple fix.

**Leonard:** We have a lot of hot air in here.

**Guay:** I heard that, actually.

**Fritz:** I very much appreciate that answer. I often get asked that question. Why do we have all the lights on in the big buildings, and -- that's a more detailed answer than you might think.

**Guay:** There's a right and wrong time to do it.

**Fish:** Thank you all very much. Do we have anyone signed up to testify?

**Moore:** No one else signed up.

**Fish:** I checked with commissioner Leonard who is a world authority on roberts rules, and he has reminded me a resolution simply needs a sponsor, not a second. So commissioner Leonard? Would you move the resolution?

**Fritz:** Do we need to formally move the amendment and have --

**Fish:** Why don't we do that so the record is clear.

**Leonard:** I'd move the proposed amendment.

**Fritz:** Can you provide the language that you just said to the council clerk?

**Fish:** Karla, will you call the role?

**Fritz:** You have it written down?

October 31, 2012

**Guay:** I could give it to you right now. Ask for an annual update showing energy and cost savings for all Portland building participants in aggregate and the city buildings in particular which are city hall and the Portland building.

**Fritz:** Thank you.

**Leonard:** That's my motion.

**Fritz:** I second that.

**Fish:** Karla, call the roll, please.

**Leonard:** Aye. **Fritz:** Aye. Thank you. **Adams:** Aye.

**Fish:** Aye. The amendment passes. Thank you, sir, and now we'll take up the resolution on the merits. Call the roll.

**Leonard:** Pleased to support this. Sounds like a very good thing for us to be doing, and it will be interesting to see the outcome. Aye.

**Fritz:** Thank you. I'm looking forward to seeing the outcome. And I appreciate it's a carrot rather than a stick. I think that's definitely the right way to go, and we in Portland embrace being more sustainable and especially saving money and doing our jobs well. It meets all those goals. Aye.

**Adams:** I want to thank the building owners and management association of Oregon, northwest energy efficiency alliance, energy trust of Oregon, the bureau of planning and sustainability, the Portland development commission, and clark public utilities. Aye.

**Fish:** Michael and Lisa thanks for your presentation, gentlemen thanks for staying with us this afternoon. And Mayor Adams, thank you for your leadership on this issue. I look forward to a report next year. Aye. [gavel pounded] resolution passes. We are adjourned.

At 3:25 p.m., Council recessed.

November 1, 2012

## Closed Caption File of Portland City Council Meeting

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

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

**NOVEMBER 1, 2012            2:00 PM**

**Adams:** Good morning, or good afternoon and welcome to the city council. Today is thursday, november 1st, 2012. Good afternoon Karla, how are you?

**Moore:** Good afternoon, i'm fine.

**Adams:** Did you have a good halloween.

**Moore:** It was pretty nice.

**Adams:** Did you have lots of trick-or-treaters?

**Moore:** I didn't get home until late.

**Adams:** Awwww. Can you please read the item?

**Moore:** Roll call?

**Adams:** Oh, roll first. Sorry. [ roll call ]

**Adams:** Quorum is present. We shall proceed. Karla, please read the title to the time certain.

**Item 1232.**

**Adams:** Could I have the folks that will be doing the initial speaking from staff come forward?

**Adams:** Testimony is welcome and please sign up on the sign-up sheet. Local law requires you to just give us your first and last name, that's all. And to also disclose if you're authorized to speak on behalf of a business or a group as their lobbyist. Other than that, we'll have three minutes to count down. And this is a first reading which means no vote is taken today, we're just accepting testimony today. In February 2010 we stood with community leaders to request an investigation by the united states department of justice civil rights division to review the Portland police bureau for bias. Regardless of whether or not it was intentional, unconscious, or institutional. At the conclusion of that investigation, the united states found, quote, insufficient evidence to pursue federal criminal charges against Portland police bureaus involved at that point, including the fatal shooting of aaron campbell. However, days later they announced a federal investigation into the Portland police officer's use of force to examine whether there is a pattern, was a pattern of practice, is a pattern of practice of excessive force used by Portland police officers, particularly against those perceived to be or living with mental illness. When the department of justice announced its investigation, I said I welcomed the inquiry, and noted we had not even asked that we noted that we were looking for best practices and that we're humble in the notion that we don't have all of the issues related to the best possible policing and community policing figured out. As police commissioner with chief mike reece, we maintain when we took over and sought to reinforce in the bureau a culture of continuous improvements. And we have sought to be both tough on implementing the policies that do exist, the standards of conduct that do exist, but also to provide police officers and the public, police officers more training and more equipment and budget support and offer citizens the ability to have more access to the way those things are done. Last week we had the initial kickoff of the training facility. It was 167 years ago that the city employed its first police officer, and last week was the first time city government, city council provided the police bureau a comprehensive in-city training facility. We've also spared the budget, the city council has spared the police bureau budget from cuts to sworn personnel, recognizing that compared to other cities, there's already -- we have a lean number of officers that we rely on to protect and serve our

November 1, 2012

community. Knowing a key part of this effort to improve trust and to improve positive relationships with all Portlanders but especially Portlanders of color, we've worked hard over the past 2½ years to recruit some of the most diverse group of applicants for the police bureau than ever before. And we have worked hard with existing efforts with the existing use of force policy that is tougher, more restrictive than the national use of force policy to make sure that our use of force has decreased. It has decreased, and we want it to decrease more. The vast majority of Portland police officers are hard working men and women who go well above what they are paid to do. And it is with those folks in mind that we are considering the wider context for the issue at hand today. We know that the issue of folks suffering from mental health are being perceived to suffer from mental health, including addictions is the result of many things. The recession, cuts to government agencies, cuts to nonprofits, and that Portland police officers and 9-1-1 operators and firefighters and first responders through amr are interacting with people with behavioral challenges, behavioral issues, mental health issues, addiction issues, more than ever. But with this agreement two important things happen. Regardless of whether or not things get better in terms of services and under this agreement there's a push to make sure there are more complete services, but regardless, the city of Portland bureau of police has embraced its role of being part of the treatment and care of folks that are suffering from mental illness and addictions. And in turn, because of the provisions of this document that note health care reform being led by governor john kitzhaber and by president barack obama, this also embraces and fast tracks health care reform so that those people that are suffering from mental illness and addiction will have access to more services locally. This agreement adds to our existing policies, new provisions related to the use of force, making them more restrictive and that's appropriate. It requires new and better training and we embrace that. We also embrace the memphis model so that new unit within the Portland police bureau will oversee and organize how police officers interact with people experiencing mental illness, getting them to treatment as much as we possibly can rather to jail. And it enhances civilian oversight of the bureau with the creation of three citizen oversight groups. Although the federal government found no constitutional violations in terms of institutional racism, this report embraces the fact that we need to improve the Portland police bureau, I as police commissioner, we need to improve the trust we hold with the community at large and especially Portlanders of color. And Portlanders that are suffering from mental illness. That requires that we speed up our investigations and the majority of new positions created under this agreement are intended to either do that or to provide for independent monitoring of this agreement. We must build trust if we're going to make headway on community policing, if we're going to make headway on dealing with the most vulnerable amongst us. This also takes the cooperation of other agencies, not only at the cco level, but in order for this to work, it will take more cooperation from the Multnomah county sheriff's office and from other peacekeeping and law enforcement agencies. The oversight of this happens with a committee of 15 people, two other committees are establishing the training advisory council to provide for citizen oversight of training, and then there's a training and then there's another citizen oversight committee to oversee the new mental health unit within the Portland police bureau. We on city council can each make an appointment each, one each to the overarching oversight board, and I would encouraging my council to make those appointments with an eye to putting people on the oversight board that have experience with mental health issues, advocacy, folks that have public policy or on the ground experience in dealing and helping those suffering from mental illness to recover. This will make an improved Portland police bureau. A police bureau that is even closer in line with the city values that we share. Now I'd like to introduce jim van dyke, the city attorney, who will begin the presentation in more detail of what is contained in this agreement.

**Jim Van Dyke, City Attorney:** Good afternoon mayor, council members. What i'm going to do today is just provide a bare bones outline of what the agreement contains following that we'll have a number of people available to go through various sections of the agreement and Provide a little bit

November 1, 2012

more detail about each of these sections. Which will include the chief, Clay Neal and members of my staff. As you know, earlier this year the United States Department of Justice found that most uses of force by the Portland Police Bureau were within constitutional limits, but it did find reasonable cause to believe there was a pattern or practice of unnecessary or excessive force in certain encounters between police officers and persons who had or were perceived to have had mental illness. Following that finding, my office together with the police bureau with other members of the city sat down and engaged in lengthy negotiations with representatives from the United States Department of Justice, both from Washington, DC and from the local office here, and put in many hours trying to reach the agreement that you have before you. It concerns or touches on approximately nine topics. It concerns changes to the police bureau's use of force policies. It concerns changes to training in the Portland Police Bureau. It concerns community-based mental health services. It concerns crisis intervention and how the police bureau will address and deal with folks in the community who were experiencing a mental health crisis. It will change how the police bureau saves and coordinates its data in its employee information system. It provides new measures involving officer accountability including a reduction in the time frame in which an administrative investigation occurs. It lays out a plan for community outreach. And it lays out a path for implementation of the agreement and enforcement of the agreement. And I'll be back up later to talk about both implementation and enforcement of the agreement after folks talk about the details of this. I do want to add a couple of pro forma technical notes. You will notice in the agreement that there's a denial of wrongdoing. This is a common part of any settlement agreement. It's included in every settlement agreement that the city executes, and that other parties execute. The primary reason for that is to make sure there aren't unintended legal consequences for the city in this agreement. Nothing more should be read into it than that. If you were to sue your doctor for malpractice and the insurance company paid you \$10 million, they would put a provision in the agreement saying they hadn't done anything wrong. There's another provision in the agreement that talks about not referencing the previous communications or the negotiations that went on between the city and Department of Justice. This is typical for contract interpretation, if this matter has to go before the court and decide whether the city has lived up to this agreement, we're going to look to the words of this agreement, not to what was subjectively intended or might have been said in conversations between the parties. The only time that might come into play is if there's a portion of the agreement that's not clear. Finally, we have been reminded by the Department of Justice that we are not to talk about the specifics of those negotiations. We can talk about what's here and what's before council and what's not before council, but we have been admonished by them not to discuss the confidential communications during those negotiations. Thank you.

**Chief Mike Reese, Police Bureau:** Thank you, Mayor. Over a year ago I sat down with Assistant Attorney General Tom Perez when he arrived in Portland to let us know that the Department of Justice was conducting an investigation into the Portland Police Bureau. We had breakfast together and discussed their investigation approaches, the strategies, and where he thought community policing should be in the United States. And I felt like we were kindred spirits, and we saw the future of policing in Portland and in this country in the same fashion. Certainly with this agreement there is no daylight between what the Department of Justice is asking us to do and what we want to do as a police bureau. I think it is a reflection of the changing nature of police work in that departments across the United States are dealing more and more with issues around homelessness, drug addiction, and mental health and less and less with major crime issues. Crime is down. We have one of the safest cities in the United States. And our officers are engaged much more in these very difficult problems like homelessness, drug addiction, and mental health. As we proceed forward, it's important for us to have new partnerships, and we have been in that mind-set for a while. We have vibrant relationships with VOA, with Cascadia, with Joint Central City Concern, Transition Projects, and I've been talking to our officers since I became chief that we have to have as we move forward,

November 1, 2012

relationships with our social service partners that are better than our relationship with the jail. And if we're going to be successful in this new dynamic in police work, these are the partners we're going to need. It's also clear to me that we're going to have to be part of the health care system, not just the criminal justice system. And you'll see in the agreement specific to that, ties between us and the new health organizations that are being set up. And the realization, you applaud the mayor for bringing ceos of our hospital systems to the table and our partners at Multnomah county to the table to discuss this, but how do we proceed forward knowing that we as a bureau can do better, and we as a community can also do better? So you'll see in the agreement new relationships, new subcommittees, and work groups, and a commitment from the police bureau, the city, and Multnomah county to work on these very difficult issues so that our teams and our processes are interrelated, that we're sharing information, and that we're doing everything we can to line up resources in one pack. In terms of the crisis intervention, you'll see in the agreement that we are adopting a new model. We are creating an addictions and behavioral health unit. I think this is a step forward in something that we've been working towards for quite a while. The service coordination team model is something we started many years ago, has been highly successful in bringing law enforcement and social service partners together to work on people who are cycling through the criminal justice system because of their drug addiction. A lot of those folks who we're dealing with now also have meant health issues. That model is very successful, and we see with the addictions behavioral health unit a path forward to work in the same fashion with people in mental health crisis. We have had the mobile crisis unit, and that partnership with project respond has been incredibly valuable as well. The information sharing between Our organizations and the training that it provides our officers, so you'll see in the agreement expanding that model so that we have one mobile crisis unit in every precinct. The crisis intervention training many years ago, it was a communitywide effort that mayor potter put together. And the community looked at our training at that point and decided that it was best for the Portland police bureau to train all members of the organization in crisis intervention. I concur with that recommendation. It is a core competency for police officers in Portland, Oregon, to have those skills. But it's also clear from conversations that i've had recently with members of the community that they want to have -- when the opportunity is there, to have an officer who has an advocacy and a passion for working with people in crisis to have that officer receive enhanced training and to be available to respond quickly to these calls. And so we are reconstituting our crisis intervention team. We have already put out a job announcement, this will be a detached position within the Portland police bureau for parole officers -- patrol officers to receive enhanced training, and when there is a call involving someone in crisis, that officer would be dispatched along with the primary district officer. Those are some of the larger pieces to what we're doing around crisis intervention, and i'll turn it over to clay if he wants to add anything to that.

