



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **2ND DAY OF OCTOBER, 2013** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5. Saltzman left at 11:57 a.m.

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

On a Y-5 roll call, the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
926	Request of Mike Keebaugh to address Council regarding labor relations (Communication)	PLACED ON FILE
927	Request of Curt French to address Council regarding labor relations (Communication)	PLACED ON FILE
928	Request of Sam Sachs to address Council regarding recognition of Park Rangers (Communication)	PLACED ON FILE
929	Request of Carole Morse to address Council regarding participation in donating to Work for Art (Communication)	PLACED ON FILE
930	Request of Mike Golub to address Council regarding participation in donating to Work for Art (Communication)	PLACED ON FILE
TIMES CERTAIN		
931	TIME CERTAIN: 9:30 AM – Encourage the exploration and incorporation of bird-friendly design and practices in City plans and policies (Resolution introduced by Commissioner Saltzman) 20 minutes requested (Y-5)	37034
CONSENT AGENDA – NO DISCUSSION		
Mayor Charlie Hales		

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<p>932 Authorize a grant agreement with CASH Oregon for \$75,000 to provide financial education, counseling and free tax preparation services to low-income families and individuals in Portland (Ordinance)</p>	<p>PASSED TO SECOND READING OCTOBER 9, 2013 AT 9:30 AM</p>
Office of Management and Finance	
<p>*933 Pay claim of Ashlei Brady (a minor) through her Guardian Ad Litem Patricia Charlan in the sum of \$70,000 involving the Parks Bureau (Ordinance) (Y-5)</p>	<p>186268</p>
Commissioner Nick Fish Position No. 2	
Bureau of Environmental Services	
<p>934 Amend contract with Hillsboro Landfill for multi-bureau contaminated media disposal in the amount of \$1,000,000 (Second Reading Agenda 912; amend Contract No. 31000155) (Y-5)</p>	<p>186269</p>
<p>935 Authorize a Letter Agreement with the Oregon Department of Transportation in the amount of \$10,000 to provide traffic control during work to abandon sewer facilities on I-84 at the NE 12th St crossing (Second Reading Agenda 913) (Y-5)</p>	<p>186270</p>
Water Bureau	
<p>936 Authorize a Joint Funding Agreement with U.S. Geological Survey in the amount of \$801,208 for Streamflow and Water Quality Monitoring (Second Reading Agenda 915) (Y-5)</p>	<p>186271</p>
REGULAR AGENDA	
Mayor Charlie Hales Bureau of Police	
<p>*937 Add the Portland Police Honor Guard to the list of organizations eligible to use the voluntary payroll deduction system (Ordinance; amend Code Section 5.08.140) (Y-5)</p>	<p>186272</p>
Office of Management and Finance	
<p>938 Update and replace City of Portland Debt Management Policies (Resolution) 10 minutes requested</p>	<p>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p>939 Adopt City of Portland Investment Policy (Resolution) 10 minutes requested (Y-5)</p>	<p>37035</p>

<p>940 Authorize revenue bonds for urban renewal areas (Second Reading Agenda 916) (Y-5)</p>	<p>186273</p>
<p>Commissioner Steve Novick Position No. 4</p>	
<p>941 Create a temporary advisory committee charged with making recommendations to Council about incorporating socially responsible criteria for the City of Portland's direct investment in corporate securities (Resolution) 15 minutes requested for items 941 and 942 Motion to add to the committee's charges "including weapons production": Moved by Novick and seconded by Fritz (Y-5) (Y-5)</p>	<p>37036 AS AMENDED</p>
<p>942 Provide the City Treasurer with a Council-approved list including one specific corporation in which the City shall not directly invest its cash assets (Resolution) (Y-5)</p>	<p>37037</p>
<p>Commissioner Amanda Fritz Position No. 1 Bureau of Development Services</p>	
<p>943 Approve the proposal of Legacy Health System and the recommendation from the Hearings Officer for approval, to change the Comprehensive Plan Map designation from Industrial Sanctuary to Institutional Campus and the Zoning Map designation from IG1 General Industrial 1 to IRd Institutional Residential, with a design overlay for property in the vicinity of N Kerby Ave near N Stanton St (Previous Agenda 924; LU 13-146707 CP ZC) Motion to amend title to "Approve the proposal of Legacy Health...": Moved by Fritz and seconded by Fish. (Y-5)</p>	<p>ACCEPT HEARINGS OFFICER'S RECOMMENDATION</p>
<p>944 Amend the Comprehensive Plan Map designation and change zoning of property in the vicinity of N Kerby Ave near N Stanton St at the request of Legacy Health System (Second Reading Agenda 925; LU 13-146707 CP ZC) (Y-5)</p>	<p>186274</p>
<p>Portland Parks & Recreation</p>	
<p>945 Amend provisions relating to duties of the Golf Advisory Committee and lifetime passes to golf program employees (Second Reading Agenda 911; amend Code Chapter 3.86 and 20.20.030) (Y-5)</p>	<p>186275</p>
<p>City Auditor LaVonne Griffin-Valade</p>	

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946 Establish employment restrictions for the Ombudsman position to further safeguard the integrity and independence of the Office of the Ombudsman (Ordinance; amend Code Section 3.77.050) 10 minutes requested
Motion to remove C1 of Directive a.: Moved by Fish and seconded by Novick. (Y-4; Saltzman absent)

**PASSED TO
SECOND READING
AS AMENDED
OCTOBER 9, 2013
AT 9:30 AM**

At 12:11 p.m., Council recessed.

WEDNESDAY, 2:00 PM, OCTOBER 2, 2013

**DUE TO LACK OF AN AGENDA
THERE WAS NO MEETING**

October 3, 2013

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 3RD DAY OF OCTOBER, 2013 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman, 4. Saltzman left at 7:00 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ian Leitheiser, Deputy City Attorney; and Wayne Dykes and Mike Cohen, Sergeant at Arms.

The meeting recessed at 5:07 p.m. and reconvened at 6:05 p.m.

<p>947 TIME CERTAIN: 2:00 PM – Approve and adopt zoning confirmation letter responding to requests for zoning confirmation on Lot 7, Station Place, submitted by Right 2 Dream Too and Williams/Dame & Associates, Inc. (Resolution introduced by Commissioner Fritz) 6 hours requested</p>	<p>Disposition:</p> <p>CONTINUED TO OCTOBER 16, 2013 AT 9:30 AM</p>
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At 8:18 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.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

OCTOBER 2, 2013 9:30 AM

Hales: Karla, call the roll.

Novick: Here. **Fritz:** Here. **Fish:** Here. **Saltzman:** Here. **Hales:** Here.

Fish: Kimberly, would you come forward, it's my honor to read a proclamation issued by the mayor and then we'll recognize you.

*****: Thank you.

Fish: Whereas culture draws us together in common purpose, understanding and in celebration. And whereas Oregon's 1300 arts heritage and humanities nonprofits, museums, libraries, theaters, historical sites, and art centers, and heritage sites, are the hearts our community, and whereas the Oregon cultural trust presents Oregon days of culture october 1 through october 8 during national arts and humanities month. To encourage Oregonians to celebrate, participate, and give to Oregon culture. And whereas Oregon days culture celebrates the vibrancy of the arts, heritage, and humanities in Oregon, whereas the Oregon cultural trust is a product of smart and innovative public policy, and an example of what makes Oregon a proud leader. And whereas supporting cultural nonprofits in the cultural trust is vital to preserving our past, sustaining the present and creating the future. Now, therefore, i, charlie hales, mayor of the city Portland, the city of roses to hereby proclaim october 1 through october 8, 2013, to be Oregon days of culture. In Portland, and to call upon all Portlanders to participate in Oregon culture, and to celebrate, the vibrancy and depth, and to help ensure the future of vitality of the arts, heritage and humanity organizations. Congratulations.

[applause]

*****: Thank you very much.

*****: This celebration of --

Fish: Introduce yourself.

Kimberly Howard: I am kimberly howard, the cultural manager of the Portland Oregon trust. This will be centered on the Oregon culture field guide, which is online and available at our website at culturaltrust.org. It is a celebration and highlighting of activities that happen year-round, and where, we're encouraging and inviting Oregonians to create life lists of activities here in the richness of our state, and that encompass the arts, heritage and humanities, and check those activities off throughout the year. For those not familiar the trust champions culture in our state and enriches our lives by supporting investing in arts heritage and humanities organization in all 36 counties, and the nine federally recognized tribes. It is the only one of its, of its kind in the country, and it is a treasure that makes me proud to be an Oregonian. The trust is awarded over 1,000 grants totaling 14 million since 2003, and is, has built a permanent endowment that stands more than 18 million. That ensures that future generations can have the same Oregonian experience that we are fortunate to enjoy today. Oregonians who give to any of the 1300 cultural nonprofits that, that commissioner Fish mentioned, was mentioned on the proclamation by mayor hales, to receive generous state tax credit if they mick a matching contribution to the trust, it's as simple as donate, match, and get the whole match back. Our goal is to raise more than 4 million this year to expand our support towards the organizations, and we have recently created a pioneer circle program, for passionate supporters who give above the tax credit. To learn more about the Oregon cultural trust and to donate, you can go to culturaltrust.org or contact us. We love to talk about it. I want to reiterate, it is easy. You will hear later on from an organization that is a work for art here in Portland, and you can actually, by giving

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to work for art that qualifies, as well, for the giving gift to the cultural trust and getting the trust donation back dollar for dollar, when file your taxes. Commissioner Fish, have I sufficiently given the plug?

Fish: You have done a great job. Since everybody has, stumbles when we talk about tax credits, I want to highlight how this works. I use the willamette week give guide, and end of the year because i'm procrastinator and I go online, and they list lots of nonprofits that I care about. And i'll make a contribution online to each of those nonprofits, and then it tells me how much I can contribute to the Oregon cultural trust as a match. That will get right back on my taxes.

Howard: Absolutely.

Fish: So let's say that I want to focus on organizations that do writing, jazz and, and maybe theater. I make my contributions to those nonprofits for which I get a deduction, on my taxes, and but if I match that contribution, say \$400, to the Oregon cultural trust, when I file my state tax return, I get a tax credit of \$00, meaning, dollar for dollar the Oregon sends me back a check for every dollar that I have given to nonprofits. It's unique. It allows us to, in effect, direct our dollars and magnify our impact, and I urge people to participate because the other key to this program is we're supporting arts, culture, heritage statewide.

Howard: Absolutely.

Fish: The dollars don't just stay in our community. They benefit the whole community, and in fact, Oregon, Portland arts-based organizations, that get funding, often as a condition of the funding, have to take their programs out to rural areas and bring music and dance and theater and the arts to places throughout our community, so, it's wonderful program, and it does not cost anything, if, if seek the tax credit every year on your takes tax return but it is a way that we build an endowment to support the arts, and in this proclamation, it notes that we are home to all the wonderful organizations, and let us not forget that today, all of our federal partners, all the museums, all the things that we, we partner with, they are all closed. They are a consequence of this shutdown. And if you are in Washington today on the mall, you cannot go to the smithsonian. And you cannot see art and treasures of american history and you cannot see relics from the past, but in Oregon, they are open. And they are, in part, because of the Oregon cultural trust. Congratulations for all your great work.

Fish: Thank you, thank you very much to letting us be here today.

Hales: Thanks. Here's the proclamation.

Fish: Thanks, kimberly.

Hales: This is a really important part what makes Portland, Portland. We appreciate the good work our arts organizations do, that, commissioner Fish and the regional and arts commission do to keep these ideas in front of our community, and to keep these opportunities for making difference in front of each of the citizens, and contributors, so thank you so much for all that you are doing. And as a, as a Portlander, as a beneficiary of these opportunities, it's, it's a great part what life here is about. And, and i, actually, spent a little time this week enjoying the art scene here in Portland, saw the great artist performance of the big meal on sunday, and somewhere a personal bias in that, and my son is in the cast. It is a great performance. I will see some of what our community has to offer in the art galleries this week. Torre is opening show tonight, and so, there is a lot going on in Portland, on any given day or weekend, and night, and it's because we have these great organizations that are supported by, by philanthropists, large and small. So, what we do a, to the tax credit important, especially in light of our inconsistent federal partner. Thank you.

*****: Thank you.

Hales: We're going to move onto communications items. We have a number of them. 926 is the first. Karla? Good morning.

*****: Good morning.

Item 926.

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Hales: If you have not been here in a while, put your name in the record and you have three minutes.

*****: All right. Thank you.

Mike Keebaugh: Commissioners, mr. Mayor, thank you for your time, I am mike keebaugh. I've been a painter with Portland parks and recreation for many years and a member of the [inaudible] bargaining team. The members of the district council trade unions are involved in every aspect of city government. We bring clean water to the tap and process it when it leaves to protect our rivers. We fix the streets, sidewalks, bikeway and is bridges to keep families safe on the road. We maintain police bureau records and accurately track evidence for the prosecution crimes. We maintain your gold medal park system, and we are the first responders during weather emergencies like heavy flooding. The dctu protects our communities and maintains the quality of life that we enjoy. In the spring, we, the community, came to voice our support for the programs that we're, were important to us in the 25 million budget crisis. And we, the city workers, came to advocate for the services that we provide. In 1996, the dct represented 2000 members delivering front line services. We have been completed to 1600 members. Recently, the new budget office recorded in the ending with an 11 million surplus linked to staff layoffs, if this has not prompted a conversation about restoring staffing levels. We also discovered in 2012, the city of Portland spent \$2.1 million to fund management city leave, which rewarded staff 868 staff with up to 10 additional vacation days. With little or no statistics. That's equivalent to 21 dctu positions, and all, this while we fight for our cost of living. Glorious [inaudible] said if you want to know someone's values don't listen to what they say, look at their checkbook. What does your checkbook say about your values? In our bargaining sessions, we have thought to maintain contract language. That says, any, any work which is performed by bargaining unit employees should not be contracted out until the city indicates the contracting out will result in reduced costs. Reducing costs is the basic endeavor of any organization, with a public, whether public or private. This line, which is our guarantee to you that we provide the best work at the best cost. This language helps to safeguard the taxpayers' money, and it makes good business sense. We are left to ask why the city management fighting to remove this language that holds managers accountable for tax dollars that they spend. Is it to open the door for contracts to friends and relatives? Is it to silence opposition to corruption like ellis mccooy parking meter scandal, and this language helped to expose? Or is it to grease the skids for politicians to give away contracts for political favors. But what do I know, i'm just a mere humble painter. Mr. Mayor and commissioners, I am here today to ask you, what commitment we get from today to ensure that this article stays intact to protect the taxpayers' investment.

Hales: Thanks for coming. You know we're not going to bargain in this room, but we appreciate coming here so thanks for being here. [applause]

Hales: Next 927. Good morning, curt.

Item 927.

Curt French: Good morning. My name is curt french, and I am a 26-year-old employee of the city of Portland in bds. I am a member of afsme 189 and a chapter chair, i'm on the bargaining team for the second time. We still do not have a contract that can be taken to the dctu membership to vote for ratification. To that end, the Portland firefighters' association and the northwest Oregon labor council took a resolution to the recent Oregon afl-cio biannual convention. That resolution, support workers of the district council trade unions, whereas the district council of trade unions, dctu, a partnership of unions, represents 1600 of the best trained, most dedicated workers of the city of Portland, Oregon, and whereas, the dctu provides essential services to the citizens Portland. And whereas, the unions have been negotiating in good faith for over seven months with the city of Portland. With no resolution in sight, and their benefits and important contract language under attack. And whereas, the city of Portland is attempting to remove critical language regarding subcontracting and seniority. Now, therefore, be it resolved that the delegates of the Oregon afl-cio a

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extend their support to the dcu workers as they proceed through negotiations, and be it further resolve that the Oregon afl-cio recommend to its affiliates and allies to support actions as and when requested by the dcu. And now, be it finally resolved, that the Oregon afl-cio executive council send letter to all city and commissioners and the mayor of the city of Portland, and in support of the dcu workers and their contracts. This resolution, was endorsed by the Oregon afl-cio, which represents over 108,000 members. It has also been endorsed by the columbia pacific building trades council. At that same convention, the dcu took around a petition getting signatures of members of the, of the afl-cio in support of the district council of trade unions. What we need now is a contract that can be taken to the dcu membership and ratified. We have been negotiating since spring, with the union, with the city bargaining team, that has typically had, had response just no, no, or it does not meet our interests, or a changing rationale for why they would not accept union proposals. We need honest negotiators across the table. We don't need punitive proposals like, like first-time ever, a colon, not retroactive to july 1. This is, this has never happened before. Doesn't need to happen now. Thank you.

Hales: Thanks for coming. Thank you. [applause] was.

Hales: Next one, please.

Item 928.

Hales: Good morning, sam.

Sam Sachs: Good morning. Mayor hales, commissioner Fritz, members of the council, thank you for allowing me to speak with you today. I am sam sachs. I am a park ranger for the city of Portland. I've been a park ranger for almost four years, first as a seasonal and for the last year and a half, working full-time. And I am speaking to you on behalf of all Portland park rangers, we speak as one and stand together united. All rangers have reviewed my testimony, in, and support the contents. And I would like to share a story with you about a fellow park ranger, dustin meyer, who is over here to the right. And last week, while on patrol he discovered three, a three-year-old boy alone on the, in the corridor, the boy wandered away from his home while his mom was shopping, his dad was asleep at home. And after the ranger discovered the boy, he contact the police, and with their help, was able to locate the boy's home and contact his parents. If not for ranger meyers' quick actions, it's possible that the boy could have met a much worse fate. The park ranger program is tremendous service to the community. The lost child is at home with his family today because dustin was there to help. Unfortunately, dustin won't be on the job much longer. He's classified as a seasonal ranger, and his hours are about to run out, at the end of the month. And today we have seven full-term rangers and 17 seasonal rangers, and the seasonal rangers come to work and to the same job that I do as a full-time, take the same risks I do, dealing with violent individuals who at times threaten physical violence, and in fact, some of the rangers are at greater risk when they work alone at night in the dark walking restrooms, and all of this for between 12 to 13 an hour, with no health care benefits, and no sick days, and no job security. Working alone at night is just one example of the avoidable risks we have been forced to take. And we can only hope that we do not see another ranger violently attacked and injured as ranger [inaudible] was when he was thrown 75 feet off cliff in forest park. And i'm here today for a few reasons, we met with you, mayor hales, in march to discuss our reasons for organizing and to demonstrate to you a unanimous support among rangers for joining 483. Six months later we are waiting to be recognized. While our management team continues to give us added responsibilities, outside the scope our job, like parking enforcement duties in Washington park, and water security responsibility, and we are aware of the grievance regarding the parking enforcement duties. We want to be on record today that we neither support, endorse, nor were consulted on these duties. The park rangers support the grievance by parking enforcement. We continue to have little or no say in our work conditions, and yet every time we raise concern with management, about the jobs like schedule changes, class review or shift differential, we are told that these are issues that will be dealt with in bargaining, as if to say the city

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believes our unionization is inevitable while at the same time, the city attorneys works to put roadblocks and prevent us from becoming a union. We could have easily unionized by now, we chose to leave the seasonals and dustin, behind. We have all been seasonal workers before, seasonal rangers, and we stand united with them today, as strong as we did six months ago, we ask you put on hold the implementation of the Washington park enforcement piece until the grievance can be heard. It's not the park rangers' desire to take jobs away from union members, and give them to non represented workers at a lower rate. We ask you again to reconsider recognizing us, the park rangers, as part 483. By doing so, you will empower us, to, to, and give validity to the work that we have done over the past two years to build this program to what it is today. At the very basic core, mayor, park rangers want what everyone in this room wants, to be valued at work, and to have our pay commiserate with our job duties, to have stay say in something as simple as what shift we work, and to be consulted on changes in our jobs, our job duties. We want to have a voice. By recognizing us, mayor, you can give us that voice. Thank you.