**Clay Neal, Mayor Adams' Office:** The chief covered most of the points. I want to -- my name is clay neil, the mayor's director of public safety and peacekeeping. The chief covered most of the points, but I want to point back to the future of collaboration that the agreement requires of the city with other agencies and community groups. It is an expectation in this agreement that the city push to use partnerships with regional coordinate care organizations that are implementing health care transportation locally, and I think that's a step in the right direction, given that we haven't traditionally been at that table because the city has not been traditionally thought of as a medical provider. It's been clear through the conversations that we've been having in the mayor's office for the past year, but through commissioner Fritz and other members of the city for many years with safer pdx, that the city is a provider of medical services through our first responders and through 9-1-1. And so to have that opportunity in agreement with the established coordinating care organizations who have agreed to this to allow the city to sit at the table is remarkable, and I am looking forward to the city's participation in that conversation.



November 1, 2012

**Adams:** And then do we have a budget --

**Neal:** Yeah. We'll continue with some of the other provisions of the agreement as well. If dave worboril --

**Adams:** And who else? Is dave going to talk about the budget?

**Neal:** Dave will talk about use of force with the chief, as well as stephanie harper will join for information systems and accountability. Then we'll have the auditor and mary beth baptista as well.

**David Woboril, Deputy City Attorney:** I'm david woboril, I work for the city attorney. I've been asked to give you a framework to help you organize your review of the force policy component of the agreement. There are four components to this. One is an augmentation of the Portland police bureau's force policy. This will eventually result in changes to the force policy and the taser policy.

There is an increase in supervisor review of force events required by the agreement that's in process in the Portland police bureau currently. In fact almost completed. There's a requirement that there be a collection of data so that we can understand, we meaning the Portland police bureau, the community, the council, can understand more accurately how officers are performing in confrontations. And how they're using force to resolve situations. Finally, there's some requirements that the city use that data to feedback to systems and reform systems. The -- there was substantial agreement with doj early on in the negotiations about the purpose of talking about force policy. And there's no question in the city's mind and doj's mind that the modern police agency should manage toward using force at lower levels as little as possible to resolve confrontations. The trick is for everyone to get there in a practical way so that we create management rules that a supervisor chief of police can actually enforce. And that guide officers in a practical way to their conduct on the street. Portland for some years has had a requirement that officers perform at a higher level than the constitutional level. That's been reflected in policy since 2007. The commissioner and the chief of police have been trying to create even more elevated practical standards and the interaction with doj was a catalyst for us coming up with better, new, and very progressive standards. You'll see the force -- the policy language in the agreement starts on page 14. In that language, you'll see a restatement of Portland's current policy, which is the graham standard of the constitutional standard that officers use reasonable force as well as Portland's current standard that over time, officers do better than on average do better than the graham standard. You'll also see in the policy, and I hope to find the cite for you, a new standard that requires officers, and this is the first time it's been -- our implementation of it will be the first implementation around the Country that officers, when they make decisions, when they choose between the reasonable options at a scene, officers will be required to reasonably calculate that that's the option that will resolve the situation with the lowest level of force or no force at all. This is as I say a progressive new standard. We think that it will work, and we think it will benefit the citizens of Portland greatly. In the taser policy -- .

**Reese:** I want to make it clear this is is a conversation we've been having internally for many years, and as dave said, the force policy changed substantially in 2007, to require officers to perform at a higher level than the constitutional standard, and it also I think is important to note that the work that we've been doing in both training and policy development has paid off. Our force use is down 35% over the last four years. And officers rely on force very little in their day-to-day work.

**Leonard:** I wonder if you could help us understand that concept better by giving an example whether it's a real life example or a hypothetical of a level of force that may be allowed under the constitution and one, a level of force that would meet your new expectation and the gap between what the constitution may allow and this new force policy will only allow.

**Woboril:** I could talk conceptually about, that and the chief can probably give you a specific scenario. When an officer gets to a situation in which people are unwilling to comply, a person is unwilling to comply, there's many possibilities that can spin out. Because there's so many actors. Perhaps the person is going to respond to presence, maybe not, perhaps persuasion, maybe not.

November 1, 2012

Perhaps various levels of force. It can be reasonable in a situation to think that several different uses of force are necessary, perhaps hands-on control might resolve it if you can approach the person, gain control that way. Perhaps that won't work, it will be reasonable to consider taser to take control from a distance. Perhaps those two alternatives are not unreasonable. What we're asking officers to do with the new standard is to think hard about which is better. Which is -- to actually make a distinction not between unreasonable and reasonable force, but between different reasonable options. Now, in hindsight, we will probably never be able to determine what the least amount of force might have been to resolve it.

**Leonard:** That was going to be my next question.

**Woboril:** That's the discipline problem.

**Leonard:** Exactly. In the aftermath of an incident from this point on, given you've adopted a written standard, what do you perceive the management's reaction would be to an officer who you have determined didn't use the least amount of force available?

**Woboril:** The tests will not be least amount of force. Because you can't determine that. That's been the conundrum for law enforcement all over the country. How do you as a manager go to arbitration, say, and prove how that would have turned out with a different set of actions by all the parties involved? You can, however, we believe, ask the officer to articulate completely their thinking and evaluate the quality of the choices that are made given the information available to the officer. That's been the kind of holy grail of force thinking and policy --

**Adams:** And be able to compare that to their actions.

**Woboril:** Exactly so.

**Leonard:** You're saying that even if chief reese would have determined to use a lesser amount of force in the same situation, if an officer in the aftermath of an incident explains what his or her reasoning was to use the level of force they did, that may countermand what the chief or other supervisors may actually conclude a better level of force would have been?

**Woboril:** The rule is specific in that the officer's thinking needs to be in pursuit of the goal of using lower levels of force or avoiding force all together. So that's a reasonable expectation of your employees, and hopefully we expect a standard you can objectively judge after the fact, whether they were actually trying to get there.

**Leonard:** Is there any department in the country that does that, that we know of, that actually --

**Reese:** We are at the forefront in this model, and if I were to go to my compatriots at major city chiefs and ask them, would you like me to come show you how we can reduce force in your department, 35% over the next four years, i'd have a lot of takers. Because this is really unique. And again, what we're looking at is not specific incidents, we judge those on the graham standard, but over the course of a person's career as you develop experience and you develop skills, we want to see you working towards lower levels of force. And as part of the agreement, you'll see training around de-escalation strategies, which we've been doing, that will be part of the critique that sergeants do after force encounters. Did you think about using de-escalation, was it appropriate, if not, why not? And that will be part of that ongoing training and critique process.

**Woboril:** I could point you to paragraph 67, sub c, which has one of the formulations of the new standard. And the draft force policy which has been circulated has the new standard in it as well.

**Adams:** For those that don't necessarily have the luxury of following all the details over years, the adds on top of the existing expectations that the chief said that over time we expect to see more skill employed at de-escalation at being able to -- officers being able to use less force over time. And so the fact that our officers will be judged on every situation, but that we keep track of their history, and their use of force or less use of force or no force. That too is unique among american police departments.

**Leonard:** It seems to me this kind of a nut of the agreement and section d, paragraph 67 kind of sums up what the result will be, unreasonable uses of force may result in disciplinary action -- it

November 1, 2012

seems to me beyond -- correct me if i'm wrong -- beyond interviewing an officer in the aftermath of an incident, understanding his or her reasoning, that in at least Portland's academy, not the state's academy, but Portland's academy for new recruits, somehow this concept needs to be integrated and become an integral part, a new part of the training academy for new police officers.

**Woboril:** Absolutely. One of the agreements requirement assist that we train under the requirements of the agreement and that will begin at in service, the next session of in-service. I will say Portland has done a good job of having its trainers change how they present and judge decision making. In the past, trainers might have said that's an acceptable reasonable response. When an officer proposes something in a training scenario. They don't do that anymore. Now they talk about the best choice. And that's a significant change. They're ready for this. This will -- won't be news to them. It will be incorporated quite easily, and I think there will be a very good training over the course of the winter.

**Leonard:** Thank you.

**Adams:** If I could also connect the dot back to the council's direction to pursue evaluations, regular evaluations of officers which right now is making its way, our effort to employ that in the Portland police bureau is making its way through the collective bargaining process, it also -- this gives us an opportunity for -- in addition to the counseling that happens after any use of force is also incorporated not only in training, but also in the evaluation of officers.

**Leonard:** Thank you.

**Woboril:** The force policy, the agreement in paragraph 66-68, has some requirements for the taser policy. Which includes a heightened threshold for application of taser. There have been a couple of schools of thought around the country, Portland's been firmly in the middle in one of those schools of thought, we're all coming together in the middle, the agreement identifies the middle and will be solidly in the middle of the consensus around the country. Also restrictions on the use of taser for pain compliance. Taser was originally purchased by law enforcement as a control tool, we're getting back to that principle. The data collection is extensive. The supervisors are going to be more involved in the review of use of force, paragraph 70-73. Give you a picture of what currently is going on with the Portland police bureau, when doj arrived in town, they impressed upon the Portland police bureau the need for supervisor involvement as reviewers in uses of force less serious than they were reviewing. Our after-action level was higher than many bureaus in the united states. And the threshold now is at uses of force more serious than unresisted handcuffing. The system they've set up is quite thorough, it's detailed, you'll see many of the details in those paragraphs, 70-73, it's working, it appears to be working very well, i'm seeing very thorough evaluations with rich detail. And supervisors are getting witness statements and evidence from the scenes. It appears we're documenting them very well. So the future looks good there.

**Adams:** There's also the significant new expectations, protocols and they will be institutionalized on the quality and completeness of sergeants or supervisors' reports of these after-action use of forces.

**Woboril:** The city has agreed with doj that everyone in the chain of review should be accountable for the thoroughness and completeness and effectiveness of these reviews. All the way up to the commander and the chief. That's explicit in the agreement, and will be explicit in Portland police bureau policy. Data collection is important to knowing if these reforms are working. You look at paragraph 70-78, and you'll see the various data collection efforts quite thorough, it's going to take a build-up in the police bureau of data collection capability. They're starting that process now. And we look forward to having more information about these events. Use of the data, you can see requirements in paragraph 80 that there must be an annual update to the training division's training plan, and in paragraph 81 there must be studies bite training division of the effectiveness of the training. That's a difficult and complex issue. Everybody wants to know how well training is doing and of course wants to have effective training. So they're going to get after that, and --

November 1, 2012

**Adams:** Let me be here to clarify, it will be the exception to the rule, the rare exception to the rule, for example, that the training advisory council's meeting will be an executive session. That that work of the training advisory council will be public meetings --

**Woboril:** I expect it would be very rare that they would discuss this subject that is so sensitive and so important to public safety to keep confidential at a meeting would be closed. The idea is to get all this information in front of the public and make public decisions About how best to proceed.

**Reese:** I think that's reflected in what we've been doing the last two years, with having dave and precinct commanders talk to community groups about our use of force policies and getting feedback from those community groups. Training will be critical for us, as dave said. We have in-service coming up, and we will be training to this agreement and to the new policy changes. There are mechanisms in place that we will be required to use more scenario-based training and role playing, specific to interaction was persons who have perceived mental illness. Obviously we're going to have to train supervisors and managers to the new requirements in evaluating performance and evaluating use of force.

**Adams:** So now we're going to hear from stephanie harper about the data collection system and the early warning opportunities for police officers or others that show signs of not adhering to this agreement.

**Stephanie Harper, Deputy City Attorney:** Good afternoon. My name is stephanie harper, i'm a deputy city attorney with the city attorney's office. The next couple of sections of the agreement cover really our overall management of our work force. And the first -- if you remember, the justice system investigation was about systems, not individual cases. And so these two portions of the agreement relate to how do we enhance and improve those systems. So currently the Portland police Bureau has what is called an employee information system, and that system actually collects information. I think of it as it's the center of a wheel and there's a number of spokes coming out from the center of that wheel and it goes out and grabs data in other databases the Portland police bureau has that talk about what officers are doing on a day-to-day basis. So that system collects that data and brings it all into one place where it can be reviewed and the employee as well as their chain of command can actually see how is -- what going on with this particular officer, what kind of work are they doing, how many arrests are they making, how many force incidents of forces have occurred, all of that data gets collected in the system and is reviewed, can be reviewed both by the chain of command as well as within the internal -- professional standards division. There is a sergeant who is assigned full-time to actually review eis case threshold triggers that occur, which send up an alert when certain thresholds get met. So what this agreement provides for is continuation of the thresholds that have already been in place and working. The system has been up and running fully for about a year now, so if an officer has used force in 20% of their arrests in the past six months, it will throw up a flag, or if they've used force three times more than the average number of uses of force compared to other officers On the same shift, those flags go up and it triggers a review by the eis administrator who pulls all that data and reviews it and assesses it to determine do we have a case where we should do some intervention on the front end, and talk with the officer, or is everything been appropriately handled in this case? And then they'll identify opportunities for counseling if need be, and provide that information back to the chain of command so they can take appropriate supervisory steps early on. The idea is you're trying to -- folks should self-manage their behavior, and so they can see their productivity levels and also see possibly where they may be falling out of line, when we can easily bring them back into line. In addition we're going to add an additional threshold under the agreement that will provide another trigger if an officer has three uses of force in one month. There are multiple steps built into the system, where within the chain of command once a case goes out for review, there's a number of people who make those decisions, that information comes back to the system to show the review has been completed. And then also under the agreement we'll identify and train a second person to do that eis

November 1, 2012

administration work. In addition, besides those individual bases, we'll provide enhanced use of that system, by looking on not just an individual officer level but a unit level, and looking on a Groupwide level under particular supervisors and folks within their chain. Any questions about is that section?

**Adams:** Currently we're not doing that right now?

**Harper:** I think that is actually happening to some extent, but what we're trying to do is make that a formal process where it happens on a regular routine basis.

**Reese:** We're going to be implementing thresholds at unit levels as well as officer levels. And then one of the things that came out of there, the department of justice review of our employee information system, they had an expert come in and review it and said that the system was actually the best he had ever reviewed, and was complimentary of the work we had done. So I want to highlight the fact the folks that have put this together have been very thoughtful in their application of it.

**Adams:** We're going use it more.

**\*\*\*\*\*:** Yes.

**Adams:** Do you want to talk about officer investigations and speeding that up? Accountability?

**Harper:** Sure. In terms of officer accountability, as anybody -- all of you know and anybody knows if you're in charge of leading groups of people, there's a variety of ways which we assure accountability, and one of those ways of course is if complaints are filed or the Portland police bureau identifies issues that need to be investigated, we trigger a complaint or an investigation process. Currently all of that is initiated through the independent police review division in terms of the tracking, and so the requirement under this agreement is that all of those administrative investigations excluding the actual disciplinary process should discipline be recommended and taken, will occur within 180 days. Which is a reduction. And we will also -- the course of that we'll actually include the entire investigation process as well as the citizen review committee appeal process, which i'm sure the director can talk about in more extensive detail. That's really the main component of that. There's some exceptions, for example if we have a criminal -- concurrent criminal investigation, that time line may expand out just because of the needs of that particular case.

**Adams:** All right.

**Reese:** The other piece to that is obviously we haven't been coming close to those time lines, so this is going to be a very aggressive time line for us. We're committed to it, we're adding more investigators, civilian investigators to the professional standards division, as well as to ipr so we can achieve these results.

**Adams:** All right. Now i'll ask our independently elected auditor griffin-valade to please join us with a member of her team. Welcome back.

**City Auditor LaVonne Griffin-Valade:** Thank you. Good afternoon. I want to just make a few brief comments before turning the presentation over to Mary Beth Baptista, director of the independent police review division, in my office. And so she can discuss more pertinent details. Since 2009, the independent police review division better known as ipr, has become a more proactive civilian oversight agency, particularly as a result of the various city code changes enacted by city council in 2010 and 2012. Pending council's approval, the settlement agreement with the U.S. Department of Justice will enhance those improvements and create even stronger accountability measures. The most important of the measures from my perspective addressed in the agreement is timeliness of investigation. Investigations will need to be wrapped up in 180 days. The goal of this particular piece is to prevent years-long investigations that end up eroding public trust and system accountability. Also, now there will be guidelines to bring back consistency and police officer discipline. This will help ensure that discipline decisions are clear to officers and meted out fairly. The agreement will also require ipr investigators to essentially conduct more thorough

November 1, 2012

investigations in half the amount of time. And as a result, requires more investigators in ipr. I welcome that. And I want council and the public to know that I am committed to greater diversity on our team. And I want to reiterate that I am also very committed to hiring at least one, at least one, more than one hopefully, new investigator with a background and experience in the field of mental health. Thank you, and I will turn this over to mary beth at this point.

**Mary-Beth Baptista, Director, Independent Police Review Division:** Good afternoon. I'm mary beth batista. Some of the specific provisions in this agreement that can help get the investigations under 180 days is what i'm here to highlight today. First, if you look at page 42 on paragraph 121, it now calls for concurrent investigation of both criminal matters and administrative matters. This will especially assist speeding up investigations and officer involved shootings and in-custody deaths. On page 43, paragraph 127, the doj calls for us to develop a plan, ipr and the police bureau, to develop a plan to enable meaningful independent investigations done by ipr. We also -- there is also provision -- the auditor mentioned, that the bureau has been directed to develop a discipline guide, a discipline matrix. And our hope is that with more consistent discipline and a more Consistencies item and a matrix that lays it out, that discipline decisions will be able to made more consistently but also more quickly and more efficiently. The other provision that will allow the investigation to be done within 180 days, this will include the citizen review committee appeals. Right now this the appeals can last up to 60, sometimes 90 days. Under the doj's agreement it will now have to be completed within 21 days. I understand the significant reduction, but the agreement also provides for an increase in membership on the citizen review committee from 9 to 11. But they call for the quorum to be the same, understanding not all 11, a quorum of 11 would -- to increase the quorum would make it difficult for the complete committee to get the appeals done within 21 days. So they've made the provision to have an increased membership. And just as a side note, I understand the mayor has called on the commissioners to make sure they come forward with recommendations for the new oversight committee, but I also want to remind the commissioners that you may also make recommendations to the citizen review committee. We've only actually had the mayor do that in recent years, and I think it's very important especially now that we're expanding the membership to 11, I think it's very important that the commissioners look at the dedicated people within their Bureaus and the people they work with and encourage them to also participate on the citizen review committee. Because we will -- the increased membership we'll need your assistance too. The citizen review committee members also have now been given the authority to be one of the two citizen members on the use of force review boards. Certain uses of force that go through the performance review board, so if there's a recommendation of a sustained finding with discipline, a board is convened. On that board are voting members, use of force cases it's the ipr director, the commander, the assistant chief, as well as two citizen members and two peer members. This agreement now makes a citizen review committee member a member of that use of force review board, so they'll actually get to -- on a rotating basis serve on the board, make findings and make recommendations directly to the chief regarding discipline. And then of course there are provisions to enhance the transparency of the process of complaints. If you look at page 48, recommendations 137-139, require ipr to enhance our existing website, to enhance the ability for citizens to track their complaints, get more timely updates, and more information from their complaints. Our outreach coordinator is here and she'll be the person on my team working to get community feedback on what kind of information they would like to see in the best way for them to get it. And we are excited about this provision and feel like this is -- this will really enhance community trust.

**Adams:** Thank you very much. And I appreciate everyone's forbearance, this is a 71-page -- 74-page document, so we want to make sure on the record we get the key highlights. So if we could have then attorney van dyke talk about the community engagement aspect of the agreement, the various committees that are established, and why you're getting settled, I want to reinforce that the

November 1, 2012

use of force policy, a draft use of force policy and a draft use of taser policy, we're still taking public comments on, we've gotten a number of very good comments and so that will remain open for at least another week and encouraging everyone to give us our best thoughts on those policies. We'll send out another email and twitter everything so you know where to go with those.

**Van Dyke:** Stephanie is going to take the lead on the community engagement portion.

**Harper:** Thank you. So the next --

**Adams:** Can you move the mike over?

**Harper:** Stephanie harper, deputy city attorney with the city attorney's office. So a critical component of this agreement is, this is an agreement between the city and the federal government, but it is obviously an agreement with our community as well. And that is reflected starting on page 48 of the document. And so the oversight of this agreement has a number of multiple components to it. The one important component is the community oversight advisory board. That is a 20-member board, 15 are voting members, five are nonvoting members. Of the 15 members, as the mayor mentioned, each member of city council would select one representative for the first five members. The next five members are the members of the human rights commission who currently serve as members on the cprc, police relations committee, who have been doing work currently. And then the community, our community at large will select five voting representatives directly from the community. And the agreement sets off a process by which those five community members will be selected. There is some criteria that spell out in the agreement but we're looking obviously for a wide range and are asking -- obviously we'll need city council's work and the work of our community engagement bureaus to provide broad outreach so we can get a great pool of candidates to run for those five slots.

**Adams:** I described that process as outlined by the doj as similar to the iowa caucuses process. It's open to any resident of the city.

**Harper:** And -- ok. So that board will be responsible for independently assessing the implementation of The agreement, so are the terms of the agreement being met? Making recommendations to the city and the federal government on additional actions, working with the chief and police commissioner on strategy times prove community relations. Providing community with information on the agreement and its implementation, and also significantly to contribute to the development of a ppb community engagement and outreach plan, which would be a significant component of the board's work. In addition, this board will be working with a community outreach and compliance liaison. A cocl. And that liaison will within 60 days of the effective date of this agreement, we have to identify three candidates who have expertise in police practices, crisis intervention and community outreach. And those three candidates will come before the city council publicly for consideration for selection of that community outreach and compliance officer. That person will be responsible for coordinating and organizing this agreement and its enforcement in terms of working with the Portland police bureau's compliance officer, working with the board, and then providing information to the u.s. Department of justice and then as necessary, the court.

**Fritz:** There would be an application process to identify the three?

**Harper:** Yes.

**Adams:** Yeah. We're -- I had initial conversations with anna kanwit And christine moody on coming up with a process for the council to consider and for public comment on. If I could have -- join us at the table, bureau of financial planning director andrew scott to talk a little bit about -- or is it going to be tess? Ok. Tess. Even more important. And this will be the last, and we'll -- tess will go over the budget, do not have the -- I want to get council passage of this document, but we're -- i'm actively working on funding sources, and we will come up with a funding source for this. But we don't have one identified at this very moment.