Hales: Thank you. [applause]

Hales: We have a couple more.

Items 929 and 930.

Hales: I think one more coming up.

*******:** And 930.

Hales: Good morning, put your name in the record.

Carole Morse: I am carole morse. I live in northwest Portland and work for Portland general electric. Good morning, mayor and commissioners. And you for letting mike and I be here. We are an unlike duo because when he talks sports to me, I don't know what to do. But, we do talk arts and culture together. So, that really works. I am here today because work for art is a choice in the city of Portland's charitable campaign, which I understand kicks off october 16. And work for art will be one of 15 groups that are featured during your campaign. Up until now you, the city of Portland employees have given about 86,000 in donations for work for art during the past seven years, and which, which gets matched by the work for art matching challenge fund, thank you very much, for, for participating in that, and giving your ongoing donation to that fund. So, that the -- your city employees, 86,000 resulted in about 172,000 that went out to arts and culture organizations in the region. And, and I am here because, because at Portland general electric, this is, this has been an, has become an iconic part of our campaign. We're in the midst of it right now. And, and we have 2,700 employees. We also really do well each year, about 66% our employees give during the campaign, and they give to, to, oh, a couple hundred different nonprofits. It's an open campaign, and i'm really proud to say that work for art has grown over the years, and has become the number two campaign at our company. And, and what, what is especially interesting about that is it's sandwiched in between Oregon food bank, which is number one recipient, and doernbecher children's hospital, which is number three, so that our employees, even at the electric company, see the value of the arts, along with food and, and health care. And we have also, also been the, been the number one art campaign, the number one campaign in the city for the past two years. And one of the things that, that really important to us, that the company, and the company arts education. We believe that, that the worker of the future needs to be well educated in all kinds things, not just engineering and technology, but in critical problem solving and innovative thinking, which the arts does. And with, with, you know, the match that we give, the 50% match, you then give the match from, from the matching fund, and then you get the arts cart, which michael will talk about. One thing that I want to do, mr. Arts commissioner, is give our campaign is called give like a rock star. Keep rocking on, so we use the arts to, actually, move the whole campaign, and it gives the, the world tour locations on the back. This is only worth \$8 so I think that you can accept it. Thank you very much.

Hales: Rock star, that would be nick, yes.

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Mike Golub: Good morning. I am Mike Golub, the COO of the Portland Timbers and live in southwest Portland, and we have, we are huge supporters of the work for art program. We launched our first campaign last year and in addition to the obvious, obvious benefits of, of money going directly to the arts organizations, we have surprising results, a young workforce, and for many, this is their first chance, the first meaningful charitable giving, and for others, they were not aware or users of the amazing array of arts that we have in the community, and what Carol alluded to, \$60 a year, they get an arts card that has an array of discounts throughout the year at a wide variety of arts institutions. For the young people, they learned how to give, and they were exposed to the arts. And it's a wonderful by-product of the program. The program work for art has been in existence for seven years, had a remarkable success. And, and there's been, been a great collective effort that has raised 4.7 million over the last seven years. And 55% of that has come from private donations and 45% has come from the matching challenge fund. As Carol mentioned there are nine entities, public and private, that comprised the funds in the city of Portland, is the biggest one, but the matching fund is a huge impetus incentive and catalyst for 5,000 donors to the work for art program that represent over 75 companies throughout our region. Yesterday, Mayor Hales and I were among the more than 600 attendees at the Greater Portland Economic Summit, and there was, might I imagine, an economic summit, a lot of the discussion about, about key sectors in our community, and job creation, while the arts and, and culture sector represents 8,500, more than 8,500 jobs in our community. And the work for art program is a way to keep those arts institutions thriving and viable and those 8,500 people employed. So, on behalf of the Timbers and joining PGE and the behalf of the 70 companies not here today, who, who proudly support the work for art program, we would encourage the city and, and the city workers to, to vigorously support work for art during the capital, the charity campaign.

Fish: One comment, first I want to thank our honored guests for serving on the work for art cabinet and being tireless advocates. I also want to thank city employees that somewhere, have year after year chosen to contribute to work for art and, and employees have a range of options, but those that do support it, have it deducted automatically from their paycheck, people like me. And the money then goes into this worthy cause, so I'm grateful that, that our employees every year have said that this is an important cause, and they want the option to donate to it. But, the third thing that I want to say, kind of sticks in my craw, is the last meeting that we had, Tom Hughes issued a challenge. And it's kind of like, it bothered me a bit because it's, it's, you know, frankly, it's tension in the ranks, but, issue a challenge, and he said that he would like to see the elected officials at the county, at metro, and the city, all, all sign up and participate, even if they give a dollar, he wants to see 100% participation, so, I have taken up that challenge, and I have a bit of work to do, and I'm hoping that the next time that you are here, I can tell you that 100% of the electeds in this building have, have chosen voluntarily to make a contribution so that Tom doesn't get the last, the last word on that.

Golub: Thank you very much.

Fish: Thank you for what you do and, and thanks for supporting arts in our community.

*****: Thanks.

Hales: Thank you. It sounds like we better make sure that, that you don't have to eat any crow. Not to talk bad about birds.

*****: Yeah, really. [laughter]

*****: Thank you very much.

*****: Nice job.

*****: Fair contract now: Fair contract now: Fair contract now:

Hales: Ok. Thank you, Nick. Now, let's move to the consent calendar. I don't think that there are any requests to pull anything off the consent calendar, is that right?

Moore-Love: Correct, I do not have anything.

*****: Ok, unless there are any now, then roll call on the consent calendar, please.

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Novick: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

Hales: Aye. And time certain, 931.

Item 931.

Hales: Commissioner Saltzman.

Saltzman: Thank you, mayor and members of the council, as Portlanders I think that we all seem to, see much to admire about birds, and after all they can fly. And who among us would not want to do that. I also admire how the birds who don't migrate south for the winter survive. They are, their survival skills are amazing to me, as well. And right now, we are in the midst of what's called the fall migration when thousands of birds, may be millions, make their way to, to warmer climates in the south and, and in light of the fall migration I am pleased to bring forward this resolution, to encourage and support bird friendly building design and management practices. We have recognized that birds on the migration path fly into buildings and, and will injure themselves sometimes fatally. Because of the building's design. For instance, they may strike a building with, with reflective glass, or they may be disoriented at night by lit buildings as they are navigating along the migratory path. We have several city documents that reference and include language around bird and habitat friendly designs, including the draft comprehensive plan and the draft central city plan for 2035, both are in the works right now headed our way soon. And this resolution serves as a focal point to those documents and brings those intentions, into one place. I would also note in July of 2013, the city produced -- of 2012, there was a guide for bird friendly design, a step in the right direction. This resolution serve as a focal point to bring those documents and those intents into one place, and but, it's also about bringing awareness to building owners and property managers, and that includes homeowners. Unfortunately, bird strikes happen at residential properties as they have at my own house many times. So today, we're going to hear from experts who will share their experience and, and tips for making your property bird friendly. So I would like to introduce alan armstrong with mwar architects, if you could come on up here, and then bob salinger with Portland audubon society. Welcome. Why don't go ahead and start, alan, if you are ready to go.

*****: Ok.

Alan Armstrong: All right, good morning. Mr. Mayor and commissioners. Thanks for having me, commissioner Saltzman. And I am alan armstrong, and I work with mwa architects and I am the project architect working with msa engineers in the Portland water bureau on, on the pump station project. And, and as some of might know, it's a complex project. Lots technical considerations, it's in the 100-year floodplain in willamette park, which is a big deal. And it's a 100-year building and we want it to last for a long time. As it serves a critical need for the community and, and it's a beloved park. We have had extreme public involvement, and it's been through the design review process. So, there is a lot of design input from a lot of stakeholders. And if you could see this image, projected, this is the design that we came up with, and because of and/or despite all of the design input, we feel like we have come up with a compelling concept for the building. And part of that concept is win goes. And these windows are included to, to, to provide daylight to, to the, the maintenance personnel inside the building. But also, to provide a glimpse of the function of the building to passersby. And as soon as we have windows on the building, we have a problem, we create a problem with bird collisions. And it was, actually, Portland parks and rec and, and a number of the public advisory committee, jeani, who brought this to our attention, and the water bureau and the design team, and all the other stakeholders you, of course, who immediately were onboard with addressing this problem. So, I want to run through a few of the specific things that we have done for this design to mitigate bird collisions. First all, we used the newly created bird friendly design guidelines from the audubon society as a reference, it's a great document and, and comprehensive. And, and I also work direct with candace laron at the audubon society to make sure that we were covering our basis with the design. The thing that we did to, to, to address bird, bird, bird collision deterrents, was mike ross at the Portland water bureau did, did, a see if I can get this right, bird

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collision threat rating calculation, and that's based on lead calculation that basically takes the amount of glazing on the building and divides it by, by the amount of solid facades and the glazing is given a, a, a rating based on the bird friendly or unfriendliness and, and this building has gone through a lot of changes over the course design. And a 30% design, our bird collision threat rating or bctr was 8.11. And, and that is within the acceptable range of 15. But, the east facade, we had a lot of glazing on that facade, and it was 23.62, so this was unacceptable. And now, we made a lot of changes, not just for bird friendly elements, but other design criteria, as well, and the nice thing is because of the changes, we re-did the calculation. Our bctr is .65, and less than one on all facades. This is a great change for the building, itself, and the building design but also, for, for bird collision deterrents. And the other main thing that we have done, and if you read the bird friendly design guidelines, this is the most effective way, deterring bird collisions is to treat the exterior surface of the glass with, with a pattern that disrupts the reflectiveness of the glass, and that can be accomplished in many ways. But, the key is to, is to conform to the two by four rule, which, basically, limits the amount of open space that, that bird wants to fly through, so if you can get your open space less than two inches by four inches, then, you will, you will limit a lot of bird collisions, and this is an example of a mockup that we did to, to test -- we did a lot of these, and this was the final one. But, you could see, that, that the, the etch or sandblast, again, many ways to do, it disrupts that reflection and keeps birds from flying into the glass. Let's see here. Lighting. Light is very important, as well, and there is, actually, very limited exterior lighting on this building, considering it's a secure facility in a park, and all the lighting is, is downlighting so there is no, no spill upwards into the atmosphere that would draw birds in at night. And interior lighting, this building is not normally staffed, and so, lighting is our default off and, and the only time that, that the interior lighting would be on at night is if there is an emergency. And even then, the design team, that designed it, designed it to limit the spill from the exterior to the interior. And finally, the, the roof of the, of the building is, is about 90% covered in eco-roof. So, this is bird friendly in that it provides some habitat for, for birds, so, at the same time, we're trying to provide habitat, we also want to prevent birds from running into the building. And just, just in closing, I just want to make a couple of, key points. And that is as a design professional, three years ago, when I started working on this project, I was pretty unaware of this issue. And, and going through this process, I have learned a lot and, and, and the numbers are pretty staggering as far as bird collisions, bird fatalities due to building collisions in our country per year. And, and so, I have come to realize that this is very important issue for design professionals, especially in Portland, like you said, being on the, the pacific flyway. And, and we have easy and direct effects on this, in this issue, as well by making simple changes to our building design, we can prevent bird collisions, and those, those changes, those design decisions don't have to be stand alone, for instance, the marks on the glass helps with occupant comfort issues, reducing glare, and it can help reduce energy costs by eliminating the solar heat gain into the building, so there is synergy between bird friendly design and, and other design criteria. Thanks a lot.

Saltzman: Thanks. Bob.

Bob Sallinger: Good morning, mayor hailes and members of the city council, I am bob sallinger, the conservation director for the Portland Audubon Society and I am going to turn a part of my time over to Mary who also worked for Audubon. And, and, and to Commissioner Saltzman, for bringing in forward and, for the city for their work, this is an important thing, as Alan has said and, and this is, this is -- the numbers are staggering. And this is considered to be one of the top two or three killers of birds in the United States. In North America. And, and estimates are from anywhere from 100 million birds a year to several hundred million, some estimates you can put it as high as a billion, so the numbers are absolutely staggering, and if we are concerned about protecting and preserving biodiversity, windows are a place that we have to be thinking about especially for birds. This is an important step forward. And a lot of cities have taken this step, we're not unique here, Chicago, Toronto, Houston, and have adopted very, very -- San Francisco, a lot of cities have adopted strong

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programs recognizing this significant program. And some people ask, why, why do this, and why is the city worried about this, my city is why not. And we want to be ecologically sustainable. Something that Portland prides itself on and this is something that we can do. It's a voluntary program. And it's a matter knowledge, a matter of understanding how we impact the environment around us and incorporate these principles, so it's a smart thing to do, and as alan has noted, a lot of synchronicity with, with saving energy and, and with other goals, as well, and preserving our ability to see the night sky, and there is a lot of overlap with other valuable things that we're trying to do in our urban and landscape. So, the smart thing to do, the green thing to do and can save us money and birds. There is quick thank you's. First, you know, a lot of people worked on there, I want to thank the city, roberta and, and from planning and mr. Verrisue thomas from parks and, and the bureau development services, wasn't super directly involved but we kept in communication with them to make sure that they were onboard, and this was fund by national audubon society, and u.s. Fish and wildlife service. They also participated, american bird conservancy, and provided some of the preliminary materials on this which is based, and then a cast of dozens people from local, a textured firms, port vancouver and, and local architects, a huge number of people that came in and serve on the advisory committee, so we want to work with the community to make sure this was useful, acceptable and state of the art, and, and functional. And so, you know, we are pleased that we were able to work with the local business community to make sure that this was something that was, that was going to be useful and, and, and we got a lot of support for it and, and who else. Jeani, who did the design, and then most of all, I want to thank mary coolidge on our staff, she since move on and now up on bonney butte and came down from the rainstorms where she was counting hawks, and this was her project, and she really did, did a tremendous amount work to put this together, and really deserves kudos for that, and she'll talk more about the specifics, so, the last thing I would say is I hope this is the first step, not a last step, and we have done the work, and put this together, and you are, you are passing resolution, and I hope today to, to support it, and, and get getting it into city plans and out in front of people and making it part of the things that we think about when we build and rebuild our landscape really where it's at, you know. Affecting change on the ground, and we're seeing that happen. This is great case in point. We're very excited about it. And lewis & clark has made changes, and university Portland talked about incorporating this in when they build on the bluffs so we're seeing folks really embrace this, and we want to get a ground swell, and both, both bird friendly building design and the building phase and getting folks to turn out lights unnecessary, that are on at night. We're not talking about safety issues or trying to infringe upon those, but, like pollution, when we're shining lights up in the sky and we have superfluous lighting, it is a matter of energy sufficiency and protecting our wildlife, so now I will turn it over to mary.

Fish: I just ask you a question. Years ago when the green building movement started, and people tried to caricature it, thing that I think people were slow to realize is that there were long-term savings of, of going to green building, if you made a sustainable building, keep the costs down over time, and there was a return on investment cases to be made. And, and now, as well as, we're talking about how to make buildings more resilient, and anticipating things like earthquakes and other natural disasters and, and you are talking to us about how to make buildings more bird friend. And what, what do say to a property owner, this is voluntary program, what do say to a private property owner, to make the case as to why it's in their long-term economic self-interest to invest in this kind -- this approach?

Sallinger: That's a great question, the exciting news is that, is that this, this correlates very well with money savings, the types of strategies we're talking about are things being done through leed certification, through energy efficiency programs. And so, it's a matter tweaking those, and it's not necessarily something you are doing on top of everything else but looking at how you are doing, your energy efficiency and construction and design, in ways that incorporate in the principles here, so what we're talking about here is not necessarily additive, it's just transformative in terms of

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thinking about how do-do the shading positive the glass, and how do you juxtapose the glass with, with natural features on the landscape, and these are things that we're embracing and thinking about because they make economic sense. And these, these kinds of strategies, we're talking about here, fit incredible well with that. And in some cases, they really enhance it. So, this is an economical thing to do in the vast majority cases. It's really just a matter getting that information out in front of people. You are going to save energy, you are going to save birds, and, you know, in some cases you are going to preserve our ability to see the sky and, you know, make our community more livable. It's all upside, really. From, from a biodiversity and, and an economic perspective.

Mary Coolidge: Mayor haies, and commissioners, thank you for the opportunity to be here today. This is a really exciting day for those us who worked on putting this resource guide together. And the resolution that you are bringing forward today helps to address what is, what is emerging as one of the major conservation issues facing birds today and, and let's see, if I can get this going. Research has demonstrated that up to a billion birds die every year in the united states alone, as a result of hitting windows, and one of the reasons why this is a very critical issue is because it's an indiscriminate killer. So, common birds, rare birds, and adult birds, and juveniles, and healthy, unhealthy birds hit as readily as any other, so it's really culling some of the healthiest birds out of the population, which is problem. We did not know prior to 2008 whether we had a windows strike issue in the city of Portland. Nobody had evaluated this, so we ran a pilot survey in 2009, and then, followed up with four additional seasons monitoring, with a tiny sample size we were looking at 21 buildings in the core. During that time we picked up 40 to 65 birds per season, and we documented 36 native species of birds. During that same time, the wildlife care center at audubon documented 83 species of native birds and fielded phone calls and intakes in the number of 200 to 300 per year. And so, really, it's a significant issue. And the third species that we found, when we were, we were doing our surveys, was not what you would -- typical urban core species, and sparrows, but it was list of, of hummingbirds and woodpeckers and sparrows, and pretty, pretty staggering toll that it was taking on our diversity. And the very basic, basic problem is, is that transparency and reflections create habitat mirages that birds have difficulty distinguishing from reality. And, and so, the solution is to, to, to, essentially, do anything to interrupt reflections and to treat transparent areas window glass, that can be accomplished with u.v. Patterned glass, etch, and printing, on translucents, and really, as little as 5% of a window surface can be treated, and still be 90% effective in reducing window strikes. There is a lot of research that's going, going into the minimum amount of marking on window that will still produce effective results. And as alan mentioned, and bob also mentioned -

Fish: Can I ask you one question. At night, when building is lit, do we have the same risk factors for birds or, or is it generally, is the greatest risk, risk during, during daylight hours?