**Tess Jordan, Office of Management and Finance:** I'm, i'm tess jordan with financial planning division. So our current estimate for the ongoing city-wide annual cost of implementation of this

November 1, 2012

agreement is at 5.4 million. The bulk of those costs will be in the police bureau, but there are also four additional bureaus that will be impacted. In terms of what is generating those costs, close to 40% of the costs are from moving ongoing but unfunded programs into our ongoing budget so that includes the service community -- service coordination team contracts and program manager position, that's 1.9 million in itself. And then also one mental health professional that now supports the mobile crisis unit, that unit will be called mobile crisis prevention unit in the future. The remaining costs, 60% or 3.4 million are associated with new staff programming and Associated overhead. So for this mobile crisis and prevention unit, that will be expanded to three mental health professionals, the cost of that expansion is about 300,000. An additional 22 fte within the police bureau, the bulk of those within internal affairs, training and the new addictions and behavior health unit. And an additional six fte anticipated, three in ipr, one in the city attorney's office and two in the office of equity which is thought of as a reasonable place to locate the community liaison position, and a management analyst.

**Fritz:** Does that two include the community liaison?

**Jordan:** Yes, it's that position and a supporting management analyst.

**Adams:** Just to underscore, the person will be colocated in the office of equity but will work for and report to the entire city council. But the colocation seemed like a good place given the mission of the office of equity and our hope is will help to lend their expertise, but that individual work directly for the council.

**Jordan:** Right. The salaries are estimates at this point, many cases the exact classification has yet to be determined, including for some positions whether it will be a sworn or nonsworn position. So that's how we get to the 5.4 for this year, our estimate is right around 2 million. And that's assuming hiring would begin January 1. That includes most all of the one-time cost and a pro rated share of ongoing salaries.

**Adams:** Just to slice it -- go back and ask you in a couple different ways, so people understand, of the 32 fte, how many would be sworn versus nonsworn?

**Jordan:** So for police bureau we're at 23. Total we're at 29.

**Adams:** Nonsworn?

**Jordan:** Total city staff --

**Adams:** I'm asking sworn, nonsworn.

**Jordan:** My impression is we're at about nine sworn, and then within the police bureau we would have 14 nonsworn. I think there's still probably differences of opinion around the specifics of those numbers.

**Adams:** But the biggest single group to be hired would be the 10 folks in the professional standards division to speed up the -- and meet the 180-day deadline for the turnaround and also --

**Jordan:** That doubles investigators in that division. Two would be sworn detectives, three would be nonsworn investigators.

**Adams:** And the addictions and behavioral unit, that's the lieutenant and five civilians.

**Jordan:** That's my impression.

**Adams:** All right. Then unless there are comments on the budget --

**Leonard:** Not on the budget.

**Adams:** I appreciate everyone's perseverance, the last thing is just how long are we under this agreement. Mr. Attorney. And how is success determined? Who decides whether we're successful or not?

**Van Dyke:** Jim van dyke, city attorney. Substantial compliance with this Agreement is required by late 2017. The city may request early termination if we feel like we've met all the targets before then. There is a dispute provision in the agreement obviously federal DOJ, we will be reporting many different aspects of the city's performance to them. If they do not believe that we are meeting our goals, they have the opportunity to notify us of that, and we can have discussions with them.



November 1, 2012

We have a mediation process built into the agreement. If we can't resolve that dispute informally. The new community outreach person, the coal also will be reporting to the department of justice about implementation and outreach, and that sort of thing. There are a number of different people in here who will be providing reports that will be forwarded back to them. So --

**Adams:** So the compliance officer and community liaison that you referenced, they will be making the official report after consultation with the community board, and others, they will be making the official report back to doj on a quarterly basis, and doj will decide whether or not we're meeting the terms.

**Van Dyke:** That's correct. And -- I think most of the reports, if not all of the reports that are referenced in this agreement are public records. And publicly available. I know some portions of the agreement expressly call that out and others do not. But I believe it's the intent for all the agreements, all the reports in the -- in that to become publicly available.

**Adams:** Great. Thank you both very much. We'll now turn --

**Leonard:** I did want to ask a question. Typically council considers ordinances and attachments that are part of the ordinance by reference. And listen to testimony, and then may or may not make changes. In this case this has been an negotiated agreement, the attachment a as it's referenced in the ordinance. The ordinance specifically if passed authorizes the mayor to execute the agreement. Just myself, i'm sure i'm probably speaking for the rest of the council, i've been contact by at least two elected officials, a variety of community members, some organizations that want specific changes in the agreement. Can you help me understand, and I do read that the -- in the ordinance it says that the agreement or substantially similar form of the agreement is that which needs to be adopted. But first of all if we make changes, how is that determined, and what if we make changes that are not substantially consistent with what attachment a is?

**Van Dyke:** This was obviously a negotiated agreement and we had to come into agreement in order to present it here to you today. If there are changes to be made in the agreement, what we're going to have to do is go back and reopen some negotiations with department of justice, tell them what the issues are that we need to discuss with them, and get their reaction to that. The reference to the substantial similarities in the ordinance language is typical of what we use to allow us to correct very minor portions, page numbers that were not, you know, numbered correctly, paragraph numbers that we missed, very minor changes of language, but we keep it very restricted to that. So if the council has any kind of desire to change the agreement in any kind of significant way, we're going to have to reopen that and then what will happen after that is going to depend I think on what you folks decide, and I see two possible ways to go about that. One is you have one specific language you want to us take back and have doj agree on. If they agree, I think we're done. If they don't agree, I think we'll have to come back here and present their suggested alteration back to you. I guess one other way that you might do this is if you are not wedded to any particular language but have a concept, you could give authority to the mayor or to somebody to say, go out, accomplish this concept, and then if that -- if they accept that concept, you're further authorized to sign the agreement.

**Leonard:** I'm assuming in the negotiations they understood the process, we undergo to approve Such an agreement, and not be shocked and appalled if we came back with something different than what was brought to us?

**Van Dyke:** We did tell them that we would have to take this in front of city council and get city council approval, and they understood that.

**Fish:** Could I ask a follow-up question? As I look at the agreement, there's some things which seem to be clearly fundamental. And others where reasonable people might agree or disagree about the number of people on a committee, or the composition of the committee. Do you have a sense of having sat in a room with these negotiations, the difference between fundamental cornerstone points

November 1, 2012

which have to be in the agreement, and things that are -- that could be negotiated? Do you have a sense of that line?

**Van Dyke:** I think I have a general feel for that line. I mean, just to give you some very basic examples, I think the use of force proceedings, those are pretty fundamental. And coming back with pretty significant changes to the use of force, I would think, and i'm just guessing, those would be difficult to do. There are some other portions of the agreement that probably they would be more flexible on.

**Fish:** In addition, again, you were in the room, and you've said at the outset that you've been admonished not to talk about the dynamics of the negotiation. But after this hearing, if it is the will of the council to explore some modifications, and you determine not to be major modifications, but the kind of things we could engage our federal partners with, how much time do you think it would take to have that discussion about the receptivity to our suggestion ifs.

**Adams:** It depends on the -- as someone who led the negotiation, I think it depends on the nature of the change. Days, hopefully.

**Van Dyke:** I agree with the mayor, but I also say I was very impressed by the team back at federal doj. Their willingness to work very, very hard, very long hours. And that they were very responsive and moved everything through very quickly.

**Fish:** Thank you.

**Adams:** Let's go to --

**Fritz:** Just to clarify for everyone, the mayor, city attorney and the chief of police were primarily involved in the negotiations with the department of justice, so the rest of the council may have some differences of opinion because we weren't at the table.

**Adams:** Goes without saying. Thank you all. First four.

**Becky Straus:** Good afternoon. Mayor Adams and commissioners, becky straus here on behalf of the aclu of Oregon. Thank you for opportunity to testify. You have before you, or you will soon, I think you saw it in advance via email, a copy my written testimony with a lot more detail are that includes comments we committed on october 19th to the bureau and the doj related to the draft policies on use of Force. And both sets of those documents are also posted on our website for reference of others here in the room watching. I'll take my time to just highlight a couple elements.

We are encouraged many of our recommendations around the use of force that we submitted, on the 19th were accepted by doj and the city and the bureau and have become a part of the settlement agreement, including in particular the necessary standard that was alluded to a little bit by city attorney woboril earlier. Even if use of force in a particular case is lawful, it cannot and should not be used if it's not the least amount necessary to achieve that lawful objective. That standard should overlay all use of force decisions an officer is making and the agreement mandate as much, and we are supportive of that change. As you consider other amendments today, we request also that the agreement be revised to specify when taser use is authorized. Use of the taser should only be permitted when one, the subject is displaying active aggression as defined by the current taser policy, and two, using that necessary standard that the use of the taser is the least amount of force necessary in that instance. I think most generally this today and the proceedings in the coming days is your opportunity for true community consensus around the use of force policy. And to achieve true lasting change in the way our public Safety system engages with the community. I know each of you on the council take that moment very seriously. And it's our grave concern the agreement does not reflect that. Because there's no independent monitor in place with the authority of the court to revive this case if the city and bureau are not complying, we fear that there's not enough accountability to ensure that what is mandated will ever be actualized. But it has to be actualized. This needs to happen.

**Fish:** Without interrupting your train of thought, when you say independent monitor, you're talking about someone appointed by the court?

November 1, 2012

**Straus:** Absolutely. With authority of the court to go back and take this off the -- what I believe has been called the passive docket, the inactive document. And pull it up for a judge to look at.

**Fish:** And what is the precedent in some other jurisdiction that you would want us to look at?

**Straus:** You know, i'd like to point to -- I was just checking back with my office to find an example of where that's happened, and I don't have one right now, so I have to --

**Fish:** Could you turn it it?

**Straus:** Absolutely.

**Leonard:** Just since commissioner Fish asked about that point, why is not the u.s. Attorney's office that independent monitor?

**Straus:** I think at the highest level it is, but the benefit of the Liaison role here that's being put in place, that would be the perfect person to have authority of the court. They're there reviewing the documents, reporting to council, talking to the parties, looking at the use of force report, engaging with the bureau. They're here in Portland watching what's happening, and so that person is the best person to say, substantial compliance is not happening, and it's not happening on the time lines that it should. And so it needs to go back to the court.

**Leonard:** Just so i'm clear, i'm not mistaken, is that -- you and I had a discussion about this yesterday, so I reviewed your comments and I reviewed the agreement. I'm not mistaken in my interpretation of what i'm looking at here before me, that at any point the u.s. Attorney's office could intercede and say we don't believe you're living up to the agreement we signed and take independent action by filing a case in u.s. District court. Isn't that correct?

**Straus:** That's correct.

**Leonard:** Thank you.

**Fritz:** You have another 30 seconds if you wanted to finish up.

**Straus:** I've finished up. I just want to reiterate that we're optimistic and hopeful that we can do this together. Aclu is committed to helping put this forward and committing to make this agreement happen. Thank you.

**Adams:** I just want to offer my thanks, I haven't read Everybody, so if I don't thank you for your comments, I will read them. But your comments on the use of force and use of tasers were especially helpful, I want to thank you for them.

**Straus:** Thank you.

**Adams:** Doctor, welcome back.

**Rev Dr Leroy Haynes:** Thank you very much. To the mayor and members of the city council, I am the reverend doctor leroy haynes, chairperson of the albina ministerial alliance coalition for justice and police reform. The united agreement before this is a milestone in labor and love and commitment and dedication of many people and organizations over several decades of struggles for justice and police reform within the Portland police bureau. It is far from a perfect agreement, and many others in our coalition will speak to that. It possesses many strengths and it also possesses many weaknesses that maintain the status quo. Yet I believe it moves our city to a new direction towards real accountability of the police officers who use excessive force and unnecessary deadly force. Hopefully this will be a paradigm shift within the Portland police bureau that will transform the makeup of it, the policies, the training, the investigation, and the discipline of officers who violate the policy. It is the hope of many citizens and Portland that this agreement, when it is tweaked and corrected to a degree, will in turn lead our city and the police bureau towards a true comprehensive community policing plan. While the citizens of Portland are not thought of adversaries, but partners with the police department. I would like to thank the city council for answering the question of the citizens: who is in charge of the Portland police bureau? You have so answered the democratically elected representatives of this city are in charge of the Portland police bureau, and we thank you for answering that question. We thank tom perez of the u.s. Justice department, and amanda marshall at the u.s. Attorney and staff, and chief reece and his staff.

November 1, 2012

Finally we have a window of opportunity to make Portland police bureau a model for the nation. Let's get to work on it. Amen.

**Adams:** Doctor, thank you for -- so in these proceedings we don't -- you can put your thumbs up if you like something, thumbs down if you don't. Because we like to try to maintain sort of a fair field for anyone from any point of view to have -- make their comments. Doctor, I want to underscore my thanks to you, you were there on february 2010 calling for the investigation, that and all your work on these issues over the years. Welcome.

**Tom Steenson:** My name is tom steenson, I live in Portland and work here. I've been representing victims and families of victims for over 35 years in litigation against the city of Portland. I think I have a fairly substantial perspective on the issues related to police misconduct and what a good law enforcement agency would look like in my estimation. I think the agreement is significantly flawed, despite countless hours of input, both individually on my account, and as part of a group, and I know of many, many others who have similarly contributed. I see a great deal of what was proposed as what we believed to be best practices, referring to what mr. Van dyke earlier said you were looking for in the agreement, and many of the suggestions taken from what we think were good ideas and I think best practices have not been included, and in some cases haven't even been mentioned in a way where I think they've been given any consideration. And frankly, I think a lot of us in the community are at a loss because the way the negotiations have worked, we're not a third party to the agreement. You talk about it being that way in a sense, but we're not. We were not involved in the negotiations, we don't know whether the department of justice said those are bad ideas, or those are not best practices, and we're not going to advocate for those in the negotiations, or whether the city said, we're just not going to do that. So we don't know what happened to what we think was a lot of effort put into a lot of good ideas, a lot of best practices have been rejected for one Reason or another. And I urge you as an overview not to approve this agreement as it stands, I do not think it takes crossing ts and dotting is. I think it's much more substantial reformation that needs to go into this, and I don't think it's going to be an easy process if you truly want to put in place an agreement that will serve not only the city, but the community. And again referring to mr. Van dyke, this is a contract that you're proposing for this being -- that's being proposed that you sign. It's the words of the agreement that will control, and I was prepared to go into many of my more specific comments about the flaws and I could go on for hours, but the ones I addressed in my written submission yesterday, and I don't have time to do that. But I think that you need to step back and look at this and give much more consideration to the input that you've received, not directly as council members, but that the city, the department of justice has received from this community, and at this point it has not been in my estimation actually considered nor accepted.

**Adams:** Thank you. Appreciate it. Mr. Handleman.

**Dan Handelman:** If we're discussing 74 pages if I might have five minutes today, mr. Mayor.

**Adams:** Everyone is going to start with three.

**Handelman:** Thank you. Mayor Adams, city council, and u.s. Department of justice Folks, i'm dan handelman with Portland cop watch. Our group finds the doj agreement doesn't go far enough. It's much like bringing a plastic mallet to tap in a problem nail. While we applaud the potential usefulness, we find the agreement does not go far enough and/or is ambiguous enough to avoid fulfilling the intent to alleviate the pattern and practice of excessive use of force. We're concerned that previous communications are not to be considered when interpreting this document, many recommendations made by the doj are not reflected in the agreement. We ask to see all communications between the city attorney, the ppa, the ipr, and the doj hoping to they may shed light on why so many common sense community demands are not part of the agreement. The agreement could last for as long as five years with no way for the community to directly intervene, since only the city and the doj are parties to the court. We hope this does not mean the doj expects the people of Portland to suffer through inadequate use of force training and policies or byzantine

November 1, 2012

accountability system for that long. Our major concerns about the agreement include it doesn't call for terminating officers for egregious rights violations. And even suggests some excessive force will not result in discipline. It does not order the city to change provisions of existing collective bargaining contracts which are inhibiting, effective Investigation and disciplinary action. It keeps police review board meetings closed to the public, including the person involved in the incident. And explicitly prohibits appeals to the citizen review committee by people who survived police shootings or survivors of a death in custody victim about the findings regarding officer misconduct. Rather than create a solution for crc when more investigation is asked for in the bureau and ipr refuse, the agreement restricts the crc from making one request for investigation. And it jettisons all mention of race relations, including recommendations to build trust such as tracking all citizen contacts and creating a policy explaining when it is ok for officers to move from mere conversations to a stop. I do have positive things but i'm going to skip them and just say that we feel our group has a lot to contribute, but our members would not serve on the community board to oversee the agreement because of it's a flaws. There are too many people who have suffered too long to see yet another chance for real change be squandered by compromise. If these weak changes are locked in place by a court order lasting five years the community will unfairly suffer. We urge to you step back and make more changes before accepting this agreement. So I will also add that the agreement guts the existing community police relations committee of the human rights commission, which is creating a Program to educate officers on racism and instead creating a new oversight body specific to the agreement and for the second time in just a few years, pitting one set of oppressed Portlanders, that is people with mental health issues, against another, the people of color that the cprc is trying to help currently. We also echo the concern that the cocl does not have enough power because they can't go benefit federal court. Thank you for your time.

**Adams:** The next panel is coming up, I would like to see the racial profiling work of the cprc continue, so that's not something that in this agreement or outside this agreement, so that's my own personal point of view. Next four?

**Debbie Aiona:** I'm Debbie aiona representing the league of women voters of Portland. We submitted a detailed letter and I'll touch on a few items today. The complaint system ensures officer accountability and supervision and helps maintain good community relations. Our citizen review committee is an important element of the Portland system. Over the years, the community has recommended that its role be strengthened. Instead the agreement fails to address the most troublesome issues and creates a degree of uncertainty around others. The reasonable person standard of review used at crc appeal hearings is overly deferential. An independent expert, a city appointed committee and the crc itself have recommended changing it. We urge the agreement incorporate a less deferential standard. At appeal hearings of misconduct cases, Crc has the authority to request that internal affairs conduct more investigation if needed. Ia is under no obligation to do so, and city code does not provide clarity on how to resolve the impasse. The letter of agreement gives crc the right to one request for additional investigation but it is not clear what that means or if ia is required to comply. Confusion and wrangling that occurred during the appeal hearings and presence of the complainant and public over this and the standard of review only serve to erode trust in the system. It is unrealistic to ask the crc complete the entire appeal process in 21 days. The crc members are volunteers and each appeal hearing requires substantial preparation and considerable deliberation, of both the case file and the appeal hearing. A more realistic time line should be established. In the spirit of making the system more accessible for the complainant, they should have the right to attend the police review board hearing related to their case. Survivors or the families of those involved in shootings or deaths in custody cases should have the right to appeal their findings to the crc. The community outreach advisory board will oversee the implementation of the agreement and replaces the existing community police relations committee. Cprc efforts to address institutional racism within the bureau and its

November 1, 2012

responsibility to analyze stop data for evidence of bias-based policing need to continue. In the letter of findings, the doj pointed to a number of deficiencies in bureau policies and training. There should be greater involvement by the community and development of those policies. Draft directives could be presented at monthly crc meetings with an opportunity for public comment. Chief reese could post draft policy changes online as he recently did, or perhaps the coab is the appropriate venue. Regardless of how it is accomplished, the public must have input in policy development and training practices. Thank you.

**Adams:** Thank you very much. Commissioner, welcome.

**Kyle Busse:** Mr. Mayor, council, go afternoon.

**Adams:** Can you get close to that mic? That seems to be a weak mic.

**Busse:** My name is Kyle busse. I am a Portland resident and chair elect of the Portland human rights commission. Thank you for the opportunity to be here today. As a member of the Portland community and serving on the human rights commission for over a year and a half I commend any effort regarding positive change regarding human and civil rights in the city of Portland including efforts made by the city and doj, addressing rights of persons with mental illness as we're doing here. I think it is imperative that the agreement is carefully crafted to ensure community engagement and oversight by persons from the mental health community and that the agreement does not eliminate efforts currently underway to improve police relations with our diverse communities. My initial concern about the agreement as written regards the community and police relations committee. The cprc is an ongoing committee of the human rights commission. Which began as an outgrowth of the city's efforts to address racial profiling and more generally the police bureaus relationship with communities of color. Many of the challenges that existed in 2007 when the racial profiling committee was created and in 2009 when the plan to address racial profiling was drafted continue today. And the hrc is committed to continuing the work of the cprc with a focus on implementing the plan to address racial profiling and assisting the police bureau with developing training on institutional racism. That work is jeopardized by the agreement as written. The agreement dissolves the cprc and at the very least interrupts indefinitely the current work of the cprc related to addressing the challenges I just described. There is nothing in the agreement that charges the coab with continuing the work of the cprc or that even refers to issues related to ppb relations with communities of color. Finally, the work of the coab is going to be so monopolized by the task of overseeing the implementation of the agreement, that it is highly likely that any efforts beyond that goal will be marginalized or ignored all together. Ultimately, cprc's important work related to the ppb's relationship with our communities of color is too important to lose. I'm not confident that this work can continue in any effective way if this agreement is approved as written. In addition to those concerns, I am also concerned that the agreement as written contains no provision to ensure that the coab will include anyone from the mental health community. The agreement does not provide for the participation of any non-ppb affiliated use of force experts. Oversight of agreement that is almost exclusively focused on use of force policies as they apply to persons suffering from mental illness should contain specific provisions requiring the participation of experts in those fields. We believe the issues can be addressed given more time and we encourage you to take the time to get this right.

**Adams:** Thank you, sir. Commissioner, welcome.

**Allan Lazo:** Good afternoon. Thank you mayor and commissioners. My name is allan lazo, outgoing chair of the human rights commission as of yesterday.

**Adams:** Thank you for your service.

**Lazo:** I appreciate the opportunity. This is the third or fourth time i've been before council. Every time I have told you that I have been a resident of Portland for 43 years, as of yesterday, my birthday. As a resident that length of time, this is a watershed moment in community and police relations. We need to get it right. We absolutely need to get it right. We strongly support

November 1, 2012

the concept of a robust community engagement system. We are concerned about the progress that the cprc has made and what would happen if it morphed into the coab. The proposed community engagement process, doj asserts in the september 13th findings will require persistent, continual commitment, inclusion transparency, as well as effective structures to facilitate continuing dialogue. We believe the changes proposed to the cprc system is in need of a few more transparent conversations with community stakeholders to ensure that the proposed processes address all of the communities concerns. We just really need more time to make sure we get this right. And I don't think one week to do that if we vote next week is going to give us that appropriate amount of time. I will go through a couple of specific elements that I think point out the need for us to continue to look at how this agreement is formed, how the process is formed, how the system is formed. For instance, in the current agreement, section 9, paragraph 143, reporting structure has the coab reporting -- currently has the coab reporting to the cocl and chaired by the cocl. I don't believe that that is an appropriate reporting structure for that. The cocl is an individual -- individual we heard this afternoon, will be selected by this body and reports to this body. If you truly want to have a body that is a community engagement body and should be led by -- it should be chaired at a minimum by one of the community members, hrc members or other rather than the cocl who is a person who is essentially a city employee and your employee. Also in paragraph 145, as kyle pointed out, small c through f, give the charge for the coab that there is no nothing explicit around the charge to address the tensions around the communities of color pointed out in the originally findings letter of the doj. That has been lost in that translation. Other issues, in paragraph 142, we talk about the length of terms for coab members, and I think there needs to be consideration for how long it will take community members and others to come to speed on these very complex systems and processes related to police work. To me, I have been on several boards that are technical in nature. It takes a good year to get up to speed. You are suggesting terms of two years here with one year reappointments I would suggest we might need time like three years. Those are the types of conversations we need to have as a communities to get this right.

**Fritz:** I have a question for the human rights commissioners. When is the next meeting?

**Busse:** Next wednesday.

**Fritz:** You haven't as a body had a chance to look at this proposal.

**Busse:** Not collectively, no.

**Fritz:** Do you know how many members of the community and police relations committee are willing to serve in the roles that have been identified for them in this document?

**Busse:** Well, I wouldn't want to speak for them, but I -- I certainly think that it was a surprise to them to learn that they were being uprooted from their current work on the cprc and placed into a position that -- that they knew nothing about previous to last thursday.

**Fritz:** Do you think given another week you -- you will be meeting on wednesday, you might have a proposal for us that the human rights commission would be willing to embrace with regards to the make-up of the committee?