Coolidge: Yeah, it's a different risk factor, at night and, and they are related, so, artificial lighting in the city, lures birds in because they are drawn to lit areas and, and we don't -- we did not document that we had an overnight strike issue in Portland. We may, and more research would really be necessary, but, in general, what we documented was, was that probably birds are lured into the city overnight because of artificial lighting. And then, when they start foraging early the next day, that's when they are running into reflections. So, it is a related issue.

Fish: Thank you.

Coolidge: So alan and bob mentioned, there is good news, synergies are great news, they are reducing solar heat gain, as demonstrated here on the ohsu center for health and healing in the upper right hand corner, and the federal building with the, the solar panels on the exterior of the building, and those are great synergistic ways to market the buildings for birds, and then, and then branding, carrying aesthetics through a building, and creating privacy in some cases and, and reducing vandalism, marking windows on the bus shelters has been demonstrated to reduce vandalism. And, and when Portland introduces this resolution, they really join -- we join a growing list cutting edge

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cities that are already doing this kind work. And some of them in a voluntary capacity and some of them mandatory, and some of them combined like this san francisco's bird friendly building guidelines. The last critical element that we have touched on bit, is emphasizing a lights out program. So, anything to reduce unnecessary overnight lighting, including shielding light fixtures, eliminating uplighting and spotlights, eliminating vanity lighting and minimizing the light spill from the interior of the building and, and really, the, this saves energy, it preserves the night sky for, for star gazing and saves money for building owners and, and it helps to preserve a biodiversity, which I think that many of us would argue is part of Portland's livability. Lights out programs are going on in many other north american cities, including pretty big municipalities. And, and so Portland you, Portland, would be, would be joining this list cutting edge cities, that are working on this kind, preservation, birds and reducing of, of some of the, some of the critical elements that, that they are facing as, as they live in our city, and year-round, and also migrate to the city.

Sallinger: Thank you. I want to acknowledge, roberta was really a key member of the team, too and, and did a tremendous amount of work but since she's here I want to point her out.

Hales: A semi-technical question, just to learn in this research and this set of practices are, evolving together. So, do we know anything about the color light and it's effect? In other words, is there any difference, you know, humans perceive red light at night very different than white light and affects our night vision, do we know anything about that subject of if we had different -- if people used a different part of the spectrum in terms of the lights used on buildings? Would it make difference? Do we know?

Coolidge: There is a lot of research going on, in that particular field, and in part because of the light, light -- our light installations because of, because of drilling and the platforms with red lights. So red and white lights are the most attractive and ultimately, the most dangerous for birds. Blue and green are considerably less attractive and therefore, safer, and that's, that's a, a gross simplification of that answer, yeah.

Hales: Ok. Because we could start to make changes in just what people use for lamping their buildings, or their exterior lighting if we knew what would make a difference. So, thank you. Any further questions?

Novick: Sort of as an aside but how many birds to cats kill per year, do you know?

Sallinger: The numbers are, are astronomical, as I always tell folks, they are challenged and whether it's 100 million or 300 million or a billion, we know the numbers are huge and so, we try to address all the different causes of mortalities, it is put up there with buildings and the primary cause is habitat loss, and fragmentation, and that's the thing that we need to work on, and most of all and we can do that in the city and in our wildlands, but, we also need to deal with the secondary causes mortality, you know, and primary, primary cats, building strikes and pesticides, and invasive species, and there is a slough things since bring up cats, Portland is unique in the united states and anywhere in the fact that our cat advocacy and bird advocacy groups work together. That's a unique feature. I would love to talk to you about that sometime. We have a close working relationship with the feral cats coalition, and we could talk all over about that because it's sylvester and tweety, open warfare. We have a completely unique model that i'm proud of here, and this is, also, there is a collaborative model for dealing with some very big challenges, and we are happy to have the architectural community come to the, to the table and give us some awesome feedback, likewise we're working with the cat folks to address that issue, and we are proud that.

Novick: I wanted to make plug for spay and nurturing your cats.

Sallinger: And keep them safe at home. We just launched a campaign with the feral cat coalition, cats safe at home. And we did a tour where people see how to build a shelter for your cat, and 500 people signed up. We had to cap it. In the first year because we were overcrowded. Only in Portland would you have to cap, you know, a cat tour. But I think it shows how much people care about wildlife, and care about their pets, and this is an awesome animal community, and you know, this is

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just another, another cool piece to add to that, but thank you for the comment on cats because that's important, too.

Saltzman: Thank you all and for your good work. Thank you. [applause]

Hales: Is anyone else signed up?

Moore-Love: We have three people signed up.

Hales: Good morning and welcome.

John Frening: I am john, I would like to thank commissioner Saltzman for bringing this resolution forward, but the point that I would like to make is not only does it, does it help birds, but, but night lighting, light that go shows up is a nuisance to people, as well. And, and I have a particular problem with the 7-eleven at 21st and broadway northeast, where the flood lamp in the parking lot is, is aimed relatively high and shines into my room. I put on blinds and so forth, but, he does not have a \$300 to bring a truck out and adjust the lamp. But, so, I think that, that the resolution should include writing regulations, for, for night lighting and, in parking lots and public spaces. I was amazed when I looked on the internet, that, that in Oregon, there are three cities with such regulations. Redmond, sandy and kaiser. And when you go to california, it's literally hundreds and hundreds cities with regulations against night lighting. It's not only matter energy, it's a matter of, nuisance for people. The Portland city code right now, regulates off-site lighting at night, to, to level of one-half of one foot candle, at the property boundary. And, and I believe my, my problem at 21st and broadway exceeds that, but I have got to get an engine to certify that, and to bring it to the city, to, to get some enforcement. And so, I would like to have you regulate night lighting, particularly, the light that shines up, thank you.

Hales: Thank you.

Crystal Elinski: Sorry, I get confused if I don't have the order. We're not seated as we were. I am crystal, and I represent 10,000 random Oregonians that care. I asked the question, too, commissioner novick, I was curious about, about, about all, all of, of the, the attacks on our wildlife. And I know that I have spoken about this, about this to you before. When I came out of, basically, the forest, to do some ground truthing and learn how eco-systems work. And we are an eco-system. There are many cities where, where, where wildlife have, have managed to, to, to, to become very strong and, and new york city has been working on that. So, I am surprised that we have problems like this. Usually, techno fixes are regulations that were not thought through, so, if we have problems with the, the windows, I was just talking to lady who was here for the union action, and then she was saying, you know, she installs the latest, most energy efficient windows, and took time, and in the 30 years that she lived there she could witness how, how big an increase it was dead birds. I mean, birds hitting the window. So who designs these things. But, it makes me think that, you know, about a lot of, a lot of issues in our town, and in our state about permitting licenses and, and the standards that we have. I want to mention that where I live i'm afraid of the coal trains coming through. And we have a lot of parks around there, and we go bird watching. And it's beautiful. There is a lot of issues that we'll have with all sorts pollution. I can't imagine the birds in milwaukee are real happy. With, with the, with that. But, another anecdote is the fred meyer, you were speaking of the 7-eleven but the fred meyer on gleason and 60th, it shines so many lights down into the neighborhood of the lower mount tabor, and there is a lot of parks there, too. And people say, you know, it's just striking them right in their windows. But imagine what it does to wildlife. So, gosh, and I don't have much time. But, I was going to give another anecdote, but I think that you get the point that, that -- i'm really, actually, impressed by this office and what they have done and I like it when we focus on things like this in the city. So, keep on, on, keeping on. Thank you.

Hales: Thank you.

Charles Johnson: Good morning, charles johnson, it's good to see you, commissioner Fritz and mayor hales, it's only been ten hours and I look forward to having nick Fish come tonight to American winter at the theater tonight.

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Fish: 7:30.

Johnson: One thing when we talk about regulation and, and time allot element in the city, is we want to be sure that, that natural habitat and birds gets -- due attention, but, monday, on the 14th floor of the, of the police building, they talked about the 227 suicides, in a 27-month reporting period, so I hope that we have a facility that, that the council, will, will remain diligent that, that, while we protect natural habitat, and I thank bob for being able to get up here and not say hayden island during -- not saying hayden island during his time, and preserve habitat is better than urban habitat, that's slightly less legal. That the city council will look at monitoring and reporting on where the time goes. Did we put an equal amount of time into bird and human fatality? I don't think that you will do the right thing. My hero, commissioner novick is up there, and he said suicides on the vista bridge need to stop, and he did what he could to make that happen by putting a barrier that needed to be up there. But I want to encourage you to look at maybe through the auditor, and the e-file system having some centralized reporting so that we don't depart from the core values that, of the city, which is, which is a loving community that values and protects all life but especially the lives of humans who are most at risk. Thank you.

Hales: Thank you.

Johnson: Thanks very much.

Moore-Love: We have one more.

Hales: Ok.

Lightning: Good morning. Commissioner Saltzman, and in the audubon society I would like to commend on your efforts on this research. I hope you obtain more funding on this research, and I think it's very important and, and one of the issues that I have is, is that, that as you know, on the windmill farm issues, we have a lot of eagles that are, basically, being killed by the windmill farms, and I like, I would like more research, possibly, on that, on possibly ways to prevent that because as you know, a lot of these are being proposed to be built in, and constructed, and again, we need to look at, at research that states how many eagles are being killed because we need to look close at that and, and try to prevent that in any way that we can. And that's all that I have to say. Thank you.

Hales: Thank you. Thanks. Great, and any further council discussion before we --

Fish: If I could, I would like to ask the sponsor question. I understand this is voluntary, and we're setting up the guidelines. But, I also understand that the city is a big market participant. Particular, through our urban renewal districts, and tiff, but affordable housing and many other areas where we're a huge market participant. So, we have created some guidelines like, like safety through environmental design, and we have worked in some of our criteria, and obviously, thanks to your leadership we have the green building standards that we have to meet. And is it, is it your intention that this, this, over time, gets embedded in either what people have to, to, to do or that they have to at least acknowledge that, that they have evaluated what the cost would be and, and its impact on the project? So that it gets systemized to the buildings that, the buildings that we invest in?

Saltzman: Yes, I think as bob said, this is, this is, this marks the beginning of, an awareness that we're trying to bring not only to those, those outside the city government, who builds things, but also, to the city, itself, and the city always does, does, I think, prides itself on taken a leadership role whether it's safety through environmental design, green buildings, and I think that bird friendly design is going to be another hallmark, something that the city of Portland does. And, and as noted, in the testimony, there is a lot of other cities that, that are, are doing things even of a mandatory nature, and certainly, that's something that, that, you know, I am prepared to do more research on. And, and possibly come back to council with that. But, we are, we are right now, in our comprehensive plan drafts, you know, putting in bird friend design policies and guidance, and we are working very hard with the public to increase their parents. So, I think the short answer is, yes. There is more steps ahead.

Fish: Thank you.

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Fritz: If I might follow-up, the resolution says, be it further resolved the draft centrally city plan include an action item to explore development standards to design guidelines in educational incentive programs so I am curious as to why this is coming in advance of the rest of the package?

Saltzman: I don't have good answer as to why this is coming in advance of the rest of the package. And if we are jumping the gun a bit on that, you know, I may be want to, would ask roberta to come up here and maybe answer that question.

Fritz: I have a follow-up question, and that is, would you be -- who would be doing the developments of the design guidelines and standards? Would it be the bureau of planning or the bureau of development services?

Saltzman: I think the bureau of planning and sustainability. But, I could be wrong on that.

Saltzman: Roberta? Let's bring her up here, and hopefully help us navigate this point.

Roberta Jortner, Bureau of Planning and Sustainability: Thank you, roberta jortner, with the planning bureau of sustainability, there is also a question, a resolved statement the city would seek opportunities to incorporate bird friend building design and practices into the city facilities, as well, and the idea was kind of building on the city's green building practices, and policies in place for the city facilities and seeing how we can incorporate this piece into that, as well. And, and the, the, the, the design standards and so forth would be evaluated through the centrally city process and, and its through that process, that it was found to be, to be, you know, appropriate and, and, and effective, in getting the results intended, and they would be, incorporated into the, the standards that bds would implement, and the bureau of planning and sustainability would incorporate that into our process.

Fritz: Wouldn't development services be helping to write the design standards?

Jortner: Yes.

Fritz: So I want to be sure, colleagues, that this, obviously is, a great project, and in the system, and as a voluntary program and i'm concerned that, that the, the public involvement advisory statement says that, that there's been no public involvement, and it's not true because it went to the planning and sustainability commission last year, right?

Jortner: Yes. The presentation saw today, actually, a longer one went to the planning and sustainability commission and there was a presentation to the design commission and, and a forum held at the, at the headquarters last june, and there were over 100 people there, including a lot of folks from the, folks from the design community that participated, and others, so, I think that, that the, the -- this is not so much getting out ahead of the package, but sort of setting the stage of the council's intent to, to take the next steps and to do that, continued outreach and collaboration with the community, within the bureaus, and to, to move this forward.

Fritz: And with the development review advisory committee, were they consulted?

Jortner: There are members of the, of the committee that are aware of this, but I don't think that we took it directly to the drac.

Fritz: Thank you. So, when you look at the proposed standards on page 11, there are standards such as at least 90% exposed facade material from ground level to 40 feet. And has been demonstrated in controlled experiments to deter 70% or more of the bird collisions, it seems that that would take a planner or reviewers time, if that were to be adopted as a standard, it would take, take time for somebody to make sure that that was, that was, actually, happening on the proposed building, is that correct?

Jortner: It depends, on how the standards are written and where they were applied, and in san francisco, the standards apply in certain parts of the city, which are close to water bodies and natural areas, and they did a lot of work to see where the best types of approaches would be applied, where, where, what does speak to is a lot of room to look at, you know, working with residential neighborhoods, and neighborhood associations, and seeing what homeowners can do because a lot of homes are within that, and it would not necessarily be a regulation, it would be working to, to

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look at blinds and decals and other things that they could do as well as what could be done in a commercial or a multi-family residential. Mary, do you have any comments on that question?

Coolidge: I would just add that in terms of the public involvement, and public process that we did a tremendous amount of outreach in advance of putting together this resource guide, and trying to involve as many planners, architects, and members of the, of the building owner community to try to get them involved in this process, so that they, they would have some ownership, and an opportunity to, to express any concerns, so, there has been a fair bit, of public involvement in this portion of the process.

Fritz: I am suspecting that it was just not correctly filled out so that's not, not -- my main concern here is about, about the general fund, being the appropriate allocation of general fund money to support this work. And, and rather than expecting the development community to, to pay for the planners, who would be, would be assessing it through permit fees. And it's just -- an issue that I want the council to be aware. Because, because this is certainly a great document and, and as a voluntary guideline, the document, itself, provides a lot of advice to building owners, or developers who want to do the right thing, and should it pass the resolution directs, turn into, into standards, which development services has to assess, and there is then, I think, there should be a component general fund support for that, rather than the building owners being responsible for paying those additional fees.

Saltzman: I want to acknowledge in that, and I think this council does balance, you know, what is the appropriate blend of general fund versus development, developer fees, in a lot of standards, it's a good point.

*****: Thank you.

Sallinger: We did send out the resolution to all the participants, we got positive feedback and people were excited the council was taking this step, and didn't get any negative feedback, and the role really, today, was to, to take the work done today, which is substantial and get out in front of people and promote, and it is voluntary, and this is a variety next steps the city could take, and but, this is really a goal, to get this during migration, out in front of everybody so that this work that's already done, is available, accessible and people know about it and, and what the next steps would be is, is a wide open question, and I think if we go towards any sort, of regulatory approach, at some point, that should be, be, basically, a new process, with public involvement and, and we made it clear in this process that these are going to be voluntary, and so, that's where we're at today, and that's, that's important.

Fritz: Except that the resolution, that directs, directs planning to, to explore development standards in the next step. So, I think that it's really important when, when planning is looking at the, the action items for the central city 2030 life plan, and to make sure that the development community is, is involved, in that, in that, the timing of that. And as we all know we're climbing out of the recession, adding more regulations, absolutely, as a volunteer program and this is helpful, and I encourage folks to get a copy of it, and to look at what, what each of us can do in our homes. If it then becomes a mandatory program, that development services and developers are required to adhere to, I think that that's bigger conversation, and I think that that's what you are saying.

Sallinger: Exactly, yeah. Right now, all we're asking for is to get these voluntary standards and that was discussion that we had with the development community. So I think any further steps, you know, that we want this to be supported by the development community and embraced by, it and so, any future steps that were taken, we wanted them fully invested and at the table. That would be critical to the success of this.

Hales: Thank you. Appreciate the follow-up. Good discussion. Any further points? Let's take a roll call on the resolution, please.

Novick: Aye.

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Fritz: It's a resource guide for bird friendly building design is an excellent document, a lot of work has gone into it, and so, it's a voluntary program for right now. It's going to be very helpful, and I'm happy to hear that the pump station is incorporating these measure and, and with the legislative intent that we just discussed, I am happy to vote aye.

Fish: I want to thank bob, Portland audubon, and all our friends here today testifying and doing the hard work on this, this is a great piecework, and we had an earlier presentation last year, and got the foundation laid and, and it's, it's one of those areas where, where, you know, until shine the light on it, it's not something that the public is tracking. You read the statistics about the birds dying, needlessly, and the impact on our eco-systems, and then what we can do to remedy that, it's staggering. I am pleased you started the presentation with a picture of the new fulton pump station. And for those who might be wondering, why we are putting a fulton a new pump station in willamette park, it's because the existing pump station is, is getting to a point failure, and we're repositioning it, and why do we use a pump station and assist, a system largely gravity driven? It's because if you live on the east side of the river your water is generally delivered courtesy of gravity, if you live on the west side of the river, we have the, to pump it up the hill to your house, and likewise, whatever discharge has to be pumped so we have a lot of pump systems on the west side, in particular. And the conversation of light touched me. The gentleman who said it was interfering with his ability to sleep and enjoy his apartment. We take for granted noise pollution is, has an effect on people. I don't think we give enough attention to light. If you have a home and you have to put curtains up to prevent light from coming in, you are being deprived of the use and enjoyment of the home. And seems to me as we are a denser community, that's an area that we ought to be focus on just as much as we are noise pollution, and anything that interferes with someone's enjoyment their home. And finally, since the conversation came up about colors, and lights, I thought it was interesting I took a flight down recently to los angeles to visit my daughter. And the lights that they used in the plane were soft light blue. And I asked someone why, and they said they have done studies, and they found that, that the softer blue light was, was easier on people's eyes, and made, made the experience easier and more friendly, and so, they dispense with the harsh white lights, and other things, and they are going to different color system. And it's all designed to make the customer feel more comfortable during your experience. And this is yet another example of where dan has taken the lead on something. Which is going to impact the environment. And I appreciate the thoughtful way approached this, commissioner Saltzman, and thank you for this presentation. I am proud to vote aye.