**Busse:** Absolutely.

**Fritz:** Thank you.

**Adams:** Doctor, welcome.

**Dr. Herman M. Frankel:** Thank you mayor Adams. Thank you commissioner Leonard, commissioner Fritz, commissioner Fish for giving me, giving all of us the opportunity to speak. My name is dr. Herman frankl. I live and work together with my wife, ruth in Portland, since 1965. You will remember I was -- I was one of the people who spoke at jefferson high school at the Portland city council meeting, when the human rights commission was established. Initially to your consternation some of you, or perhaps to your delight afterwards, it was I who led the audience in singing for all hero and beings -- you might remember that. I'm here today to call

November 1, 2012

upon you to address serious concerns regarding the proposed agreement between the city of Portland and the u.s. Department of justice. I share the worry voiced by Portland cop watch members, board, and by others who have testified today, that the proposed agreement that is designed to change the way Portland police bureau provides service to the community would at the same time that it implements some welcome changes leave some important issues resolved. In the print testimony that you have in your hands and that I understand will be posted on the city's web site, there are 15 areas of profound concern. One of them, as has been noted, is the fact that the proposed agreement would gut the existing community police relations committee of the human rights commission, which is currently creating a program to educate officers on institutional racism, and the agreement would instead create an oversight by the specific to the agreement, devoid of any mission to deal with race issues. This worries me profoundly. And i'm worried an as well by the -- about the 15, 14 other concerns that are listed in the print testimony that i've submitted to you. I fervently called on the members of my city council to address the concerns that have been raised to you today and prior to today regarding the proposed agreement before you move forward to approve the proposed agreement. Thank you again for the chance to testify.

**Adams:** Thank you. Thank you all for your testimony. The next four.

**Adams:** Welcome back to the city council. Would you like to begin?

**Adams:** What's that, Karla? 14 more. Hi, welcome.

**Michael Meo:** Hello, mayor Adams, and this is my second appearance before the city council. Commissioner Fritz and commissioner Fish. I am michael meo and I am a secretary of the cascadia chapter of the pacific green party and a member of cop watch but I am here as a citizen. Just a -- not representing either of those two bodies. I would like to -- i'd like to speak in as concise a manner as I can, short sentences, simple thoughts. I don't have at my fingertips details and the -- the many, many pages of paragraphs of the -- of the agreement. I will say that from my perspective, the problem is that of police accountability. And we are sitting here because there has been a lack of police accountability in our city. There are a lot of distractions that pull us away from this major point. Of a lack of police accountability over decades in our city. Among the distractions from my perspective, again, have to do with what is the color of the police officer's skin or the color of the person who is being brutalized. And I consider those distractions and I would like to point out education is not the same thing as accountability. We had a department of justice investigation and that was in one way a very good thing because this department of justice investigation concluded that there has been a pattern of brutality within our police. And that which we community members have been saying for years, decades, is now given the approval, the assertion of the federal government. However, that same investigation has produced a failure. It is a failure, again, of keeping the eye on the ball because we're talking about a lack of police accountability. It is not just Portland alone that is -- that is looking at this however. If the problem is large, our police chief told us that we're having fewer people locked up. We're having a lower crime rate. Yet the united states is more militarized on many levels as a result of many things. We lock up something like 3.5 out of every 10 people in the world. What we want is a truly independent police review board. And this agreement doesn't give it. We also want the mayor and the city council to do what it has done with the frashour case and fire police officers who kill citizens.

**Adams:** Hi, welcome.

**Fred Bryant:** Hello. Good to see you again. My name is fred bryant, father of keaton otis. Because anyone else whose case was investigated and assigned findings other than sustained, has a right to appeal those findings to the crc. My self feel denied of my request for an appeal is fundamentally unfair. I want to secure the right for myself and anyone else who have lost a loved one or for that matter survived a police shooting to appeal findings that almost exclusively clears



November 1, 2012

all wrongful doing. I've listened to everything that has been said today. And this is a time for us to come together. It is like -- I have no problem with wrong and right. If you are wrong, you're wrong. I work in the community. I have been here 52 years, okay. I have 11 grandchildren. This is not about what is going to happen today. It is about what is going to happen in 20 years. What are we going to have in 20 years for our grandchildren? For our kids. And their kids. What are we leaving them? Do you know what I'm saying? Because we're going to be gone. I work in the community with mental health, addiction. Mayor Adams has been to our new building. He sees the work we have done over decades to help people in the community get back in life. Everybody needs the opportunity to be able to better themselves. And that's what we do. Mr. Saltzman was part of us getting this building over on mlk. Now, I know for a fact that if you believed that we're doing a good job, and you must have been because that building was \$12 million. I didn't have it in my pocket, okay. But it's there. And we helped the community. I, myself, have relationships with the Portland police bureau. I have friends that I talk to. Officers at the north precinct, northeast precinct. Chiefs, they -- they have a meeting, a monthly meeting at our building. So, this is not about, you know, who is wrong or right. It is about let's try to get it together. Okay. Bottom line. You know. All of these big words, I don't get them. I like to keep it real simple. If it is wrong, fix it. Bottom line. Let's not twist all up and try to make it better for one person than another person and be like crabs in a barrel. See, that's what I tell my people that come in that want help getting back. You want to know how to stay out of jail? Stop doing what you are doing. If you do what you do, you are going to jail. Bottom line, thank you.

**Adams:** Thank you for being here. Hi, welcome back.

**Sylvia Zingesser:** Hi, Sylvia zingesser, nami multnomah (national alliance on mental illness) advocate. I would like to respond for nami families, so I have a letter that I would like to read. NAMI Family member statement -- as we have done previously nami family members advocate for Portland volunteer police officers to use the memphis tennessee model, want to know these officers as well as interact with them. Nami family members want family members and peers to be part of a training where officers hear from family members and peers face to face. It is important for officers to get to know family members ill relative when they are not in crisis. We believe Portland police needs an a-team, a first tier response team of volunteer officers who receive extended cit and that they become the experts in dealing with mental health crisis on the street. We believe all officers should be trained in cit. The a-team, first tier team may not be available at all times. Officers are like emergency room doctors and nurses. They have to take things as they come in on the -- or are held accountable for their on the spot decisions. And in my opinion, any officer who doesn't want to respond to a mental health crisis, call, or a family beef is in the wrong job. A lot of bad guys have mental illnesses, too, and it is difficult to separate that out in the heat of a call. My son stated recently because of his own experience during one of his suicide attempts several years ago, that police officers need to get over treating people like they are guilty until proven innocent. The law says innocent until proven guilty. It happens to be my son's birthday, by the way. He is 48. In closing, I do want to commend the officers who assisted my son's recent suicide attempt. My husband, william and I were on the scene. Officer's approach was cit perfect, and for that we are very grateful. The officers did not know my involvement with nami or that I was a member of the cit advisory board. Thank you mayor Adams and commissioners.

**Adams:** Thank you. I know you worked with commissioner Fritz through all the safer pdx and that her efforts with yours stood us well in the part of this agreement that has the fast-tracking of the health care reforms of cco reforms. Thank you for your involvement.

**Zingesser:** You're welcome. Thank you.

**Adams:** Doctor, welcome back.

November 1, 2012

**Dr. T Allen Bethel:** Thank you, mr. Mayor and all of our commissioners. Good to see you again. First of all, I want to thank you for your work in this matter, working with the department of justice and due diligence working towards this. This is a moment we may never have again, but -- taking a giant step towards making our community more livable and towards community policing. A few fundamental questions. You have heard many of the suggestions and recommendations and we echo our support and sentiment with those. The committee's composition we are proposing, one committee that at best has not been effective and suggest now that that committee can do the job now. That it is best to continue with the current leadership again. If that could be done, and we could do it, then why has it not been done? And why has it brought us to the place where we are, where we had to have a doj investigation to say what we have been saying over and over and over again. Transparency builds trust. And in this case, trust has been further eroded by the process undertaken that seals -- seems to re-enforce things already in place leaving this community in a situation to endure five more years of unclarity and being subject to interpretation based on individuals. This needs -- this agreement needs to be relooked at, renegotiated, and it needs to come back with teeth. It needs to come back with the grip of authority to hold accountable the police bureau. I urge you all to take a look and read through the document again. Doj said community involvement. Where was the community when the doors were closed? Where was the community again when we were invited to be a part of the police bureau's negotiation for a contract? Did they take it behind close doors and then the agreement comes out. We're tired of closed doors and things being jammed down our throats. We want you, our elected officials, to stand up, say to the city attorney, say to the chief of police, mr. Commissioner, what you have done thus far is not acceptable. It is not good for our community. And we want to strengthen what is going to be so that in our future, we will have a better community, better relationships with our police bureau, and we all can get together. If we would have included community from the beginning, perhaps those of us who are here saying redo would be here saying thumbs up and good job. Don't forget us even at this time. Thank you very much.

**Adams:** Thank you, doctor. Because we have been going on now for however many hours, we are going to take an eight minute break. We will see you back here at 4:04.

[The meeting recessed at 3:56 p.m. and reconvened at 4:06 p.m.]

**Adams:** Come back to order. How many folks do we have left to testify? 13. All right. So, can you call the next four? Welcome back. You have to turn on the mic, first.

**Jo Ann Hardesty:** Oh, do I need an mic?

**Adams:** Most days, no, but we want the public television to hear you.

**Hardesty:** Okay. Thank you. For the record i'm joanne hardesy and I live and work in Portland.

I want to correct a statement you made in your opening remarks, mayor. The statement that you made that the doj didn't find racism within the Portland police bureau is an inaccurate statement. In fact, the investigation says that that was not part of their investigation. So, it is not that they didn't find it, they didn't look for it. I also wanted it reiterate some words that I heard from the attorney that said the words of the agreement are the only things that will count in holding this -- holding the Portland police accountable. And I think that that is very important. I submitted to all of you a six-page letter that I will not read here, but I will highlight for you some of my concerns. And I know, mayor, you and your staff worked very hard on this agreement. And I respect the work that you have done. My major concern is the community oversight of this process. As the doj stated, the community participation oversight of this agreement will be important to its success. And it also laid out that the body will also provide the community with information on this agreement, implementation, and receiving comments and concern. The proposal to put together this community outreach and advisory board, I disagreed with the arrangement that has been proposed. And I disagree with it because I want to be honest with you.

November 1, 2012

Ever since the doj has come to town and even before they came, we have never heard from the Portland police that they have done anything wrong. It is really hard to go into mandated reform efforts if you have never done anything wrong. And so my concern is that if we take advisory bodies that already have been vetted by the police and the city council, and they have been found to be acceptable to the police, they're acceptable to the police because they don't raise the hard questions. They don't challenge them. They don't hold them accountable for the information that they provide. What we need is a process whereby the community would get to a -- their own leadership for this oversight council and we need to take out the word advisory. They're not advisory. Their job is to make sure that the mandated changes happen. And they need to be able to do that without the perception that they are providing advice to the police chief. We have a fundamental responsibility, especially for commissioners who will come back next year because you are investing \$26 million in basically a full employment program for Portland police officers.

\$26 million is what this contract will cost us. Both short-term and long term, and it is not sufficiently -- it does not have the sufficient oversight process in it. Thank you.

**Adams:** Thank you. Appreciate it. Appreciated your letter and we will -- and everyone who submitted longer testimony we will definitely all be reading those and getting back to you. Appreciate it. Hi, welcome, commissioner.

**Donita Fry:** Good afternoon, mayor Adams, and city council. I'm a member of the human rights commission and have been for the past four years. I was appointed by the human rights commission last month to chair the work over the community police relations committee. I have been participating in that work for more than three years now. The work that we have been doing and the relationships that have resulted at the cprc are authentic, productive -- I believe that the working model that has been created is effective because of the commitment from the command staff at Portland police bureau. Also because of the learning opportunities that have been created over the past three years. We are able to come with informed perspectives that are woven into our decisions and our actions that are coming out of the work of the cprc. And it is -- I have heard commander -- the assistant chief oday and chief reese comment many times on the ability and the uniqueness of the relationships that are produced here. For this committee not to be a yes group, we don't just affirm what the police are doing. We ask those difficult questions and we push back and really i've seen shift in the culture of not only the way this committee works together, but the way the police officers come to the work and participate and their community. Not only the community who serve on the committee, but the community who are here in the room today that come to the meetings and gain a deeper understanding. I think there is a perception in the community about what the police -- how the police operate and what the police are doing, and then there is a reality of the parameters from which they operate and what they are doing and together this committee has created space for us to grow in learning around those perceptions and the actual work. The work that we have been doing is relative to some of the findings that have come out of report from doj in respect to the use of force and in to community engagement and outreach. We also have crossover from our work on race and racial profiling that crosses over into the mental health areas. However, we don't have any mental health experts or expertise on our committee. So, given our experience and expertise of work, the -- the human rights commission and the cprc are encouraged to move forward with the work of the coab. I think this comes from a -- the fact that the human rights commission has not met since the announcement came out last week nor has the community police relations committee. And I cannot speak on behalf of any of the participants at this time. Moving forward is a good idea, but we are an a volunteer commission and the human rights commissioner that engage in the human rights work, cprc work, that is another level of consideration that should be given more thought in the settlement agreement.

November 1, 2012

**Adams:** Thank you. Appreciate your service. I know you are working on a lot of different fronts. Appreciate it. Hi, welcome.

**Angela Kimball:** Hello. I am Angela Kimball, I'm with NAMI. I'm here as a mother of an adult child that lives with a mental health diagnosis. I want to commend -- for working collaboratively to address issues that have attributed to the tragic encounters to people who live with mental illness and the police officers. But at the same time, I'm here to ask that all of you -- commit to providing the strong leadership and the sustained oversight needed to ensure that Portland becomes a city where the community and its police bureau work together to protect the health and well being of all of its residents, including those who live with mental illness. In short, like many others, I'm here today to ask for your leadership in changing the culture of our police bureau. And to change -- a change in the police bureau culture is important because today Portlanders fear rather than trust how many of our police will be dealt with how someone who is affected by mental illness will be dealt with. As an advocate, I have heard many stories. But one that truly haunts me is from a fellow mother who is in the west hills. She has a grown son whose mind is affected by schizophrenia. The paranoia that is a common symptom of her son's diagnosis, leads him to think that his mother is the devil. Rather than the person who loves him most in this world. He refuses any help from her. And he is homeless and he is in and out of our jails. But rather than counting on our city's police to protect and reach out to her son, she reads the papers every day, fearing that her son will be the next victim, the next James Chasse, the next Keaton Otis.

No mother in our city should live with that fear. Portland can do better. The proposed settlement agreement outlines multiple actions that could help the city of Portland and the Portland police bureau save lives and protect residents who live with mental health conditions. One such action is the return to the voluntary Memphis model crisis intervention teams. To implement this successfully, the city should hire a national consultant with expertise in this model, such as Sam Cochran of Memphis, Tennessee. But the promise of a Portland where police -- where people trust the police to protect all of its residents, especially those who live with mental illness, cannot be created by a legal document nor can it be guaranteed by a budget. It will come only with your collective commitment to bring the culture of the police bureau in sync with the -- of your electorate. As our city's leaders, this means holding the Portland police bureau accountable not to the letter of the law, but to reflecting the true spirit of our beloved city. As just one of many thousands of Portlanders whose family is affected by mental health challenges, I hope we can count on you to demonstrate that leadership and dedication. Thank you.

**Adams:** Thank you very much. Hi, welcome.

**Ann Brayfield:** Thank you. Thank you for the opportunity to speak this afternoon. I'm heartened by the work that has been done to date on this agreement. But I would agree with many who have spoken before me that we have more work to do to make this a workable solution to a long, long time problem that we have had in the city of Portland and we have done lots of studying. We have learned lots of things over many, many, many years. Sometimes we implement things. Sometimes they go away. This one really needs to happen and it needs to happen in the strongest way and it needs to happen with a trust and the support of our community.

I was very happy to see the Memphis model come up. I've been before you before asking for that consideration. And I'm glad to hear Angela mention Sam Cochran and think about the possibility of having him come here so that we're not, again, relying on ourselves, relying on ourselves to reinvent what has been very successfully on going in Memphis for many, many years. And as far as the CoCL being someone appointed by council responsible to council, I think we have got to take another look at that. Sam, you had asked about other cities that might have a court-appointed monitor. Yesterday's Oregonian, there was a short story on Seattle. They have a court-appointed monitor. The gal from the ACLU handed me a list of other cities that have them. New Orleans, Pittsburgh, Cincinnati, Los Angeles. Let's not try to do it our way. Let's do it in a way that others

November 1, 2012

have stepped up to so that we can have some independence, so that we can have more support and more trust from our community. I think that is where we need to be. I think the most important thing we can do now is to really work together as a community with you as leaders, with other members of your teams, but with the community. We have to have to get together and we have to have open doors and we have to work together. Thank you.

**Adams:** Thank you all very much.

**Fritz:** Could you give us your name please.

**Ann Brayfield:** Ann brayfield, southwest Portland.

**Adams:** Thank you all very much. Next four.

**Adams:** Welcome. Glad you are here. Would you like to begin? Go ahead.

**Shannon Pullen:** Shannon pullen -- I just want to thank mayor Adams and the commissioners, especially amanda Fritz for all of her support of our work. And really to thank chief reese. We had the privilege of meeting with him september 29th and expressing -- having a public forum for family members to speak with chief reese. I just want to share a few paragraphs from the letter that we submitted to chief reese. Nami families want a specialized cit team voluntary and receives additional training to serve as first responders when 911 mental health crisis calls come in and to be available for officers to call for assistance. We believe all officers should continue to be trained in cit since any officer may encounter someone in crisis. We want all officers to be proficient in their use of cit and we want yearly refresher courses scheduled like the yearly tactical requirements. Have a voluntary trained cit team impacts police staffing and keeping officers on the street. Implementation could strengthen the city budget by reducing the number of lawsuits when police encounters cause loss of life or serious injury. We're concerned that the funding of the settlement will come at the cost of funding social services that is specifically designed to keep people living with mental illness from experiencing a mental health crisis that would necessitate an interaction with the police in the first place. Nami family members would like to see crisis intervention training incorporate working directly with peers and family members. That has happened previously. We believe this will enhance officers training as to better understand what mentally ill people are challenged with. Seeing peers not in crisis create is a meaningful response tore officers. It opens their eyes that these are real people with real feelings. And hearing from family members and their experience dealing with police in a crisis situation further educates police to the human side of their work. Again, as an aside. Studies have shown the way to reduce stigma around mental illness is not particularly just around education, but about getting to know people. I think police officers need to see people living with serious mental illness who are living in recovery and who are doing well. Nami family members and peers are extremely concerned about officers giving commands that people in mental health crisis cannot follow. If you have a cognitive processing disorder, you might be slow to react. You might not want to be touched. You might have other physical illnesses or disabilities that get in the way that enable people to move quickly. In regard to the settlement, nami would like to see peers and family members on any kinds of oversight committee, whatever form that takes and that we really are -- we might not be trained mental health professionals, but we are experts in our personal and lived experience with mental illness and have a lot to offer the community in that regard. We would like to extend a real partnership to the city and the police bureau. Thank you.

**Adams:** Thank you for all of your work.

**Fritz:** Could you submit your written testimony, the whole thing.

**Pullen:** I will.

**Adams:** Welcome back.

**Jan Campbell:** Thank you. I just want to thank you, mayor Adams and commissioner Leonard for all of your support on disability issues. We have worked together for a long time. This is a sad moment for me because I know the two of you will be leaving. We haven't always agreed, but

November 1, 2012

your doors have always been open at least for me and I know others in the community. So I want to thank you very much.

**Adams:** You remember, he gets to retire and collect the pension. I just get to retire. Feel sadder for me. [laughter]

**Campbell:** And I hopefully will continue to be able to work with both of you commissioners on the council in the future. Thank you very much. Focus of a DOJ report was specific to excessive force on persons living with mental illness. Settlement agreement described the community oversight advisory board has no strategic method to ensure representation of people with expertise or interest in mental health issues. The Portland commission on disability is engaged to represent a wide spectrum of disabilities on behalf of the residents of the city of Portland and to facilitate increased collaboration and information exchange between persons with disabilities. City bureaus and city council, it was not consulted in any way on the settlement agreement. The agreement specifies that the current members of the community and police relations committee, CPRC, become the -- the commission on disability sees it is disrespectful to people who experience mental illness to ask them to agree to have others acting in their name. We request to change having the five members to five members selected in collaboration, Portland commission on disability and human rights commission. We see the value of the CPRC continuing its vital work. Stopping work on racial profiling is what leaders in community -- it should not be either or. We need both. Thank you very much.

**Adams:** Hi, welcome.

**Joseph Gordon:** I'm Joseph Gordon. Occupy Portland, speaking on behalf of myself. A year ago before we got together, my significant other, he took \$8.75 worth of sandwiches at a Fred Meyer's. He was approached by the police. They followed him and basically when they told him to stop, he threw the sandwiches at the police car and he ended up tazed and his teeth were bashed in the front. What they don't know is -- he was born with fetal alcohol syndrome. Brain damaged, and like most people with this, he fell into a line of drugs. At that time he was recovered and soon after his teeth were bashed, he found himself back on to drugs, and just kept on rappin' about the police -- and -- and I didn't -- I didn't know about fetal alcohol syndrome disorder or anything, but when -- recent incident just happened, and I actually picked up a book and read about fetal alcohol syndrome. And it said it all. They resist arrest, they run from authority, hyper-attention, everything else. And basically, he found what I think -- since we have been together, he stopped using drugs. He started protesting, and I mean, he was so positive, and then another incident happened, I will be honest, two of the police very nice and approached him just well. The one who he claims -- I don't know, he claims that he was the one who tazed them. He was very nasty.

I mean, I even said that -- I know that must be the guy. And basically he resisted arrest -- he resisted arrest and everything else, and, I mean, it just -- I mean, I'm glad that something is being done. I was uneducated about it until my recent episode with it and I picked up a book and I read it and I just appreciate that the city is actually tackling this problem and I just hope that, you know, people with fetal alcohol syndrome, 60% of them are in jail or in prison. You know, impulsive behavior and everything, I hope the city can work with us, the judicial system as well about this problem.

**Adams:** Thank you for --

**Gordon:** Thank you.

**Adams:** I know it is a difficult thing to come to city council and testify about. Thank you very much for doing that. We appreciate it.

**Bill DeNardo:** Bill DeNardo, Portland north, Portland north safety action committee for the last three, four years. I have lived in Portland for the last 22 years. Grew up south side of Chicago, inner city where a lot of my friends, long time ago are either dead or in jail. But I just want to comment about the Portland safety action committee, what they do throughout the city with clay

November 1, 2012

neal, chief reese. A few times, a couple of times to talk. I have to tell you if we had the communication back where I grew up, we wouldn't have one third of the problems we have there now when I go back to visit. It was mentioned earlier by a gentleman. People do wrong and do right. We have to look at the safety of the public of the city of Portland, of all of the major cities in the country, this is the greatest city in the country by no means. It is wonderful. So, just keep up the good work. Keep communicating. There is good and bad with everything. Try to attain a zero defect policy when you meet and keep continuing to do that. Nothing will be perfect ever when you have people that have to go to work and carry a weapon, I have to admit, I have to admire those people, though I admire people that do things that I could never do. I just wanted to make that comment. Thank you.

**Adams:** Thank you all very much. Appreciate it.

**Moore-Love:** We have six left and four want to stay together.

**Woody Broadnax:** I have been listening to a lot of testimony going on today. And my major concern is that the city council thinks smartly about what is being suggested and what is being proposed. When I think of global warming and the fact that we are experiencing the many disasters on the east coast, one picture comes to mind. That is the crane. This particular crane has a piece dangling from it. A lot of individuals, construction people, engineers were saying we could send a crew up there and they can go up there and fix the crane and pull it back to one piece. That was an unreasonable belief as they discovered that the only way they're going to be able to secure that crane is to secure it to the building. That was a suggestion. But what i'm saying is that we need to do the right thing first. And not use the ability to -- etc., etc., and do what we have been doing. The final suggestion from the people were we will build another crane right next to that crane and then we will be able to get the piece that is dangling from it. And I think that that is the best thing that we can possibly do today. As we sit here and look at the doj, and the fact that it doesn't answer all of our interests, it needs to be thought out smartly. We need to build a new crane. And be able to attach what has been failing, and be able to secure that piece that is dropping off. And I think that everything that I have heard this morning, that analogy comes to my mind. We need to think smartly. And that is why I want to urge -- I appreciate any effort. I firmly believe -- I have said this before. Everyone in the united states of america has got a mental health issue. And it is incumbent upon us to be able to put it in a position where we are able to bring them back to sanity. And this is our opportunity as a city, and really it is our opportunity as a nation. My name is woodrow broadnax, congressional candidate for district three. Running in the 2012 elections. Thank you.