Saltzman: I want to thank alan armstrong with mwa for his work on the fulton pump station and bob and mary from Portland audubon for their work that they have done, and as I said at the outset, and we have underscored in our discussion, we really are trying to increase awareness, and, you know, with voluntary suggestions and guidelines. And that's really, I think, as alan testified, three years ago he knew nothing about this, and now, he's designing bird friendly buildings. So, that's the type of excitement and enthusiasm that I'm confident Portlanders will bring to this challenge, now that we can provide them information with what a challenge this is to, to protect birds from, from often fatal encounters with our built environment. The supplies as I said, the commercial sector, and to, to residential homeowners, too, there is lots of things that we can do, and this guide has suggestions, this resolution brings those together, and the comprehensive plan is going to bring forward policies, as well. And anything that would be subsequent of a mandatory age will be subject to thorough processes and review, and approval by this body. And so, I also want to thank -- there's been a lot of excitement in the city on this issue, and I want to recognize thomas from parks, and who installed the bird safe building signs, at several community centers, to help build awareness, and I want to especially thank roberta, the bureau planning and sustainability. And her guidance and enthusiasm is why we are here today. And lastly I want to acknowledge due to the federal government shutdown, the u.s. Fish and wildlife service was not able to testify, but they squeaked

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out letter on september 30th right before the closure. Basically, in support of this policy that we're doing and recognizing and thanking Portland for being part of the urban conservation for migratory birds, and we signed that back in 2003, I think so, so they are thanking our partnership in that regard, as well. So, wanted to acknowledge them, and finally, just I want to thank amy trieu of my office who has been working very hard on, on bringing this resolution together. And so, thank you all and pleased to vote aye.

Novick: Great work and presentation --

Hales: Great work and presentation, and I am optimistic about this. When you think about how the architectural and design community embraced energy conservation, and then environmental design through leed. We are the national park leader in the utilization of those better practices in design. So I think that the record is that when we learn something, and I did today, thank you, we tend to go ahead and put it into practice. And compete with one another about how well we're doing that. And I hope that we're part that same circle coming into play on this issue as it has on other, other positive and progressive design ideas here in Portland, nice work, in your. Aye. [gavel pounded]

Hales: Ok. Good piece of work. Interesting. We are ready to move to the regular agenda. And start with 937, please.

Item 937.

Hales: Good morning.

Lt. Chris Davis, Police Bureau: Good morning. I am lieutenant chris davis with the police bureau. And you know me most recently from the traffic division, but i'm also member our honor guard. Which performed ceremonial duties at functions like retiree funerals, on duty deaths, and fortunately, we have not had enough those in a long time but also for other agencies. And, in the region.

Hales: And the league of Oregon cities.

Davis: Yes. Last week. And we also provide the services at, at different events throughout the year. And the police memorial, both locally here and in surrounding agencies and, and the state police memorial at dps every year with the Oregon state police and, and, and a whole host, various parades and other appropriate community events. And, and, and another thing that we do is try to send two of our members to Washington for the national police memorial along with thousands other officers from, from agencies all over the united states. And the honor guard is, is independent of the city's budget, it runs entirely on donation fund. And, and unfortunately, our, our yearly donation that we depend on, that comes through, through you are employee assistance program every year, was about, about, a little less than half what it usually is, and, and so we are, we are out of money. So, what we are asking is, is that we can add the honor guard to the list things in the police bureau that police employees voluntarily donate money to out payroll deduction, which requires your permission. So we would, we would appreciate your supported with that effort.

Hales: Thank you. Questions for the lieutenant? Thanks very much.

Davis: Thank you.

Hales: Any public testimony on this item?

Moore-Love: I did not have a signup sheet for this.

Hales: Emergency ordinance. Let's vote.

Novick: Thank you very much for bringing this before us. Aye.

Fritz: Thank you for your service. Aye.

Fish: I am honored to vote aye.

Saltzman: Aye.

Hales: Thank you. Aye. [gavel pounded]

Hales: Done. Ok. 938 and let's see, we want to try to do 938, 939, and 941 together.

Item 932.

Hales: 938, sorry, 938 we take back to my office.

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Hales: We are going to refer that back. And then we'll take 939 and 941 and 942.

Items 939, 941 and 942.

Hales: Good morning.

*******:** Good morning.

Hales: Commissioner novick do you want to open this discussion or turn it over to jennifer?

Novick: I think that, that the treasurer, maybe should proceed with 939 first, and then I will open up the discussion on 941 and 942.

Jennifer Cooperman, City Treasurer: Good morning. I am jennifer cooperman, city treasurer and I am here to, to discuss with you the city's investment policy. The investment policy establishes the framework within which the city invests its cash assets, and the treasurer's office implements this policy. The policy is a set of conservative parameters written in accordance with ors, and which is brought before council for adoption each year. The investment policy was reviewed by both the Oregon state treasurer's short-term fund board and by the city's investment advisory committee, which is comprised members of the public experienced in the financial markets. And to frame this discussion, I would like to highlight some statistics. Over the course of the year, the city's portfolio ranges from 600 million to 1.2 billion and averages around 900 million. The investable cash assets include receipts from the city's operations beyond what's needed for daily liquidity, and tax payments made to the city and bond proceeds until spent on projects being financed, and our reserves. The investment objectives are to preserve principle, and ensure liquidity, and to earn a market return. All investment earnings, net of an administrative fee to cover treasury's operating costs are distributed to city funds, and in fiscal year 13, that ended june 30, we distributed \$4.3 million to city funds. And that was base on an average portfolio yield over that year of .474% so, that's just a tad over 47 basis points, there are 100 basis points in a percent. We are recommending that two policy changes be made to the city's current investment policy. The first change relates to investments in u.s. Agency securities, and would allow purchases of agency securities up to five years in maturity, and agency security, there are fannie mae freddie mac, home loan, farmer mac securities, the maximum maturity involved is three years or less, under the current policy. The change would allow flexibility for us to invest in longer term agency securities when market conditions are favorable. In today's agency market there is an additional 75 basis points in yield if we can go from the three-year security to a five-year security. And for each million dollar invested that's an additional 7500 per year. It's important to note that as we're talking about being able to extend a maturity for agencies, we're not recommending any change to the overall portfolio weighted average maturity of eight months. That remains intact. The second change we're recommending, relates to specific reference in ors, that allows investments in lower single a rated corporate debt securities if they are issued by Oregon entities, as opposed to the aa rated minimum rating requirement for corporate bonds overall. And the Oregon entity must either have its headquarters in Oregon, and employ greater than 50% of its workforce, permanent workforce in Oregon, or have greater than 50% of its tangible assets in Oregon. This change would give investment staff additional opportunities to diversify our corporate investments and to provide flexibility to purchase bonds issued by Oregon corporations such as nike or intel that today, because of the, they are single a rated, we cannot buy. The rest of the recommended changes are housekeeping or to conform the city's policy with the Oregon state treasure's model policy language and in all cases reflects current practice. The investment policy requires that city council adopt the policy annually, the treasury will continue to bring the policy forward to you, and invite public comment during that process. Thank you.

Hales: Questions for jennifer?

Saltzman: Are there other Oregon corporations besides nike and intel that are in that a rating, and if you have other names to toss out there?

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Cooperman: There is a handful of other names. Bear with me one second. It would be intel, nike, northwest natural gas, pacific corp., precision cast parts. One other. There may be one other. It's a relatively small universe but they are very recognizable names because they are so active in the state of Oregon.

Saltzman: Thanks.

Hales: Any other questions? Thank you very much. Do we have anyone signed up to testify?

Moore-Love: I had one person.

Hales: He's waiving that. This is a resolution, to you want to act on this, steve and take up the other two?

Novick: Yeah.

Hales: Let's act on this one, please.

Novick: I am very pleased that you think it's appropriate for us to have additional flexibility to invest in the bonds Oregon-center corporations. Aye.

Fritz: Thank you for your diligence and for the updates. Aye.

Saltzman: Yeah. Thank you for the changes. Both those sound like really good changes, particularly investing in Oregon companies, but also longer term maturities, federal-based maturities so thank you, aye.

Hales: Roll call on 939.

Fish: Thank you, Steve, for your leadership.

Novick: I had nothing to do with this one.

Fish: Thank you, commissioner Fritz, for your leadership. [laughter] aye.

Hales: Thank you, and aye. Now we'll proceed to 941 and 942. Steve.

Novick: Thank you. Several months ago I received an email from a Portlander asking about the topic of divestment. If the city was going to join other cities in divesting from fossil fuel companies. In doing some research in response to that email, I discovered that the city did not have any sort of socially responsible investment criteria we applied in determining whether to buy corporate bonds or commercial paper. It seemed to me it's appropriate for us to start using such criteria, to take a look at the impact corporations have on our society and environment before making the decision to start loaning money, which is what buying bonds does. So, in conversations with the treasurer, treasurer said she did not feel that it made sense for a variety of reasons for us to present her with criteria that she would then apply in making investment decisions. She thought that what she could work with best is council giving her a list of companies that we felt did not meet our criteria and that she should not buy. We agreed to try to work with that structure, and the first of these resolutions would establish a committee to advise us on how best to start incorporating socially responsible criteria into our investments. It would establish a committee that would -- with members of which would be appointed by the mayor. Hopefully with significant input from council members, which would include a representative of the labor community, representative of the environmental community, representative from the business community, and a specialist, someone with expertise in corporate ethics. And the committee would meet until at the latest july of next year and give us advice on how to start incorporating social responsibility criterion into our investments. Two specific options we would ask that committee to consider are establishing a standing committee of citizens which would advise us, or hiring an investment advisor with experience in the socially responsible investment arena to advise us. Resolution states that the criteria that we would want to use and that we would want the advisory committee to consider in determining how best to incorporate criteria, would be does the company engage in abusive labor practices? Does it engage in practices that are damaging to human health or the environment? Does it engage in practices that are generally unethical, such as engaging in bribery or in deceptive marketing practices. Does the company engage in extreme forms of tax avoidance or does the company exercise such a degree of market dominance as to disrupt normal competitive market

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forces. I'll hold up a little on the last two, I noted that a local publication expressed particular concern about them. I'll start with tax avoidance. It is true that most companies do their best to limit the amount of taxes they pay—but not all go to the extreme of setting up foreign subsidiaries for the sole purpose of evading taxes by shifting assets and income to those subsidiaries. Not every multi-national uses such exotic strategies as the double irish or the double irish with a dutch sandwich. When companies engage in these activities, it does have an impact on the city. Because when they evade federal taxes, it reduces the federal government's ability to do things like for example invest in affordable housing and we are a city suffering the impact of federal disinvestment in affordable housing. So, I think that having tax avoidance as an item on our corporate responsibility list is appropriate. As far as market dominance is concerned and misuse of market dominance, corporations may feel it is in their interest to invade in predatory pricing, for example, and banks may feel it is in their interest to become too big to fail but that does not necessarily mean that we think it is good for society for companies to engage in predatory pricing and have banks to big to fail. I think we should consider those factors in deciding when to invest. Now, I recognize that there are a few saints in the ranks of major corporations as in the ranks of humans. What I would anticipate is that we would not put companies on the do not buy list just because at some point one of them has run afoul of one of these criteria. My expectation is we focus on companies that have a some what significant history of running afoul of several of the criteria or being really extreme in one regard -- we probably would not invest in murder inc, even if it didn't engage in other reprehensible behavior. So, the first of these resolutions would say we're going to establish this advisory committee, and the advisory committee will come up with an idea as to how to implement the criteria, and in particular, we will study two options, which are not necessarily mutually exclusive. One creating a standard citizen advisory committee, help develop a do not buy list and hiring an investment advisor and standing committee expected to complete the work by next july, hopefully earlier. The second resolution would establish a do not buy list starting now, and lasting through next year. Which consists of one company, that being wal-mart. And I felt comfortable bringing this list of one company to council because wal-mart has a very well documented history of running afoul of several of these criteria. One of those is abuse of its workers in the united states and overseas. Locking people in its stores. Making people work off the clock, and there are examples of wal-mart's insensitivity to its workers. Just last year, wal-mart further reduced the number of employees that are eligible for health insurance. When it comes to corporate ethics, "new york times" last year had an extensive article on wal-mart using bribery as a regular business practice in its mexican operations, and having an internal investigation into that which they decided to shut down in 2006. And early this year, we learn that wal-mart's current ceo, michael duke, was made aware of this issue as early as 2005, and, again, wal-mart decided not to let this issue see the light of day. And, finally, wal-mart does, in fact, use its market dominance to disrupt normal market forces. If you take a look at charles fishman's book, the wal-mart effect, one of the things you will see is that wal-mart has set this country well on the road to being in effect, a soviet style centrally planned economy, with its headquarters being in bentonville, arkansas, as opposed to moscow. Walmart has the power to tell manufacturers how to manufacture their products, because if you are not doing business with wal-mart, to a great extent in america, you are not doing business. They can essentially demand that manufacturers dilute the quality of their products to keep doing business with wal-mart. That's wal-mart's business model but for me it is frightening for the country. So, based on these three factors, I submit that we should adopt a resolution saying that we're starting off with one company on the do not buy list and that is wal-mart. And now I know that the question will come up, what can Portland do -- what difference does it make what little Portland does on its own? And my answer is fortune 500 companies might not care too much about what Portland does, but I expect that if one city steps forward and establishes socially responsible investment criteria, other cities will follow and hopefully states. And I think

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that if enough cities and states follow our lead, and corporations discover that their business practices make it more difficult for them to raise capital, they might change those business practices.

Another question is was the cost of establishing such do not buy lists? Well, as far as wal-mart itself is concerned, what the treasurer says is the difference in earnings between the 36 million the city currently owns in wal-mart and treasury bonds, would be about \$163,000. If it so happened that our only option at the time that we bought the wal-mart bonds had been to buy treasury bonds. If other corporate bonds had been available with the yield in between treasuries and walmart, or the same as wal-mart, it would have had less or no effect on our earnings, and I might add as an aside, if the federal government keeps running up to the brink of defaulting, perhaps the earnings of treasury bonds might improve, too. Although that is not something that I would wish. Again, the list of companies from which we can buy bonds or commercial paper is already quite constrained by our financial criteria the treasurer applies. In terms of bonds, about 40 to 45 such companies, although it fluctuates. Again, I would expect us to be judicious in using these criteria, and in most cases only put companies on the must not buy list that violates several of them because we don't want the list to get down to like three. But I think that it is high time that we adopted some sort of socially responsible investment criteria. The first resolution would establish a process for establishing a do not buy list in the future and the second resolution would establish a small list for the present.

Hales: Thank you. Questions mr. Novick and then not seeing any further questions for staff --

Fritz: First of all, thank you commissioner novick for bringing these forward and for the dialogue that has happened amongst the council one-on-one. Mayor I would like your commitment that at least two of the committee will be women.

Hales: Reasonable request.

Fritz: And what is your answer to that?

Hales: Okay.

Fritz: Thank you very much. Secondly, I have a friendly amendment to the list of socially responsible criteria, and that is to add to health concerns, including weapons production. There isn't a specific listing of where weapons production comes in. That is definitely a health concern.

Novick: I think that is a reasonable clarification.

Fritz: On the second item, why is there a sunset on when we cannot invest in wal-mart?

Novick: The idea is -- is to establish an annual list. And the point of saying that the list expires at the end of the year, is if a company should happen to change its behavior, then we wouldn't want them to be on the do not buy list. We should establish a process which requires us to go back and take a look at the list and take a look at the company's behavior again and not assume because the company was on the do not buy list in one year that its contact was going to be the same next year.

Fritz: I would prefer an affirmative action to get them back on the buy list, but I understand the rationale for that plus we are having a committee that will look at that. Why are we not divesting from wal-mart right now?

Novick: Well, my thinking was that we are -- it is in buying the bonds that we are contributing to a market for wal-mart bonds, making it easier for them to raise capital, that when we sell the bonds is whether we wait for them to mature or sell them is less relevant. Also, of course, if we sold them, we would be trying to get somebody else to violate our own principles by buying bonds. It seemed cleaner to simply say we're not going to buy anymore and therefore we are not going to contribute to the market for them.

Fritz: Do we have to vote on my friendly amendment or is that just accepted by the sponsor?

Hales: Changing the language of the resolution, we might want to add it specifically to one of the whereas --

Fritz: It is in the list, in the resolution, after health concerns. It's in the -- be it further resolved, a big paragraph on the back page, there is a list that the council charges the committee with studying

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the city's current investment policy, and it lists a bunch of stuff and I am suggesting to add after health concerns including weapons production.

Novick: So moved.

Hales: Any further discussion on the amendment? Roll call on substituting the amendment language.

Novick: Aye. **Fritz:** Thank you commissioner. Aye. **Fish:** Aye. **Saltzman:** Aye.

Hales: Aye. Any further questions for staff or jennifer do you have any comments --

Fish: I have two questions to the sponsor. Steve, my wife is a public employee. She has an option to tia creff-- which provides her benefits. She brought that with her from another university. They have a social choice option, which actually has done very well compared to the other option. In the -- in the public pension arena there is a lot of work that has been done to do some screening and to come up with this. Is it your intention that we would somehow connect the advisory committee to the state treasurers office or someone with oversight on that, what existing screenings be done through social choice investments through pension?

Novick: I would certainly expect -- I would hope that the advisory committee would look at all useful sources of information. So, yes.

Fish: Structurally, what is is treasurer's role going forward, vis-a-vis the advisory committee? How do you envision them interacting?

Novick: The treasurer made it clear, ideal thing is for council to give her a do not buy list. I don't think there would be direct interaction between the advisory committee and treasurer. The advisory committee would make recommendations to us on the process that we would follow and we would decide on a process that would include having a standing committee to advise us on a do not buy list or hiring an investment advisor to do the same thing, could include one of those, based on what those advisors told us, we would give another do not buy list to the treasurer.

Fish: Final question, you alluded to this in the excellent introductory comments, but is it truly the fact that no other city or state has implemented such a screen for its bond purchase?

Novick: I don't think that any other city has done precisely what we're talking about. Katie on my staff --

Katie Shriver, Commissioner Novick's Office: We didn't do an exhaustive search, but we found examples of other cities and local governments that are not investing in categories of industries, like fossil fuel companies, tobacco companies, gun manufacturers. We didn't find any other cities that are applying criteria in quite this way.

Novick: We did find that the government of norway, and at least one large dutch pension fund, have come up with do not buy lists which happen to include wal-mart.

Fish: Just another observation, steve. On friday I went on the river with the BES crew to look at superfund sites. One of the most shocking superfund sites that we visited was the location where a manufacturer of agent orange and a manufacturer of dtt on the river dumped directly in the river. They were once upon a time local businesses now part of the superfund thing. It frames in rather stark terms this question of what is socially responsibility investing, and would we a generation ago have provided tax breaks and other incentives to encourage industry like that locating in our back yard and what are the long-term health and environmental consequences of doing so? So there is a connection.

Cooperman: The investment advisory committee may be able to play a role in this analysis as well. They're quite familiar with the staff -- the Oregon revised statutes, familiar with the city's investment policy. They work with other jurisdictions, and may be able to provide a view and input on how to implement this going forward.

Fish: Is it -- am I correct in assuming that the mayor appoints and the council confirms?

Cooperman: For the investment advisory committee?

Fish: Committee.

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Cooperman: Council approves the appointment of members of the investment advisory committee --

Fish: Like a lot of other things, the mayor technically appoints and it comes to us for approval.

Novick: The advisory committee. For the temporary advisory committee we're establishing here, the language proposed is that the mayor would appoint with our input.

Hales: The appointments would still come to council.

Fish: Typically they come to council, even if it is on consent. Is there a reason why we wouldn't do that? I'm not questioning the mayor's judgment on this, I just want to understand the protocol.

Novick: Not really, to be honest. Do we need to change the language --

Cooperman: My point was at the end of the day, there will be two committees. This committee is that we're talking about with five people and then separately the already existing investment advisory committee with three members.

Fish: I believe that the record is clear that the intent as the mayor points they come to council in the ordinary course.

Hales: I think there is a charter provision that says board and commission appointments come here.

Fish: We're not overriding the normal course.

Fritz: Are there term limits on the investment advisory committee?

Cooperman: It is on a two year, three year terms and they can be reappointed.

Fritz: Thank you.

Novick: One other point to put on the record, which is the list of companies that meet our financial criteria is constantly changing, and we would expect that whatever committees or investment advisors helping us implement these criteria would look at a broad range of corporations and try to focus on ones that are eligible based on the financial criteria. So, I would assume, hope that we could set up a process whereby the treasurer can advise us and our advisory committees when new companies are coming on the list and old ones are going off.

Cooperman: While the market is incredibly dynamic, that list does change, but it is not a daily type of change the way interest rates might move every day. So, yes, we can do that.

Hales: Okay. Other points that you want to get on the record here, treasurer?

Cooperman: No.

Hales: Thank you. Stand by in case we need you some more. I'm sure we have public testimony on this.

Moore-Love: Four people signed up for 941.

Hales: Come on up. Good morning. Mark, I think you're on first.

Mark Hofheins: I was curious if you all received my email this morning from last night. I know this is off topic, but, you know --

Hales: Stay on topic.

Hofheins: I want to state that we had an incident where -- came down and roused us and was violent with an animal and I would like to make sure it was stated on the record and let the public know what is going on. Because these kind of actions need to stop. Especially just because we're out in the open or we're trying to stay dry underneath the bridge, you know, it is not plausible for us to have any other place without any option. I commend your staff, mayor hales, with the fact they are working with me to get a locker house and implement a homeless shelter as well. They're writing that up. I compliment you on that. This officer actually definitely needs to be reprimanded for his abusive actions and I want to state that for the record.

Fritz: You can file a complaint with the independent police review. You should stop at the auditor's office and file a complaint with the independent police review.

Hofheins: I will most definitely do that, because I do have video footage from up close and I will actually submit it to them as well. This is the second time I have actually been harassed and -- by a police officer personally.

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Fritz: That's how you get it into the record and into the system.

Hofheins: I wanted the public to be aware of it as well. Thank you.

Hales: Good morning.

*******:** Good morning.

Fish: Bring it down a little bit so that we can hear you. There you go.

Sandy Polishuk: How is that? Mayor Hales, commissioners -- I'm Sandy, I live in Portland. I'm here to support these resolutions and the concept of socially responsible investment. Something I've personally been involved in for a number of years, but I'm also here as a representative of 350 PDX to advocate for this resolution. Commissioner Novick, we're very pleased to hear that 350 PDX had a part in triggering these resolutions. We're also pleased that environmental concerns are included as a criteria for the advisory committee to consider and that Commissioner Novick has assured us that it was his intention to include investment in fossil fuel companies in that phrase. I'm not going to bore you with the details of why the city's actions to do our part in curbing climate change is crucial. Carbon and the burning of fossil fuel is the biggest culprit. I have talked to you about this before and I think you all understand the seriousness of the issue. We're also pleased that Mayor Hales declared last June World Environment Day, that while he was proud of our city, proud that our city holds no direct fossil fuel assets in our financial investment portfolio, it is not enough, unquote. We look forward to Portland living up to its progressive reputation by passing this resolution today and in the near future, to a binding resolution directing the treasurer of the city to ensure that none of the city's directly held or commingled assets include holdings in fossil fuels, public equities -- cease any new investment in such assets as well as urge the state of Oregon to do the same. Thank you.

Hales: Thank you.

Moore-Love: The next three.

Hales: Crystal, you are on first.

*******:** Oh, then I need to --

*******:** That's okay.

Crystal Elinski: Hi, 10,000 concerned Oregonians. Gosh, this looks so good to finally talk about the elephant in the room. Thank you, Commissioner Novick. Oh, my gosh, right here in Portland. Why do we give our money to like Intel and the -- also still a superfund site and we can't get this cleaned up and we're willing to give -- to another toxic waste dump. I mean, I know -- we're just giving -- why do we put our money, why do we need to invest it in these places anyway? It has to stop. It seems hard to get out of the cycle of our history in putting our money in really unethical places. It can start right now. It would be -- I was trying to pull out this wonderful book I've been reading recently. They have these history sessions. By the way, Scott Fernandez was kicked out of these -- I don't know if you know Scott Fernandez from the water bureau, water issues, but he was kicked off of the -- off of the McMinnamin's history talks. These people who speak the truth don't need to be silenced. This is a good one. There you go. And it is funny, before I read this, was Portland Confidential, about just the history of the sort of dealings that we have and as a city we need to be ethical. We need to think about the environment, where our investments go. Apac, why keep going to the Apac meetings. Where are we putting our money? Who are we supporting? It is high time to talk about this. Thank you for bringing out the elephant in the room. Everybody read these books. And come down to city hall and commend them when they need to be commended. You have incredible people that come here, fill up the room to testify and give them their comments, and offer to volunteer for free. We can break the yoke, the chains that bind us of the Portland Development Commission, Portland Business Alliance, Apac, etc., and the incredibly polluting companies that somehow -- oh, god, Penny and Hank, how did they get our money? Wow, it is incredible. Thank you for taking the first step.

Hales: Thank you. Charles.

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Charles Johnson: I'm very glad to see the council looking at the issue of social responsibility and investment and we do want to make sure that even the companies that are contributing well to living wages in this economy, we don't want to give them a free pass. We want to remind the community that the council will take into consideration, maybe have comment on issues of when Nike departs from good labor standards in foreign assembly and that our good friends at Intel sometimes forget to talk about release of toxins at their plants operating for awhile. I'm not saying that that bars a company from investment but I think we're starting a process of mutual enforcement for the highest standard. Excellent move. I look forward to hearing about it.

Hales: Joe, good morning.

Joe Walsh: Joe Walsh, I represent individuals for justice. It is an absolute pleasure to say to Commissioner Novick I fully support what you're trying to do. Many of my friends and some family members show up at Wal-Mart and I've always had this terrible dilemma because the prices at Wal-Mart are very low. And the reason is that they are huge and what they say to their people that supply them is you will do it our way or we will destroy you. That's the way they do business. That's why your prices are so low. They eat small businesses in the area. They just eat them. They can't compete. A small business cannot compete with Wal-Mart in any sense of the word. So, this is a really exciting kind of step that you guys are thinking about doing. And as much as I yell and as much as I criticize you, today we will be proud of you if you pass this resolution and it is courageous to do it. It is taking on a very powerful organization and you're saying to them, we do not like what you're doing. Stop it. Thank you.

Hales: Thank you.

Walsh: I will link it to all of my friends and family around the world.

Hales: Thank you.

Elinski: No more business with criminals. We can stop this.

Hales: Anyone else signed up?

Moore-Love: That's all. Unless Angela is back in the room. I'm sorry.

Hales: Come on up.

Lightning: My name is Lightning. Commissioner Novick, no to the convention center hotel, no to Wal-Mart. I find that interesting. My position is that Wal-Mart should have a say. You've put a lot of allegations down on this resolution. The media, author are those credible sources. Doesn't Wal-Mart have a say? \$37 million riding on this for Wal-Mart. I go shopping at Wal-Mart. I like Wal-Mart. It is a great store. They do a lot of development throughout the world. They provide a lot of employment. Yes, everybody would like to have double what they're being paid. That's great. But they provide employment and you have a job. My position on this is that Wal-Mart has a say and they have a say to respond to this resolution before it's passed. When these allegations are put down on paper, that affects the profitability of Wal-Mart in the future. It can get people to not invest in Wal-Mart. They have a say to this resolution before it is passed. I recommend this resolution does not pass. I recommend a copy of this is faxed to Mike Duke at Wal-Mart. Let him review this. Let him counter back on these allegations, and that's all they are. And let him have a say. They have a lot of money riding in their businesses. They try to keep their people employed. They have a say on this issue. You are not a committee, Commissioner Novick. Yet you targeted today Wal-Mart. And in your resolution, you said let's create a committee first and then discuss who we don't want to buy. You have gone forward and already targeted Wal-Mart. I think that is inappropriate. They have a say on this issue. Let's be reasonable, and let these corporations step forward and defend themselves against you, Commissioner Novick. No on this resolution. Thank you.

Hales: Thank you. Anyone else? Okay. Let's take up the first of the two. 941.

Novick: Aye.

Fritz: Thank you Commissioner Novick for very thoughtfully moving the ball forward again. We have had many discussions over the last four years on this issue and made some small steps. As you

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noted, it is very difficult to find responsible investments that don't pass on the investment to some other irresponsible investor. I think the approach of setting up the committee and looking at all kinds of things that can kill people and that we really shouldn't be, with our money, supporting things that kill people. I assume that when the council passes resolutions over the course of a year that that would be funneled into the committee's deliberations, for example our coal resolution. That once it's a council policy that that would be information the committee would be considering for the policy for the next year. Again, thank you for all of your work on this. I believe that it is not necessarily that we're going to get the highest rate of investment, but if we're not thereby killing people, I think that would be a better way to go. Aye.

Fish: I thank steve for bringing this forward and leading the discussion. My wife and I heard through her public pension and for me, through my 401-k, currently the option of selecting a socially responsible investment. And we have the option of deciding where we want to put our dollars. Today you are the giving the city an option to decide where we put the public's dollars. And I think you've set up a system which gives us an opportunity to make a thoughtful and fact-based decision in the future, but this is the first step. Thank you for bringing this forward and i'm pleased to join you. Aye.

Saltzman: Thank you, commissioner novick for leading the charge here for social responsible investment policies. When I was actually a graduate student at mit, I represented graduate students on the mit investment responsibility committee. The issue was about investing in companies that do business in south africa due to apartheid. And, you know, slowly but surely it worked. Apartheid is no longer in south africa. You have to start somewhere. I think this is a good basis to make a good start and to do the right thing with our limited pool of investments that we place in the private sector bond market. Aye.

Hales: Interesting facet of my perspective on this issue. I spent the last 10 years working for a big corporation. And it is one that we -- owned by employees. I came to understand through that experience a number of things. One of the things I learned there is a huge difference in culture and ethics from one corporation to another. And I was proud to have worked for one whose culture and ethics I thought were commendable and consistent. And there really is a difference. Those are choices that the leadership of those companies make. It is not market forces alone that determine business behavior. People make choices. And I also came to understand that sometimes companies make choices that may appear to be economically smart but actually are ruinous. There really are choices here not only on our side of the table, but also on the side of those that are running these companies that we may or may not invest in. For what it's worth, I saw that up close and personal about working for a corporation that was ethical and that did conform its values to its behavior. And we have that opportunity to do that here, to conform our investment behavior to our community's values and I think this is a step in that direction. Thank you. Aye. [gavel pounded]

Hales: Next one. [vote on 942]

Novick: Aye.

Fritz: I think it is entirely appropriate that we not invest further in wal-mart and their impact on other people's jobs is significant. Their treatment to their employees can be reprehensible, and I only wish it could go further. I appreciate commissioner Saltzman's comments on the movement that i, too, was involved in in england, divesting from south africa. A very, very small amount that was in our student union account we took out of a barclay's bank. When archbishop desmond tutu, I got to hear him at the university of Portland and he was asked did that make any difference? And he said, oh, yes, that made all of the difference. Those little things that you and I did as students, good to know. This may seem like a little thing, but what if everybody did it, it would be a big thing. Aye.

Fish: Aye.

Saltzman: Aye.

Hales: Aye. Thank you. Let's move on. 940.

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Item 940.

Hales: Second reading and roll call.

Novick: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye. **Hales:** Aye. [gavel pounded]

Item 943.

Fish: Before we vote, mayor, truth in advertising, my understanding is that we have already tentatively considered, today we're adopting the findings.

Hales: I think that is what we have in front of us. I was going to ask.

Fish: The title might be slightly misleading. I think we took a tentative, and is this now the final action?

Hales: I think that's right. We have not made any revisions to them. A motion to approve the findings would be in order.

Fritz: I move that we amend the title to approve the proposal of legacy health.

Fish: Second.

Hales: Okay. So, act on the amendment to the title, please. Roll call.

Novick: Aye.

Fritz: Good catch, commissioner Fritz--Fish. Aye

Fish: We'll remember that next time the mayor commits an offense. You look at him with a - I'm honored to be confused with you. Aye.

Saltzman: Aye.

Hales: Aye. Okay. On the item as amended.

Novick: On numerous occasions I get confused with commissioner Fish myself, not just the names that causes confusion. Aye.

Fritz: Just stick to our first names, I think, aye.

Fish: Very proud to support this today and as we discussed the last time this issue came up, this paves the way for legacy to invest \$200 million in a new state of the art emergency room that will serve inner northeast Portland. They're one of our two level two trauma centers which means when there is a significant emergency or someone is really in trouble, they either go there or they go up to the hill, ohsu, and paving the way now to make a \$200 million investment, we will substantially increase the quality of health care in northeast Portland, create a lot of jobs and help them -- this has taken a lot of time. I want to thank everyone on jack graham's team who really worked minor miracles -- allow legacy to proceed. Aye.

Saltzman: Aye.

Hales: Aye. And item 944.

Item 944.

Novick: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

Hales: Aye. 945.

Item 945.

Hales: Second reading.

Novick: Aye.

Fritz: Thank the members of the golf advisory committee, some who have been providing diligent service to the city for over 20 years. I appreciate the conversations that have led up to this and the clarifications that the staff at parks particularly -- very helpful in helping me as the new commissioner figure out some of these reasonable changes, aye.

Fish: You know, this did generate some heated emails and calls and I will say that previously we did curb lifetime passes. This is a further change. And I want to be very clear as you said, commissioner, we deeply appreciate the volunteer service of folks who serve on this committee and they actually affectively manage and enterprise business which functions largely without general fund dollars. That said, I think you've come up with a thoughtful proposal and I will support you. Aye.

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Saltzman: Aye.

Hales: Aye. And then item 946.

Item 946.

Hales: Auditor and ombudsman are here. Good morning.

Fish: Having been on the job less than a year, already putting restrictions on you.

Margie Sollinger, City Ombudsman: My idea.

LaVonne Griffin-Valade, City Auditor: Good morning. City auditor here before you. Thank you, mayor, and commissioners. And i'm here only to introduce margie. She has been here less than two years. She's demonstrated her integrity, strong moral compass and her ethics on a number of occasions. She's increased the profile of the ombudsman office and carried out some very important investigations that have made a difference. The code change before you is another sollinger integrity concept. I fully support it and I ask that you do also.

Sollinger: Good morning. Margie sollinger, I will keep my remarks brief today. The ombudsman office conducts investigations and complaints about city bureaus, complaints come from individual members of the public, neighborhood associations, businesses, city employees, and anonymously through the auditor's open city tip line. The function has been around since the early '90s. In 2001 the city sagely placed the ombudsman office under the elected auditor's office. This move provided the office with the requisite structural separation it needs to conduct partial investigations and exercise independent judgement. Nonetheless, I occasionally hear from members of the public who want reassurance that I will truly independent, operate at arms length from bureaus that I investigate and not shying away from challenging or controversial issues. Public perception remains an issue. The proposed amendment to chapter 3.77 provides additional safeguards for the ombudsmen office by limiting employee movement between the ombudsman's office and the bureaus it investigates. Specifically the amendment creates pre and post employment restrictions which state that a person may not serve as ombudsmen if they were a city employee at any time during the two years prior to being selected and may not subsequently work for the city for at least two years after serving as ombudsmen. Other ombudsman's offices have similar restrictions, such as the national taxpayer advocate, which is the irs ombudsman. These restrictions entitle the taxpayer advocate to do her job without worrying about future job prospects at the agency, and they also reassure taxpayers that the advocate is uncompromised in her ability to serve as the taxpayers' watch dog. Portlanders likewise deserve reassurance that the ombudsman position is uncompromised. It is important to impose these restrictions now before there is a pressing need, rather than to wait until a problem arises and where public trust has been damaged. That is all of the remarks that I have. I would be happy to answer any questions.

Fritz: I have a question. I commend you and I think you're doing a fabulous job and I appreciate the order to support. Why exempt employment by the auditors' office before and after. That seems to further get people worried that perhaps you are not independent of the auditor's office?

Sollinger: Well, I don't think I am. I don't tend to conduct investigations into complaints about the auditor's office precisely because the auditor is the one elected official that I am responsible to.

Fritz: Who does? If there is a complaint about the elections division or whatever, who investigates those?

Sollinger: Those would be referred up the management chain, as complaints by other bureaus might be the first resort. We haven't encountered that. I'm not sure. I guess it would be an option of referring it to an outside entity or a different elected official's office but it has not arisen before. This exemption is also in the national taxpayer advocate, united states code, and basically I think it recognizes that the other functions within the auditor's office are generally oversight functions and it is not necessarily a bad thing as far as the public interest to allow that person to move within that particular department.

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Fish: This issue has been framed in another context recently, in that a proposed water district contains language that says if you are a city employee or you have served on a utility review board or you have provided services that relate to water, you are ineligible from running for office to serve in an elected position on the water district. Now, my understanding is that is unconstitutional because you are taking a whole class of people and disqualifying them. I also think it is insulting, frankly, to people who serve on advisory boards and others who may have relevant useful information. I get the prohibition that says when you leave a job, we don't want you going through a revolving door and lobbying people you used to work for. I guess I'm less persuaded, for example, that George Hocker, my public advocate, who spends his day being an ombudsman cannot seek your job at some point simply because he is a city employee. I have to say that while I've never received a complaint from the public about the ombudsmen's impartiality, you have and that perhaps has prompted this, but I don't like term limits because of the way they have been spun generally and the idea of rather than exercising your lawful right to vote someone out we have to have a limit on someone's service. And I also generally don't like prohibitions like this that take a class of people and say in the name of integrity, we are going to prohibit you from what for some might even be a career advancement. Public advocate in a bureau or office may be uniquely qualified to seek the ombudsman position. I would generally not view that person as so tainted because they have actually had interaction with the public that I couldn't trust them to do their job. So, I have to -- just my reaction to that is that I appreciate deeply what you're trying to safeguard, but I'm not sure if telling city employees that they can't be considered for that job, regardless of their life experience, their qualifications and their track record, is fair to city employees. I just would welcome your reaction to that.