**Adams:** Thank you. Sir.

**James Kahan:** I'm a private citizen representing only myself. I come to this with a little bit of experience. Policy analyst, studied public safety, commander control and consensus development. When I was in california, licensed psychologist. Since I came to Portland, I served on commissioner Leonard's commission on the ipr, and commissioner Fritz on the pdx steering committee and you did a wonderful job, and I thank you. For the past several years I have been serving on the cit advisory board. When the department of justice recommendations came down, I had a mixed reaction. I really liked those recommendations, and I think it is great that the city is going to make a step to implement them. On the other hand, we have been making them at the cit advisory board for years and we have been ignored. So, it was frustrating to see that, hey, wow, and I don't blame chief reese for this. Once the word got out to chief reese about what we were talking about, although he had to be beaten over the head with the doj hammer, he got the message and he has been meeting with us and -- one of the principle items on the agreement was more community involvement. I think I have to say with all due respect, in creating the agreement, you have violated one of the strong recommendations of the doj that there was inadequate community involvement and the evidence from that is what you have heard here today. There are enough

November 1, 2012

people who have an honest stake, who haven't been heard. I'm not recommending that we have 800 people meet with the DOJ to figure out what is happening. But it would have been really nice if we had some assurance that in the negotiations, those people who had the negotiation, okay, we talked -- this is what they want and we have talked with that element of the community, and this is what they want. As we represent the community, these are the things that need to be done and go at it that way. I think that basically I think the bottom line is that this agreement is not yet ready for prime time and should be rethought and it is such an opportunity to do something right and major change that it is worth taking a little bit of extra time to be sure that you get it really right. Thank you.

**Adams:** Thank you both very much. All right. The last four. Evelyn murray. Lisa haines, jamie mccollum, and taquilla baker.

**Adams:** Welcome.

\*\*\*\*\*: Thank you.

**Adams:** Thank you for your patience and persevering.

\*\*\*\*\*: Saved the best for last.

**Adams:** That's right.

**Evelyn Murray:** My name is evelyn murray, former president of the Oregon human rights coalition back in 1980 when we kicked butt and made changes for the welfare reform, not just for the state of Oregon, but the welfare reform for the united states of america, picked up our work that we did. I'm now president of family nursing and care for family. We work the governor's task force. We're all -- the governor's task force, but for it, because we do look at the racial disparity and disproportionality presented with children in foster care, who come out of the foster care system, have been medically treated for so many years, and if they can't find a family, they age out on the streets. So now you have a population, young population of people who are emotionally delayed. Mentally delayed. The most dangerous part is that when they age out on the system, the system, the state stops providing them their pharmaceuticals. You have a group of people that are on the -- out on the street that join those children that are from other parts of family society that is bad and now you have a group of people that are so heavily medicated seeking their drugs in the underground market. Four, five, six, seven, eight, nine, 10, good old state of Oregon did not have any problems providing them with their prescribed legal prescriptions. When you age them out on the system, they do not have that support. You will have new homeless groups starting a new kind of game that -- what is his name? Michael reese, the chief of police -- it is sad that that officer had to shoot the campbell boy. It is sad. But he did it. What he did was murder. And you can call it whatever you want to call it. It was outright murder. One of the things I like about mayor Adams, and I want it read a quote from robert kennedy. It says that few men are willing to brave the disapproval of their fellows -- the wrath of their society, moral courage, mayor Adams, is a rare commodity. It is a commodity that is braver than those that are in battle, yet it is the one essential thing that is very vital that most of you that make those decisions at one percent, and I call you guys the gatekeeper of the one percent. They don't want to change. They want things to stay the way they are. These are the battles that you have to face. And it takes a lot of courage to do that. And the racial disproportionality and disparity in Oregon, has been here since the 1844 territorial decree -- and that thing is still on the books and exclusion is still on the books -- you have police officers that are very much aware that they got some laws that they can squeak through. As a citizen that is a taxpayer, no one can come tell me chief of police what he can and cannot do. Especially when he is standing up for what is right. I spoke with him earlier about that. I don't know who that person is that gave you the order that you are going to take this murderer back into your wings, but he don't have the power, the people do. Government is of the people, by the people, for the people. When the government is not serving the needs of the people, it is our inalienable right to bear arms and defend ourselves.



November 1, 2012

and execute said government -- and we -- in parts occupying. The one percent must look out at the 99% from their high rises and laugh. Because there is something wrong with the 99%. I have with me here lisa haines, taquilla baker, her friend jamie, her partner, jamie, and lisa has had to stand at trimet in front of her african-american son that has issues because he has been raised in foster care, took us 26 years to find him. And if she had not have stood in front of him, officers had pulled their guns, she would not stand down. She had to do that. And i'm saying that's not making any sense. This seems like stuff you read about in a stephen king horror movie. And this is my daughter, taquilla, who had a mental issues, issues because of the stress of society. She can't deal with it. As a gay person, she is not supposed to be -- it is not normal, and as her partner, jamie, they have the same problems. I don't support homosexuality whatsoever, but I support my daughter. I support human rights. And to continue -- I know you guys have to give the answer to the feds, but the answer that you guys are about to give, like the young man that just left here, let them know, don't feel pressure. I call anybody over, 60 or younger young people. Don't be under pressure to give that answer. You guys are not ready to give that answer. And i'm not going to be like most people and say I don't think -- i'm telling you you're not ready to give that answer. If you do, you are putting a band-aid on it and a band-aid would have you right back here with the same committee and --

**Adams:** Thank you. I gave you three more minutes.

**Murray:** They're giving me all of their minutes. I don't know if you can do that.

**Adams:** No, I just gave you three more minutes on your own. They have three minutes each in addition.

**Murray:** You do understand -- they do need someone to speak for them. You are denying them advocacy.

**Adams:** I would never do that.

**Murray:** That is what you are doing.

**Adams:** I am going to give them time to speak as well. Well said, I appreciate it. Hi, welcome. Could you tell us who you are?

**Lisa Haynes:** My name is lisa haynes.

**Adams:** Could you get a little closer --

**Haynes:** Lisa haynes. Thank you for allowing us to be here today. As evelyn was speaking about my son, I was here in this place, city council room -- 2010 was when I first moved here to Portland, Oregon. Me and my son envisioned that we could come here and make a change. My son is from here. Because of foster care and adoption, and through -- to black-markets, and illegal adoption in america and I spoke here in the city council meeting with my son who was sitting right beside me and I spoke in front of everyone and said that I -- I prayed that this doesn't happen it me or my son what happened to marvin davis -- I said that. Less than two years from this month me and my son was attacked on the Portland max by a drunk person and he kept falling back on me and all my son -- he knows martial arts. And he -- I know martial arts. He said, I will protect my mom. You know. And he -- the drunk guy put his hands around my son's throat and my son had every right to defend himself. Long story short, everyone called the cops on us, you know, because my son handled it without injury, you know. He knew how to -- he knew how to restrain someone without hurting them. So, they got away. We stayed on the max. And by the time we got off the max, no cops came or nothing. By the time we walked to the lloyd center mall, over 10 cop cars came on us over a disturbance on the max and tried to implicate my son as another disturbance was happening at the same time. They tried to put my son in the same place at the same time. Two different places at the same time. We were walking into the mall. And the cops road up on us, got out of their cars and started to point their tasers and guns at us. I got in front of my son. Why are you after us? You should be after the guys that kept falling on me on the max train. You know. And disrupting the max and everybody called the cops on us, you

November 1, 2012

know. They tased my son in the throat. That is illegal for one. They dragged me away from my son on all fours, shoved me to the ground and threw me in the cop car on my stomach so I couldn't see them hurting my son. Witnesses all around, but no evidence of the videotape at the max because they got rid of the evidence. They didn't give my son medical attention or anything.

They -- 10 cops on top of my son. This was the trimet that did this. A month -- like the following year, I was attacked by the same trimet cop because we were targeted because of -- they know -- they probably seen us on tv speaking here at the city council and also activists. I was attacked another time from the first incident by the cops just standing on the corner of foster and 82nd. Just standing there out of the rain when two trimet cops came up to me, harassed me, and asked me what was in my bag. Quite naturally, I know my rights. I didn't have to. I have a right to refuse. Because it is our birth right to be protected and we're supposed to be protected by the law. That is what our tax money is for. And he didn't -- and they grabbed my backpack, forced me in handcuffs, didn't tell me why they were there until two witnesses came and said that I stole some mail at 10:00 in the morning, mind you. I'm going to do something that the -- the first case -- the first incident they told me --

**Adams:** Ma'am, i'm sorry to interrupt. But I have a lot of people waiting and so what is the -- what is the point you want to make sure we understand --

**Haynes:** That we're victims. We're citizens. We're taxpayers. We're humans and we are being slaughtered like cows and animals in the street with no respect to human kind and we're being attacked and racially profiled like trash and garbage and we don't matter in this world. I'm fed up with it. 47-year-old black woman, i'm a 47-year-old black african-american native black women that most of your town and this is the -- moved to your town and this is the welcome that I get. I came here because I found my son after 20 plus years, you know, i'm dealing with that, too.

**Adams:** Thank you.

**Haynes:** Something has got to get done.

**Adams:** Thank you for sharing your story. Appreciate it very much. Hi, welcome.

**Tequila Baker:** Hello. My name is tequila baker -- a question that everybody would have but it is a question to myself of the comparison between what evelyn and she is speaking on. And the comparison I would like to share would be police versus dhs. If the police and dhs are in a position to protect and serve someone that calls them, then they should do so. If they also have the position it use the same law mandated to break those laws, then people in our position as a community have to fight back. But the hardest thing to do is fight someone who made the laws that are also breaking them. How do you come to a city or anywhere in the united states of america where things are governed, the president is doing his thing, but yet we as the people that elect these people still choose to turn a cheek and close their eyes as if they were born blind to what is really going on. That's all I have to say.

**Adams:** Thank you for testifying. Appreciate it. Would you like to say anything?

**Jamie McCallen:** I'm just here for support.

**Adams:** And a good supporter you are.

**\*\*\*\*\*:** Thank you.

**Adams:** Appreciate you all for your testimony. That gets us to the end of the public testimony. Karla remind me what the main city email is for city council at Portland Oregon --

**Moore-Love:** It is just sent to me, my email you mean?

**Adams:** Okay. You can -- and your email is?

**Moore-Love:** Karla.moore-love@portlandoregon.gov.

**Adams:** Or send to any of our email addresses. The record will remain open. Next week we will have another hearing. We won't be voting on this next week. Next week amendments to what is before the city council. I would ask that the city council get to my office suggested changes and amendments based on the testimony and feedback we get over the next couple of days and in turn

November 1, 2012

we will discuss with the department of justice. I want to thank everyone who testified here today and especially for those who didn't submit written testimony and didn't have time to say everything that you wanted to say, that is why we will keep the record open and I do appreciate your work.

**Fish:** Can I get a clarification -- a first reading next week, is it your intention to do that on a time certain?

**Adams:** Yes.

**Fish:** When do you intend to do that?

**Adams:** We already have it scheduled for the second reading.

**Moore-Love:** Regular agenda. Time certain, it would be 9:45 a.m.

**Adams:** Thursday.

**Moore-Love:** Thursday, sorry.

**Adams:** A week from now.

**Fish:** We would not vote that day?

**Adams:** No, we would not vote that day.

**Moore-Love:** 3:30 on thursday. I have an absence for you right now.

**Adams:** We will figure that out. Tentatively pencil in 3:30 thursday.

**Moore-Love:** Leonard is gone, too.

**Adams:** We will do our best with attendances and we will be entertaining any changes. Again, if -- if folks would get us changes before tuesday, that gives us time to sit down with the department of justice. Thank you all very much. This conversation will continue.

At 4:53 p.m., Council adjourned.