Sollinger: I think that's fair. We tried to strike a balance in terms of the number of years, the national taxpayer advocate I think has a period of five years in between service. Two years seemed to me like a good balance between the rights of those employees who may want to pursue this position and may be very objective in their ability to evaluate issues, but also recognize that a cooling off period is really important to protect the public perception, which if that is damaged, I think it is very difficult to gain back and to surmount when recommendations that my office makes are not binding. Based on the ability to persuade folks of the correctness of them. So, if that person no matter how well intentioned and high in integrity individually, if the structure isn't in place to let the public know that there has been a separation between their employment, which might involve working on policies that they're then being asked to evaluate from a -- objective perspective or to criticize their former colleagues, the cooling off period is useful and it is not forever. It's just for two years.

Fish: I appreciate that. Reasonable explanation and you have said it very thoughtfully and concisely. I also think we have a habit of scapegoating public employees. And right now, thanks to the irresponsible behavior of a few, 800,000 Americans are out of work and they are public employees. A lot of people don't seem to be excited about it. But they have mortgage payments. They have children. They have to buy groceries. They have the same needs that we all do. There is just something -- and you say that we want to address public perception. Who's driving that public perception? Has there been a ground swell from advocacy groups or the League of Women Voters come to you and said compelling public perception issue, or is this us sort of elevating this to a question of perception? And I ask this with all sincerity, because again, there is a lot of people who work for this city who would be disqualified to -- I think what we may be doing is malign people saying that they are not eligible to perform that role?

Griffin-Valade: Can I break in here just a little bit and just say that I completely agree with you that public sector employees are unfairly maligned on a regular basis and I too am a public official who is tired of that. I feel that is a long ways from what we're trying to do here. I think you have asked reasonable questions and folks -- those -- may also agree with you. An example that is somewhat

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similar -- we have someone on staff right now who years ago worked in the budget office. And we are able to put some good -- some barriers in place to make sure that that person is not part of any audit that we conduct, of budget office, for a certain period of time, and we are required by government auditing standards to complete an independent statement for every audit engagement that we take part in. So, within that, we have language to the effect that they have not been an employee of the organization that they're now getting ready to audit. How we're able to do that is that -- there are multiple employees who can also work on that type of engagement, and there is a threshold number of years that we are able to -- we don't audit the budget office any -- very often anyway. We don't have that luxury for the ombudsmen position --

Fish: The -- the idea that you don't want someone making their judgments while they have the job and by -- and in any way sort of -- with the thought of auditioning for some future position. So, that I get. That is the revolving door thing. You don't want the back end. I'm just having a little trouble with the front end because it -- it seems like we're taking a broad brush in the name of integrity and I -- I have no quarrel with your using that as a screen in your final decision, but it just strikes me as having a prohibition, particularly since we have public advocates in government who do a great job on behalf of the citizens, I just think to disqualify them is unfair. If i'm alone on that, I mean --

Hales: Interesting point.

Fritz: I would like to -- I concur, the ombudsmen does not investigate elected officials, right? If somebody complains about me, you don't -- do you look into that?

Sollinger: The code excludes that from my jurisdiction.

Fritz: Do you exclude my staff or would you -- if you got complaints about one of my staff, would the code exclude that, too?

Sollinger: It does. I mean basically -- legislative capacity and administrative capacity.

Fritz: I agree with Commissioner Fish that part of my staff's job is to see whether staff in Parks and Development services are doing things as we hope they would or more policy choices there are. So, the answer to my question about why the auditor is excluded from this, it seems the same logic would apply to at least excluding commissioner office staff from applying to this job.

Sollinger: That was considered and to me -- because of the commission form of government and commissioners in charge of bureaus, you're still part of decision making hierarchy, and for that reason, to me it didn't make since to include that as part of the exemption.

Hales: Do we regulate this anywhere else in the code? I know there is stuff in the charter --

Griffin-Valade: We do some lobbying, and I don't know if we do it elsewhere other than lobbying and the fact that Jewell Lansing managed to get a charter change many years ago to forbid the auditor from running for office while the auditor was in the auditor's position, and in large part because of the perception of independence. The auditor should also not be auditioning for one of your jobs. Those are the two places that I know that that exists already. Someone can't leave the city and then begin lobbying the city for some other business -- there is a year of prohibition on that.

Hales: I guess the other thing that concerns me now that we're looking more carefully at this, is just where do you stop? So, does purchasing manager get prescribed by a future code section like this, does the head of the maintenance section, transportation bureau who buys asphalt get prescribed from working from an asphalt company? Where do you start and stop?

Griffin-Valade: I think it's really important that the independently elected auditor who is elected as a voice of impartiality and fairness and transparency and independence--I mean, it makes sense to me that this would be a good place to start to maybe build some walls around that in some way. But I have no -- I have no opinion to offer about what --

Fish: I think this has been a great discussion. I think this is a balanced proposal, but the concern I have is when you say that you need a bar because without it somehow integrity is risked or challenged, it implies that a whole class of people can't perform this function without either the temptation of violating their integrity and the oath, or creating an impression in the public that the

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public is not getting fair value. And i, to me that comes perilously close to a generalization about public employees. I go back to the water district. Under a setting of conflict of interest, that is how it is written, it says if you've ever as a citizen been engaged around water issues, you can't run for this position. I think that's wrong. I may not vote for that person. But I don't want just because someone has served on an advisory board or has worked for the city or has a strong view, I don't think it is my place to prohibit them from seeking public office. This is not public office. This is not the same thing. But I frankly would be more comfortable with this if i'm out of sync with my colleagues, I will shut up, but I would be more comfortable with just C(2-- that is consistent with the revolving door, the back end. That is I think the incentive system. You have the discretion to hire whoever you want. Without c-1 you can still have a preference for someone who hasn't been a city employee if you have someone more independent. I don't like the idea of embedding that in code and requiring that the whole class of people can't even be considered. Because I think it goes beyond the scope of what you're trying to get at.

Griffin-Valade: That wasn't our intent at all to besmirch anyone who works in the city -- we happen to know there are a great many hard-working, very talented smart folks around this organization. So a lot of it is around perception, which is a lot of -- that is the basis of many of the barriers that I try to put up to ensure impartiality and it is about perception. So, I think without having had this discussion with any of you prior or with margie, that if you would choose to settle for number two, at least --

Sollinger: I could live with that. The reason I put it in there was partially from experience back in Washington, d.c., where an ombudsmen for the housing authority who was selected internally, and as an outside advocate at that point and part of the larger advocate community around housing issues, that person never had the creditability she needed to do her job. Because she was perceived as coming from the inside, and not having a position of objectivity or the ability to conduct independent, impartial investigation. That is where that came from for me. But it is -- if the rest of the folks on council have your same concerns, I think I can live with what you're suggesting.

Hales: Okay. Do you want to propose that as an amendment?

Fish: I would move to strike c-1, and in -- I would move to strike c 1.

Novick: Second.

Hales: Further discussion. Let's act on the amendment and then we will take public testimony on the proposal as amended.

Ben Walters, Chief Deputy Attorney: One clarification from a drafting standpoint. The strike out would be from the colon in the line in c through to agrees and replacing the capital a with a lower case a.

Hales: Correct.

Fish: That's my intent. Thank you.

Hales: Roll call on the amendment.

Novick: Aye.

Fritz: I support the amendment. I think a former ombudsman might make an excellent public advocate in a city commissioner's office. I defer to your judgment on that aye.

Fish: I appreciate the discussion very much and the argument -- the explanation that you have offered us is well reasoned and thoughtful. And in making this amendment, i'm in no way presuming to limit the authority of the auditor as the employer to make judgments around qualified candidates and to apply other screens. I just am suggesting that we not have it as a per se bar. Aye.

Hales: I will support the amendment. I'm actually not sure about the whole thing but I will support the amendment, aye. Okay. Now public testimony.

Moore-Love: Yes, we have two people signed up.

Hales: Come on up.

*******:** Did you already vote?

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Hales: We just voted on amending it.

Charles Johnson: Good afternoon now. I'm glad to see this vibrant discussion about it. But I think that actually the ombudsmen is correct and introduced the correct language because this is feeling amongst some part of the population that city hall is could at times be too cozy, too much internal hiring. I know that you have great people on staff and sometimes they might even work better in another position, but I think that if you had kept the original language, it would protect public confidence because we know that in a workplace, people develop preferences and distaste, and it's better to have an ombudsmen who is fresh, who is not essentially contaminated by public concern that, well, maybe the outcome of the ombudsman's activity has to do with behind the scenes friendship. I know, I don't know a lot of city staff, and I would like to think that the ones that I do know have very high professional standards, but not everybody -- sometimes that can be rose colored glasses. I think the city, ombudsmen office and auditor better protects their duty and capacity why the original language because there is plenty of good people who aren't working for the city, even though you might have good people on staff and they could fit another slot, there are qualified people collecting unemployment now. So, I hope that you will not see this as an insult to city staff, but, instead, a way to keep fresh blood, new perspective and people who don't have any interoffice politic problem.

Crystal Elinski: I represent 10,000 concerned Oregonians. Well, I want to talk about the auditor's office. My impressions. But i've got really -- I got really hung up on commissioner Fish's -- I don't know what that was. I guess I just don't understand. I don't see what the concerns are. I guess from my own experience, ombudsman's office is incredibly important. I guess because it is separate, a lot of people don't assume that there are people that would be discriminated against, that would be working in the city and would want to get in there. I guess maybe just the language of talking about a whole class of people -- I don't know, I see it as sort of a disqualification. It is a job. We have certain expectations and if you don't fill those, you don't get it. I sat on a committee many years ago at the university where I was just a visiting professor so that I could look into the ombudsman of the university. And while I learned a lot about how many things could be construed as bias and leaning, but, again, it wasn't like a small pool, like small cesspool, revolving door of people. I don't know, it is kind of a job for life. Ombudsman job, I have had to work with a couple myself and I think it is important that they are placed for resources, referrals where you can go. Someone to listen. And someone who is very familiar with practices and policies regarding civil rights. So, they do need to be trained. I don't think most of the staff here would be - not qualified. But it is also important to have conflict resolution. So, if that is something else that could be included, that would be wonderful. Because that is a matter of not so much taking a stance, but following through. However, the auditor is so freakin' awesome, I can understand just going ahead and voting for it on your own and testifying and consider what crystal has to say. The public hasn't told you about this. I don't ever hear you listen to me commissioner Fish. All of these years I have been coming here I am sort of ignored. But I do like the current auditor and I thought I would never escape the black cloud of the gary days. I am sad to see she will not be running again. We have a whole pool, huge wonderful -- I was going to say something in latin, but I couldn't remember it. We have a universe out there of people.

Hales: Thank you. Thanks. Anyone else signed up to testify?

Moore-Love: That is all who signed up.

Hales: This comes back for second reading and we are recessed until 2:00 p.m. tomorrow. [gavel pounded].

At 12:11 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

OCTOBER 3, 2013 2:00 PM

Hales: Good afternoon everyone. Welcome to the October 3rd meeting of the Portland City Council. Would you please call the roll, Karla?

Novick: Here. **Fritz:** Here. **Saltzman:** Here. **Hales:** Here.

Hales: Could you read the item before us?

Item 947.

Hales: I will make a couple of opening comments and set us up for your input and testimony this afternoon. I will then call on the city attorney to ground us in the decision that we have in front of us, and then on Commissioner Fritz and the bureau to make a report. We're here to talk about a particular issue, but it is part of a larger context and it is one that I as your Mayor and members of this City Council and other community leaders need to do a lot of work on. That is we have about 1800 people who are going to sleep outside tonight in Portland. And that's a community failure, although a lot of good heart and good work have gone into trying to address that crisis, it is still with us every night. And it is something that I take personally and I think all of us do. I know all of us do. And that we're all going to put heart and soul into working on it. And that this particular decision about a particular local solution to part of that problem needs to be kept in that larger context. How can we as a community do better than we're doing today in dealing with the problems of homelessness and the fallout of larger failed systems of mental health and housing and drug treatment that we all as community members and some of us as public servants need to work on together. Those 1800 people or so that will be outside tonight are all different people with different needs, desires, problems, capacities. And we have to take this into account. In this particular organization, R2DToo, a group of people who, to my mind, have proven some real ability to govern themselves to solve public safety problems within their community, and to help make transition from homelessness to housing and back into the economy for quite a few people. And I'm impressed by that. Of course, we all know the evolution of this particular situation at 4th and Burnside involves conflicts between the City and property owner and I want to particularly commend Commissioner Fritz for her hard work in trying to resolve that conflict and getting past that to a better day for the City and that property owner and for everybody else affected by that conflict and the twists and turns. So we're here to take up a particular question about R2DToo and the legal basis on which it can be moved from one place to another. But I hope to hear not only your opinions about whether that is a good idea or bad idea or whether the city staff's legal reasoning is good for flawed, but I want to hear today and later your ideas and how we as a community can do better. How we can have more people sleeping indoors, not in tents. More people getting treatment and access to services. More people finding work and getting back into the economy. As I said at the outset, that is something that I have the passion for and I have a growing understanding of it. Not that I brought a lot of understanding of it to this office, but I'm spending a lot of time literally on the streets with people that know more than I do learning about it and I plan to spend more. Let me talk a little more about this hearing. We're gonna try to hear from all of you. We're gonna do that with a time limit. I'd like to set a time limit of two minutes instead of three. I know we typically have a three-minute time limit for public testimony, because there's so many people here and so many signed up, I would like to enforce a two minute time limit. Usually we can say what we need to say

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succinctly if we have little time to think about it, and unfortunately for all of you signed up after the first 10 or 15, you will have plenty of time to think about it. I'm not being flippant about that but it will help us all if we give all people a chance to have a say. There are some rules of decorum in this room. Everybody gets a chance to have their say without being heckled or challenged from the audience, and that's the Portland way. And I ask you to respect that. If you don't respect that, then we will have to ask you to leave. But hopefully that won't be necessary. With that, let me ask our city attorney to ground us in the decision in front of the council and after that I will turn it over to Commissioner Fritz to set the stage for the resolution in front of us.

Kathryn Beaumont, Chief City Attorney: Mayor Hales, members of the council, I'm Kathryn Beaumont with the city attorney's office. For purposes of establishing a little framework, I would like to describe the nature of today's hearing. It is not like the land use matters that the council typically hears in substance or procedure. This is not an appeal hearing on a quasi-judicial land use review, and it's not a hearing on a legislative proposal to amend the comprehensive plan, zoning maps, or zoning code. What's before you today is a resolution to affirm and adopt the BDS Director's recommended answers to questions about how the zoning code applies to a proposed use of property. Specifically, the director has been asked whether a rest area tent camp proposed to be located below the west end of the Broadway Bridge is allowed under the zoning code and whether any land use approvals are required. The director's recommended answers are that the proposed rest area is an allowed use and requires no design review or land use reviews. You are being asked to decide whether you agree with the director's interpretation and application of the zoning code. If a majority of the council votes yes on the resolution, it means that you do, and are adopting his interpretations of the zoning code as your own. This will be the city's final decision on the questions answered in the zoning confirmation letter. However, adoption of the resolution is only a beginning, not an end. It answers general zoning questions about the proposed rest area, tent camp, and nothing more. There are many future steps that will need to be taken before the rest area can make the physical move to the proposed site. Those steps are not the subject of today's hearing. And I'm happy to answer any questions you have.

Hales: Questions for Kathryn or Roland?

Saltzman: I guess I have a question. So, the city took the owner of the property on northwest 4th and Burnside, cited that owner for violating the city code by establishing what we interpreted to be a recreation camp ground. That was the closest use we could come to determine what it was in our code. And so we found them to be in violation of our code. So what is different about this determination that this use would be legal, because the properties are zoned similarly. 4th and Burnside, I think, is zoned CXD and then the Lovejoy ramp property is EXD.

Beaumont: That's correct.

Saltzman: So, what's, in a nutshell, the rationale why they were in violation at one location and possibly not in violation under this zoning interpretation?

Roland Iparraguirre, Deputy City Attorney: Roland Iparraguirre, city attorney's office. The initial determination that was made against the property owners at 4th and Burnside was based on the lack of the property owners at 4th and Burnside to approach the city and apply for any permit, to have any discussion with the city about the activities of that site. The city, based on that unavailability by the property owners to avail themselves to the city authority, the city commenced nuisance action and enforcement action.

Saltzman: So, in short, that failure of the property owner to apply for any type of approval --

Iparraguirre: Had they applied, I think it would be a different story.

Saltzman: Okay. Thanks.

Hales: Further questions? Thank you. Obviously we will need to call on you as we proceed.

Fritz: Thank you, Mayor Hales, and thank you for your partnership on trying to resolve these problems, which indeed Commissioner Saltzman spent many hours looking at while he was the

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commissioner in charge of the Bureau of Development Services. Because it is important that the City has the right and responsibility to regulate uses on lots and to make sure that uses are legal. So, the proposed move to the current site -- to the proposed site -- is an element in a settlement agreement that the -- preserves the city's right to regulate the uses on lots. And I believe that is in everybody's interest to maintain that right. Right 2 Dream Too was able to reach and serve populations that other community services have been unable to serve, including couples, homeless people with pets, people who have a fear or mistrust of shelters for multiple reasons. For the past two years, they have been operating safely at their current site at 4th and Burnside. Being homeless is not a crime. And people experiencing homelessness are some of the most vulnerable people in our community. They're our neighbors, our friends, our cousins, our family of Portland residents with feelings and emotions and they deserve our respect. Providing a new site for Right 2 Dream Too will mean up to 100 people would be able to sleep in safety without -- and they will be able to sleep in safety on a lot that with all the right permissions, they will have the permission to be there. 100 people who won't be in doorways, on sidewalks and in other places where it is not legal to sleep. So, I appreciate that there has been a lot of conversation about this to date, although this is the first public hearing on this issue. I'm very appreciative that everybody has come to testify and to everybody who has written in in advance. And will continue to participate in this process. There are many other steps before Right 2 Dream Too would be allowed to move to the new site. We need to negotiate a use agreement by the end of October and then a good neighbor agreement which will involve a lot of community conversations. And as the Mayor said, he and I have both learned a lot about the issues associated with behavior on the streets. Some of which is done by people who are experiencing homelessness and some of the illegal behavior is done by people who come to Old Town/China Town and the Pearl District to go to restaurants and get drunk before they go home and have some pretty bad behaviors. So, we and I recognize there is a lot more to livability in Old Town/China Town and the Pearl District than simply the move of up to 100 people. I believe it might be one of the elements that could help address the situation. But there will be many others, including probably setting up a public safety committee between the two neighborhood association, business district participants. This is just the beginning of an ongoing process, and certainly it has become very clear to me that when we opened the Bud Clark Commons in June of 2011, we were all hoping that that would be a great clearinghouse and entry into services for a lot of people experiencing homelessness, and, indeed, it has been. And I commend the Housing Bureau for their ongoing efforts and commend the entire council for putting as much money as we could find in this budget where we cut up to \$20 million, we preserved the safety net for housing and we're now talking about providing more opportunities for rent assistance, for preventing homelessness, for addressing the bigger picture. So, again, this hearing today is just one piece of an ongoing discussion about how do we compassionately care for people who live inside and people who live outside in Portland and how do we as a community address the challenges that collectively we face. With that, I would like to turn it over to Rebecca Esau from the Bureau of Development Services, who is going to run through the zoning confirmation letter. A zoning confirmation letter is a common thing that we're asked in development services that a property owner or an applicant for a use writes to the bureau and says, what's the zoning on my property and what am I allowed to do there? The staff often has to find -- look at the entire code and look at what best matches that particular use, because not absolutely everything that could possibly be used, done on a lot, is specifically called out and there are general categories. And the staff says, which category does this specific use fall into? So, Rebecca Esau, thank you for being here.

Rebecca Esau, Bureau of Development Services: Thank you. Good afternoon Mayor Hales and Commissioners, my name is Rebecca Esau, I manage the land use services division at BDS. And beside me is Douglas Hardy, a senior planner at BDS. The Bureau of Development Services received two applications for a zoning confirmation letter for the site -- for the same site and

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proposal. One application was from the Right 2 Dream Too nonprofit corporation and the other from Williams/Dame & Associates. The applications each ask a series of questions about how the zoning code applies to a proposal for a rest area or campground managed by Right 2 Dream Too at a site underneath the west end of the Broadway Bridge. First, before we get into the contents, as Commissioner Fritz was saying, it is important to clarify what a zoning confirmation letter is. It is an optional service BDS offers customers, it's a venue for customers to have BDS staff do research into specific questions and provide information in writing about how the zoning code applies to a specific proposal at a specific site. Many customers choose to apply for a zoning confirmation letter as part of their due diligence prior to purchasing a piece of property. A zoning confirmation letter focuses on zoning requirements and doesn't cover all of the other requirements that might apply to a proposal. It isn't a permit. It is not a land use review. The site is lot 7, at Station Place, and is located under the Lovejoy ramp at the west end of the Broadway Bridge, just south of northwest Lovejoy court. Station Place parking garage is located across the street to the north. To the east and southeast are the Union Station rail yards and Union Station. To the south are the yards and building of the main U.S. Post Office and to the west is the Lovejoy ramp abutment. The site is zoned EXD, which is the central employment zone, with a design overlay zone, and is in the central city plan district, the river district, sub-district and the north pearl sub-area. The site is owned by PDC and is currently developed with a surface parking lot. The proposal is to provide a temporary rest area with tents for overnight shelter for people of the community who do not have a home and need a place to rest or reside. The rest area or tent camp is expected to be at this location for up to one year with 100 people staying there at any given time. Individuals may be located at the site for one night or longer. The rest area will be managed by Right 2 Dream Too, a nonprofit corporation. There will be electrical service, water service, grey water disposal, portable toilets, and a solid waste disposal area. In 1991, with the adoption of the current form of the zoning code, the City shifted from a system of listing all specific uses allowed in each zone, such as bookstore or machine shop, to a system of listing use categories, such as retail sales and service. The legislative intent was to create more flexibility, acknowledging it isn't possible to anticipate every current and future use. The use categories are each described in the zoning code by their characteristics and examples are provided, and in some cases exceptions listed. The use categories are not intended to identify or list every possible use that could be assigned to each use category. Codes referenced to present and future uses underscores the non-exclusive nature of the uses described and the examples listed. The zoning code says proposals or uses for development where the code is silent or where the rules in that particular code section did not provide a basis for concluding that the proposal is allowed, are prohibited. So, the first question is if the code is silent and whether the rules in that code section lead to the conclusion that the proposed rest area is prohibited. BDS's answer to those questions, our recommended answer is, no. The use category descriptions in the zoning code provide enough descriptions and examples to guide us in determining the appropriate use category. Land uses are classified into the use categories on the basis of common functional product or physical characteristics, including the description of the activity, the type of customers or residents, how the use advertises itself, etc. BDS considered several use categories in this analysis. Community service use, retail sales and service use, and group living. The analysis led to the recommendation that the proposal be considered a community services use. The zoning code describes the characteristics of community services use as follows: community services are uses of a public, nonprofit or charitable nature, generally providing a local service to people of the community. Generally they provide the service on the site or have employees at the site on a regular basis. Their service is on-going, not just for special events. The proposed rest area provides a local service, which is a temporary place to rest and sleep overnight in tents under the shelter of a bridge ramp. It is charitable in nature, and will be provided to people of the community. It will be managed by a nonprofit and the service will be ongoing, not just for special events. The zoning code provides a nonexclusive list of examples of

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community service uses. The list includes senior centers, community centers, youth club facilities, hospices, drug and alcohol centers, social service facilities, mass shelters or short-term housing when operated by a public or nonprofit agency, soup kitchens, surplus food distribution centers, etc. A rest area or tent camp for people without a home is similar to some of these examples in that it provides a place to rest and find shelter to members of the community who have no homes. Now, shelters and short-term housing are defined in the code, and BDS concluded that based on those definitions, what is being proposed is not either of those type of community service uses. Zoning code directs that usage should be assigned to the category whose description most closely describes the nature of the primary use. It is BDS's recommendation that the community services use category most closely describes the nature of this proposed use. The zoning code states that in the EX zone, most community services uses are allowed by right. Short-term housing and mass shelters may be allowed by right if they meet certain standards or maybe a conditional use. Since the proposed rest area tent camp is not a mass shelter or short term housing, these standards don't apply, and BDS's recommendation is that not only is the proposed use a community service use but that is allowed by right and doesn't require a additional use review. Although zoning code section 33-700.005 states, all new development changes to existing development and changes in the type or number of uses requires a building permit, the term building permit is not a defined term in the zoning code. The zoning code section does not create an independent requirement for a building permit when the building code would not require a building permit. The zoning code is section is viewed in context with the 2010 Oregon structural specialty code, which in section 105 requires that the applicant make an application to the building official and apply for the required permit. It doesn't use the term building permit. Title 24, building regulations, states that a separate permit, known as a development permit shall be required for a site development, changes in use, or other work performed in compliance of title 33. Based on the information from Right 2 Dream Too about the proposal for title 24, the appropriate permit for this proposal is a development permit. The design review chapter first describes the types of development that require design review, unless specifically exempted. That section is followed by a list of the sub-set of projects that are exempt from design review. So while the proposal involves exterior alterations, and that would normally require a design review, the work does not require building permit and is therefore exempt from design review. The existing parking lot was most recently allocated 65 spaces in the 2012 central city parking review. There is no applicable minimum parking requirement for this site and this allocation is permissive. In other words, the 65 spaces are allowed, but not required. In conclusion, based on the information that was provided, BDS recommends that City Council conclude that the proposed rest area be classified as a community services use, that it is an allowed use, and does not require either a design review or a modification of any previous land use approvals. Let me know if you have any questions.

Hales: Thank you. Questions for our staff?

Saltzman: Earlier in your presentation, you talked about the duration of the rest area being one year and no more than 100 people at the site at a given time. Is that a function of the zoning determination?

Esau: That's a function of the proposal that they provided to us.

Saltzman: Not part of the community service zoning designation.

Esau: No.

Saltzman: Okay. And then, could you briefly summarize why it is a community service use as opposed to mass shelter use?

Esau: Definition of mass shelter is a structure that contains one or more open sleeping areas or is divided by only nonpermanent partitions, furnished with cots, floor mats, or bunks. Individual sleeping rooms are not provided. The shelter may or may not have food preparation or shower facilities. The shelter is managed by a public or nonprofit agency to provide shelter with or without

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a fee on a daily basis. So the way it starts out saying it's structure that contains one or more sleeping areas. And then when you look at the standards for it, it implies there is a building, something like the Portland Rescue Mission where you have bunks and cots and the standards talk about spacing between sleeping areas, etc. It doesn't seem to mesh with that or the definition for short-term housing.

Saltzman: And does the community service use or a mass shelter require it be operated by a nonprofit? Or is that just a -- that's typically what they are but not necessarily required?

Esau: With the mass shelter, it says the shelter is managed by a public or nonprofit agency. If it were managed by some other entity, it probably would not be considered a mass shelter.

Saltzman: And then this particular community service designation for the Lovejoy site? Does that require it also be managed by a nonprofit or not?

Esau: The definition -- well, the characteristics for community service say that it's community service are uses of a public, nonprofit, or charitable nature. So, it is not something that you would do for profit.

Saltzman: Okay.

Esau: So if you had a KOA campground, where you're renting spaces, that would be a retail sales and services use.

Saltzman: Charitable use is the operational phrase there.

Esau: Yeah.

Saltzman: Okay. Thanks.

Hales: Other questions? All right. Thank you. Standby. I will get closer here. Thank you very much. Now we're going to begin public testimony. Again, please try to confine your remarks to two minutes so that we give everyone a chance to speak. The council is going to hear testimony until 5:00. We will take a one-hour break and resume at 6:00 as needed. We will take the next 2 1/2 hours and see where we are. With that, I know you had a sign-up list. Call the first three or four people.

Moore-Love: Okay. We will call them in groups of four. Right now we have a total of 107 people signed up.

Hales: Okay.

Moore-Love: The first four please come on up.

Hales: Thanks. You just need to put your name into the record and then proceed.

Barbara Weerth: My name is Barbara Weerth. I live at Station Place Tower, which is a building for seniors with incomes below the median. And many of us living there have physical and mental disabilities, which makes day-to-day living a challenge, and a need for safety and security an absolute necessity. Most of us chose Station Place because of the neighborhood. The lot that you are currently talking about is right out our back door. There is one sidewalk beside it, which is our direct access to the MAX, the buses, Amtrak, and Greyhound. For many in our building with mobility issues, walking around that immediate block is their form of exercise, plus there's benches. And because they can't get out very much, they use those benches as their park, place to sit in the sun, etc. Putting R2DToo into that lot really is compromising our safety and security. Ms. Fritz is right when she says that we do not get to choose our neighbors. But there is a distinct difference between a neighbor who doesn't keep his yard up and is noisy, etc., and having 100 strangers sleeping in your back yard. If this is set up, we will have 700 new neighbors each week. Those are people that are literal strangers that we will have to deal with. The safety and security issue should be readily apparent. How long before someone tries to sneak into a warm building or knocks down a senior and takes their purse. How does someone with mobility issues walk to the MAX if there is 100 people lined up on the sidewalk or hanging around. And as a side note, where do other people go at night that don't -- that get turned away? Where are they going to be in our neighborhood? And that doesn't even start to talk about the issue of health, dogs that don't have shots, too many people in a small area, drugs, alcohol, and mental illness. My belief is that zoning codes and rules exist to

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protect existing neighborhoods, however, right now moving the homeless into a parking lot full of pigeon droppings, with polluted air and no sunlight, rusty, acidic water dropping on them, is more important than maintaining the safety of an existing community that also is fragile and also does not have a lot of money. We don't have the option to move elsewhere because we are in this building because we don't have a lot of money. We're just asking you to take us into consideration 'cause in the scheme of things, nobody has considered those of us in that building.

Hales: Thank you very much. Thank you.

Laura Griffiths: Laura Griffiths. I'm also a resident at Station Place Tower. I will say that I'm mentally ill. I'm permanently disabled. 14 years ago I was diagnosed with bipolar one disorder and treatment-resistant depression. And that part of my life I was unable to continue my career as a registered nurse in pediatric oncology. I had to retire after eight years as the U.S. Army nurse attached to the 323rd combat support hospital in Detroit, Michigan. I had to withdraw from the sixth marathon I was scheduled to walk for the leukemia society and 23 years of marriage and soon after my diagnosis. Barbara Weerth is going to finish my speech. I have vocal tremors due to a central tremor.

Fritz: Thank you for your service to our country.

Hales: Thank you.

Weerth: It is estimated that 30% of homeless individuals suffer from mental illness. Without the support of my family and adequate treatment by psychiatric specialists, I could be homeless, incarcerated, or dead. The mental illnesses most prevalent among the homeless is schizophrenia, bipolar disorder and severe PTSD. A schizophrenic not on medication may hear voices telling him to attack the woman across the street before she harms him. The soldier who fought in Vietnam may believe that the streetcar rumbling overhead is the sound of incoming artillery. A bipolar person who thinks they can fly might fly off of the Lovejoy ramp. It is naïve for the leader of R2DToo to believe that he will keep peace under a bridge next to the Bud Clark Commons. The two areas he refers to are like apples and oranges. Placing the R2DToo nonprofit business under the Lovejoy ramp, subjecting two vulnerable groups, the homeless campers and residents of Station Place Tower, to the worse possible of situation. I waited four years for the call notifying me that I have an apartment at SPT. I wanted so badly to live in this building because it was beautiful, green, and it was a safe area of Portland. Now walking to Amtrak or the MAX platform is daunting. The Station Place Tower community no longer feels safe and I challenge the City Commissioners to walk from our building to the MAX any day of the week and experience for themselves our plight.

Hales: Thank you very much.

Nancy Snyder: My name is Nancy Snyder and I live at Station Place Tower. I am a resident of Portland and have enjoyed living in downtown Portland for 23 years, and in the Pearl District for eight years. I have submitted my health and safety concerns and emails to each of you and hopefully you have had time to consider them so that I don't take your time today repeating them. But I wanted you to have a face to go with the resident that lives in the Pearl District that is passionate about the issues that are before you. One thought that I would like to leave with you today is that if you allow the covert decisions that have been made without consideration of the people this affects most, you will be setting a precedent for the City of Portland to give permits and allow for tent camps on city land in any neighborhood of your choice in the future. This is far more reaching than just here and now. You need to stand up and do the right thing, even when it's difficult. I'm appalled that one Commissioner is being allowed to circumvent laws without due process and without accountability to one another and the public. The wrong thing was done covertly to set a lawsuit against the lawbreakers of Mr. Wright, Mr. Colset, and against Ibrahim Mubarak of R2DToo to drop the charges and to promise them property in a suit that you should have won and not settled. The wrong thing is being done once again to not stop this corruption. This is not good for you. It's not good for us. It's not good for them. It's not good for the businesses or residents of the Pearl and in the future

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it is not good for other neighborhoods. You are hurting more people than helping by moving the Right 2 Dream Too camp that Commissioner Amanda Fritz has solely and covertly promised that the Lovejoy parking structure behind Station Place Tower. And I thank you for listening.

Hales: Thank you.

Ronald Alexander: My name is Ronald Alexander, and I'm a resident of Station Place Tower. I have two questions really. What is -- are we going to do about the Multnomah county code that supposedly takes precedence on the bridges and what goes on around the bridges? Code number 15.335 states there will be no camping under bridges. I don't know whether the city code supersedes the county code, but I think the county has to be brought into the loop on this. And the reason I know that that's the code is because it's posted underneath the Broadway ramp of the Broadway Bridge across from Union Station in two different places. The question deals with our security and senior citizens at Station Place Tower. Are we going to get police patrol in the area around the proposed camp site and is the city prepared to have clean-up crews patrol the area and keep it clean? As of this day, we do not have these patrols and the walkways are littered with just about everything you can imagine, far too many for me to elaborate here. It is also a disgrace to the Pearl District and we have to walk through that every day to get to the MAX lines. I moved to Station Place Tower to get away from the same mess and legal actions from the yards behind Union Station. I cannot afford to keep moving because the city refuses to address the homeless problem. Those of us on a limited income cannot afford to be moving every few months just so that we can find a safe, secure place to live. Thank you.

Hales: Thank you all. Good afternoon.

Irene Londraville: I am Irene Londraville, a resident of Station Place Tower, adjacent to Station Place where the houseless are planned to be settled. Society must be judged by how well it takes care of its most vulnerable, and I am one of them. Why would our Portland City Council willingly change the law against camping in the city by calling it community service? Presently, there are empty buildings that are habitable. One in Old Town lies empty because the city would need to staff it. The empty Wapato jail, costing thousands to maintain. There are empty junior and senior schools where all necessary facilities and cafeterias are available. The rooms are 40 by 40, there are communal living and you would have plenty of offices to bring in new services. Why are these not even being considered? Cost of staffing? The cost of this ill-conceived attempt would abate that cost. Presently, it is illegal to camp in tents or sleep under bridges. Why change the law? When does two wrongs make a right? Besides the fumes from the trucks at the post office where our building -- moving away from under the ramp, and the trains, it is also adjacent to the river where rats abound. If this is how we care for our vulnerable, is this treating humans with dignity? You who would uphold the law and deny this request say, if not me, then who? If you individually prefer to uphold the law but waiver, if not now, then when? It returns to the question, if not me, then who. Thank you.

Hales: Thank you.

Claudia Piesik: Mayor Hales, Commissioners, my name is Claudia Piesik and I live at Station Place Tower as well. Moving Right 2 Dream under the Lovejoy ramp will negatively impact the residents of Station Place Tower in many ways. While that is being addressed by others from Station Place, my concern is the financial impact and public involvement statement. You've stated that there would be no financial impact to the city changing the usage from a parking lot to a rent-free homeless camp, that is just not true. One commonality of larger cities is the lack of parking spaces. During the past five years, people who live in this area can attest to the lessening of available on-street parking. That is only going to continue as the economy improves and the vacant lots in this immediate area are developed. There will only be an increasing demand for parking, not only for residents in the area, but for tourists and persons working here. Commissioner Fritz acknowledged at the meeting that she held at Station Place that the city would have costs. Those include cleaning

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up the pigeon droppings, getting rid of the pigeons, installation of required utility services i.e. water service, electrical panel, gray water disposal. Since this is only temporary, there would be costs involved into returning the area to a parking lot. Commissioner Fritz did not address a solution to the rusty, acidic water that comes off the bridge every time it rains. But it will have to be addressed. If it has ruined the paint on cars parked there, it will certainly be hazardous to people and tents in the homeless camp. It seems to me it would be in the city's best interest to spend the money to turn this area into what it was originally designed for, to be a fully functioning money generating parking lot. Since placing the homeless camp in this location is a temporary fix, my thinking is that the city would be better off served by retaining this area as a parking lot, unless that temporary is only word manipulation to fit the codes and the attempt --

Hales: Keep going, it's fine.

Piesik: And the attempt is to make it permanent. Thank you for your time.

Hales: Thank you very much.

Ramona Odierna: Hi, my name is Ramona Odierna and I live in the Station Place Tower. I have just a couple of questions. I would like to know, and my questions are realistic, because not all of us can afford the luxury to dream all the time. Some of us have to deal also with reality. I would like to know from Commissioners and from the Mayor why this camp is constantly being represented, sorry, misrepresented and romanticized when it is clearly not what they claim to be. All you need to do is look at their blog, and to pick their numbers apart which are available to everybody, and if you get the percentage, then it's pretty clear that they've been rather a failure and not a success. And they claim to have served, I'm not sure what the service entails, 25,000 people in a 21-month period that translates to 38.9 new people every night. Now, Amanda, you claim that this is a stable situation. I would like to know from you how is it a stable situation? We do know that among the homeless, a certain percentage of ex-convicts and especially sex offenders. I'm getting it from the Oregon state police sex offender web site here, that sex offenders who live in an unstable situation have a much higher likelihood of re-offending and that would of course apply to living in the camp. So, I would like to know why this, after decades of wonderful effort by the developers, by businesses and especially by the city, to reverse urban flight and -- which has culminated in the creation of the Pearl District, which is the show and tell for the city of Portland, and it is being mentioned everywhere in the world even, not just in the United States. Why the city is now hell bent, pardon my German, to reverse this urban renewal and create what by definition anywhere else in the world but in Portland, is called a slum. You are establishing a slum under the bridge. You're shoving these people who are destitute and in urgent need for real solutions, temporarily out of sight, and that is all it is. I would like to just know why.

Hales: Thank you. Thank you very much.

Odierna: You're welcome. [laughter]

Hales: Go ahead.

Wade A. Varner: Hi, my name is Wade Varner I'm with homeless against homelessness in America. And I'm a formerly homeless veteran who spent 21 years on the street sleeping rough. So, yeah, I know what it is. I'm not a child molester or a criminal. I was just a punk, a junk, and a drunk. And I needed someone to give me the hand up. And people did. Burnside projects gave me the drug and alcohol treatment that I needed to get where I am today to open my non-profit to help other people do what we do. If we simply pass the same measures in Seattle and Eugene, where small nonprofits like them and me and all of the rest of the nonprofits around here can take in a few people in different places. But all we get is this NIMBY. That is pure NIMBY, there, Not In My Back Yard, please. We cannot have that happening in our city. Portland is not like that. Portland -- this is not the Portland that I grew up in and I was born 30 blocks away from here 56 years ago. I have spent 21 years out here on the streets of Portland. So I know what it is like to sleep rough and it ain't no fun when you have people constantly waking you up, constantly harassing you, constantly

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putting the stress on it. That is against the constitutional rights, human rights, and basic mean people suck. And let's not be the mean people. Are we going to turn into South Carolina, where the city just turned 34 blocks of their downtown into a no-homeless area? And then we're gonna bus them out and give them tickets. How much are we spending each time these guys write a ticket? For the price that you're using the people that take care of the homeless and the price that you -- that you're paying for the people who don't take care of the homeless, is about the same amount. If you simply took that money from trying to harass them and turned that into definite housing, 25 to 30 cents a day is all it takes to keep somebody in permanent supported housing than it does to keep them homeless. Let's not be mean people here in Portland, please. [applause]

Hales: Thank you. [applause]

Hales: Folks, I know there is enthusiasm in the room. Let's give everybody a fair hearing. Next four, please. Good afternoon. Go ahead Ken, you look like you're ready.

Kenneth Thrasher: Mayor Hales and Commissioners, I'm Ken Thrasher and I live at 1001 northwest Lovejoy. I've sent a letter to all of you on Tuesday and given a copy here to the clerk. I want to spend my time on the third point in the letter because I think we already know the first two points about this not being the right place for this group of folks and also not right for the community are going to be talked about a lot. But I do think when we look at questions four and five of the financial impact and public involvement statement that were filed on this situation by Amanda Fritz and signed, it said there would be no revenue or expense impact by this action. I'd like to just take us back to what we have to do in Portland and that is look at highest and best use of property. In the case of this site, we heard a number of times in a lot of the press where the parking structure, Station Place, and the property that we're talking about, are underutilized. Week I have been over there this week. The parking lot, station place parking, and I've given pictures to you. I've been there three days. It has been absolutely capacity. And we're building a brand new hotel, we're building a new condo, and other apartments that will put a lot of pressure on this site in the near term and those 65 parking spots are going to be of use. If you look at 100 to \$120 a month for monthly parking, value of that is about \$78 to \$93,000 per year, and if you capitalize that at 9%, that's \$1 million value roughly and it is double that if you go to day-to-day rates. The other thing to look at at this site, is that we are going to risk lower rentals in the Marriott and businesses, and that will have business income tax effects, and on the Marriott, there's 6% room tax to the city. 5.5 to the county, and 2% to Portland tourism group. So there is going to be a financial impact to that. Ziba's building is not going to be leasable as those vacancies are today and that's gonna cause additional vacancies which when you use the income tax, that mean that their property tax valuations will drop and they will probably ask for abatement along with homeowners. There are expenses here, real costs. We know what they are. There are liabilities, sewer hook-up, water, electricity, other costs, legal costs. So to say there is no cost or no impact to revenue is gross understatement and we should stop this.

Hales: Thank you. Next.

Julie Young: Hello. I'm Julie Young. Mayor Hales and Commissioners, I'm a retired social worker. I have lived in the Pearl District for 16 years. I worked with disenfranchised adults and vulnerable families whose lives were difficult in every way imaginable. As a social worker, I worked with vulnerable and homeless families. I am now a volunteer with social service organizations, and I represent the city on the Portland children's levee allocation committee. The city of Portland and its neighborhoods are renowned for innovative and sustainable solutions to land-use planning, transportation options, and economic development. As taxpayers and voters, as residents, no matter what our means are, we have come to expect this, to applaud it, and to be proud of it. Smart, long-term bold strategies that preserve and enhance the quality of life for the common good is what we should be looking for. I am opposed to the siting of Right 2 Dream, or any tent community, anywhere in our city. Because I can't reconcile in any way the tented rest areas align with this city's

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or this region's values and goals. Now, what we as individuals believe qualifies as a solution to the problem of homelessness. I find it reprehensible that the City Council could encourage or would in fact apportion our tax dollars to support tent communities. Is this the best we can do? It's disappointing, also, that in a city known for process, civic engagement, and creativity, we sit here today in a sad, confrontational, divisive atmosphere, because communication was intentionally closed. How different this might have been had all parties been invited to come to the table in advance, to share our experiences, our perspectives, our fears, and most importantly, how we can collaborate on sustainable solutions. Fortunately, it is not too late. You have the choice to exercise leadership and give time for creative minds to work this out in a manner that reflects Portland's reputation for progressive solutions. I respectfully ask you to vote no for the resolution introduced by Commissioner Fritz. Thank you.

Hales: Thank you. [applause]

Hales: Good afternoon.

Phiamma Elias: Hi. Thank you for having me. My name is Phiamma Elias. I have been invited to speak up here on behalf of my good friend Jane Kennedy, who is a part of the metropolitan association and has lived in the -- in -- she is an original owner, lived in her place for six years and has actually lived in the northwest for 21 years. And Jane describes herself as an almost 74 single white woman. And she has asked me to come and speak on this on her behalf because I have spent the last 18 months filming my film called home skillet, which is a Portland film, and it is the story of a woman, Maggie, who awakens to the homeless and goes on a protest fast that changes the lives of everyone around her. During the 18-month course of filming this film, we have filmed dozens and dozens of interviews with homeless citizens on the street. We have been under all of the bridges in this community. We have included R2DToo in our film, we have shot at Goose Hollow shelter and Portland Rescue Mission, and Jane believes that I have an inside perspective to bring to the table. Jane and I both believe that the diversity of Portland is one of our greatest strengths and that we are an urban center. And the stance of not in my back yard is both unproductive and unrealistic. Homelessness is not going away. We don't have an immediate solution, and we're not so certain that this might be the correct solution, but we do feel that it bears warrant and necessary look. We would say and urge that in the proposal, the word temporary be a word that is well held. That the word temporary be a word that has a no-holds barred deadline. And that it is done so with the recognition that the homeless citizens of Portland are already camping under the bridges. Even right now -- [applause]

Hales: Please, folks. Let's try to keep it quiet enough that folks can testify.

Elias: It already exists as a current, relevant, realistic moment in our Portland reality, and we simply urge that Dignity Village and RD2Too have set a model of efficiency and care for community that can be sustainable and upheld. We urge the city to give it due consideration. Thank you.

Hales: Thank you very much. [applause]

Moore-Love: Is there an anthony jenson? Okay, the next four.

Hales: Good afternoon, welcome. Go ahead.

Dan Valliere: My name is Dan Valliere, CEO at REACH Community Development. REACH manages Station Place Tower, which you have already heard about, but it's affordable senior apartments adjacent to the Lovejoy ramp. First let me just comment, it was referenced briefly, but clearly this is a challenging topic. There is a specific issue on the table today but really it is about a much bigger issue, homelessness. And clearly there are not enough resources to address the problem. Even Right 2 Dream Too would admit that they're not solving the problem, they're just a piece of a much broader picture. It is also clear that a lot of cities are struggling with this problem. There is no easy solution. That being said, focusing on this specific situation, I would like to echo that there is a need for thought and investment in security at this location. That's already the case, because there already many problems and concerns that I'm hearing about from residents about

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security in the area. And the unknown, but the -- I think it is logical to assume that there could be more people in the general vicinity after this relocation. So there is a clear case to be made that it is going to need to be a significant investment in security if this is going to work. And I am saying that having met myself with Right 2 Dream Too, and I would say from my meeting with them, just one, so not a final judgment for everyone else, but my impression that they take security just as seriously as we do. I will say the security within the camp would not be my concern as much as the security in the broader area. But that second point is very significant point. I just hope that it is thought through in the context of this decision. Thank you

Hales: Thank you. Good afternoon.

Michael McKenna: Good afternoon, I am Michael McKenna, I'm an owner, manager, developer of real property. I come here today to express my feelings about placement of the tent city next to our Burlington towers apartments. It's 155 apartment homes and mixed-use retail on the ground level. The residents of the Burlington have great apprehension of what the city is trying to do. And it's largely because of the economic mix that it creates and the perception, real or imagined, but still there, of the down zoning of the neighborhood that has worked so hard to become the Pearl, the place to live. The very nature of noncompliant environment being situated next door to an established community, as an act by the city, just drops the whole perception of value. My representation of the village -- of not being compatible, is borne out in the fact that the Burlington tower is next door to the Pearl Court, and between them is the vacated Kearney plaza, or Kearney street. And it is the plaza. And it has become a magnet for not too good activities. We end up policing with the police of the area, and it draws in drugs and alcohol and a lot of loitering such that the residents or the general public can't use the facilities. Putting this non-conforming use, or this very different use creates fear amongst our residents, particularly the people, the women most notably, I guess, and it would increase a lot of the security requirements for the building because it is secure, but it is not totally secure. We already have some problems by obviously not non-tent people but by vagrants and people walking the streets. And such -- the placement of this community would be a detriment to the Burlington. So if you talk about one percent less vacancy in a building like the Burlington, you're talking about a \$500 to \$600,000 loss of value. And when you talk about adding security, you add income, or your expenses, which reduce the income, reduce the value, and we're trying to increase rents. We won't get rents. It will just be a very negative situation. And everybody in the Pearl has worked very hard to make it a great place to live. And with this non-conforming use, it will go backwards a little bit and no one wants to see that. Thank you.

Hales: Thank you. Good afternoon.

Dave Davis: Good afternoon. I live in Portland.

Hales: Just give us your name for the record.

Davis: Dave Davis. Now that the settlement agreement is public, I'm more confused in this camp relocation and how it solves any issues --

Hales: Get a little closer.

Davis: Okay. I will start over. I want you to hear me. Now that the settled agreement is public, I'm more confused on this location and how it solves any issues. The settlement agreement entered into by Commissioner Fritz and not the Council says that paragraph two, the Right 2 Dream, must cease and desist from all current camping activities on the current site. But paragraph three says, if the city decides to issue a permit for such camps or a review body says permits are not required, the property owners would be allowable to cite a new camp on the same site. Then the director's report concludes that homeless camps don't need land use and design review? Instead they are outright permitted uses on the current and new site. That means we can have a new camp site at the old site and old camp site can be moved to the new site. So, the City settled the lawsuit over one camp and we got two camps and maybe more. This is unconscionable and incompetent display by leadership. Stop, back up before it is too late. Before we invite more homeless to our streets, parks, and parking lots. This

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is a red carpet you're going to have a very hard time rolling up. Do not sell us short and confuse our Commissioners strong will what is right and wrong and what is best for a city. Thank you.

Hales: Thank you very much.

Moore-Love: Was there a gail shepherd? Are you speaking or not. No. Thank you. The next four.

Hales: Go ahead. You're on first.

Claudette Ross: Thank you. Thank you for making this extended time available. My name is Claudette Ross. I lived at Station Place for eight years. I was one of the first people to move in there. And like my friends that have spoken, it was a great opportunity for me to live with the rent I could afford and in an area that had good mass transportation. I'm pretty nervous.

Hales: That's okay. Go ahead. You're among friends.

Ross: You know, I am going to tell you this has really devastated and frightened the people at Station Place Tower. That this was dropped on us with no warning and until today, we have felt rather abandoned by the City Council so I'm glad that you're all here today. I want to talk about two things specifically, and that is -- and I might need a little help from Commissioner Fritz, because she's the medical person here. These you two fungal infections that are always found in pigeon guano had an opportunity to set for more than three years. So the first one is histoplasmosis and the other one is crypto -- do you know how to pronounce these, Commissioner Fritz?

Fritz: I was a psychiatric nurse. [laughter] [applause]

Ross: With a sense of humor. Cryptococcus I do believe it is called. This information is easily Google-able. The fungal infection develop when pigeon droppings have sat there for over three years. If you have been to the site, you know it is inundated with pigeon droppings. The problem occurs when the droppings are disturbed. So, for example, power washing of the sidewalk, any kind of cleaning by the pigeon droppings releases these tiny microns of fungal spores into the air. The people most vulnerable to this are the elderly who have -- and/or anybody with a weakened immune system. A lot of elderly have weakened immune systems from rheumatoid arthritis, cancer, various copd and diseases. The other group that is especially vulnerable, is anyone who has a weakened immune system for any other reason and this would include anybody that has issues with HIV or AIDS. The numbers for those, for that group of people, are really pretty scary. And that is a concern for me. Not only for people at Station Place Tower, but if any of the people that will be habiting this encampment over the course of the next year or whatever, they need to be made aware that they are especially at risk for these two diseases. I brought some handouts on them. The other thing I brought is the very detailed clean-up procedures that the federal government, CDC, everybody, suggests be used.

Hales: Thank you. Appreciate you bringing that to our attention.

Fritz: That is very helpful.

Hales: Thanks. You're next.

Michael Gould: My name is Michael Gould. Mayor Hales and council members and Commissioners I appreciate the fact to have the time to actually have the opportunity to speak. I send emails as well to Commissioner Fritz. This is really about a leadership thing to me, as well as the due process of being aware of this and how we became aware of it. As a resident of the Pearl, I think lot of people have spoken thus far with regards to the challenges faced by the vulnerability of the Station Place residents. But I also look at this as a leadership. I think we're taking a temporary step to move Right 2 Dream without really -- you know, Mayor Hales, you said we need real solutions. I feel this is a temporary thing that could be become very permanent without a lot of insight and thought and people working to it. There has also been mentioned to the public safety, Right 2 Dream has done themselves. That has happened obviously inside their camp. I can't speak to because I don't know all of the facts of it. I am concerned with the fact that I don't believe the policing to a nonprofit is -- this falls within more of the community police department. I don't like

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letting somebody else have policing responsibilities that are not police officers and the safety that has been mentioned that it poses around us. Tough decisions that need to be made --

Hales: Folks, please, let him continue.

Gould: Tough decisions, maybe come about by past administrations of welcoming more people in. I think we as a city already do a tremendous amount for our vulnerable and our homeless. And I do believe we are renowned for that as has been previously mentioned. But in this case, I feel that this process has been labeled in some ways a us versus them because it is the Pearl. And that is absolutely absurd, an us versus them. The haves and have nots. If you look at the makeup of the Pearl as a whole, we have a pretty solid mix of low income, people in Station Place, and section 42 properties and so forth. And yet this is being made a battle of us versus them. I don't like the idea of temporary when it seems like a decision has been made and this is a process to either appease those of you, or other people in the community. I hope this truly is a chance for you to listen and take feedback from the community. I do believe people should step up in a process that could be more permanent. Because right now I sure don't like the short-term decision this is coming to.

Hales: Thank you. Good afternoon, Lightning.

Lightning: Good afternoon. My name is Lightning. R2DToo, your current site, a privately-owned Burnside property, has been extremely successful. Great traffic flow, great visibility, and let's not forget voo-doo donuts and Dante's pizza across the street. The homeless have absolutely benefited from your efforts. R2DToo, a job well done. I applaud you for all of your great efforts. But sometimes in life you must also rely upon your instincts. R2DToo, my instincts say do not move. Do not move. Stand strong at your Burnside location. My reason is very simple. If the City of Portland has stated an interest in buying the Burnside mirrorights property, and/or declaring the site an illegal camp ground based upon the zoning, that creates a real game changer. If in fact the sale goes through to the city, you, at that time, may be entitled to just compensation on your total relocation costs. Again, in Seattle, city hall had to relocate a camp called Nickelsville, funded \$500,000 for the relocation cost. If you decide to move now to the dark and gloomy, out of sight, out of mind site under the Broadway Bridge currently being offered by Commissioner Fritz, my instinct tells me, bad choice. Again, R2DToo, stay where you're at. When you control the Burnside lot, you control the game. One other thing to be said. Developer Homer Williams, you are the solution for creating long-term permanent housing for the homeless. You are the solution for getting teams of developers in this city together and have the creative ability to get the job done and get these people into long-term permanent housing with social services provided. You are the solution. You can get the job done. Please do it. Thank you.

Hales: Thanks, Lightning. [applause]

Hales: Good afternoon.

Richard DeZeeuw: Mayor Hales, Commissioners, my name is Richard DeZeeuw, I'm a resident of the Pearl neighborhood. I'm here to speak on an aspect of this resolution that I have not heard addressed adequately so far. All of the discussion about the proposed relocation by the city of a number of homeless from one existing location to another. The discussion centers on whether the proposal is wise, ethical, or even legal. But what I haven't heard addressed, definition of the problem you are attempting to solve. Is it helping the homeless as a whole? Some portion of the homeless, like the new homeless, chronic families, women, veterans, people with disabilities? Is it to resolve a lawsuit and the associated penalties with that current piece of property? Is it the appearance and safety concerns of the current location on Burnside? Is it the public city associated with the lee family reunion? What exactly is the problem that is trying to be solved here? The question I have heard posed by proponents, what is your solution, what solution do you have? Here is mine. First define the problem, establish criteria for selecting a solution to the problem, identify the options, select an option, and implement the option and do all of this with input from all of the affected parties. The city has always had cooperation and support of the Pearl neighborhood in these matters

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as evidenced by more than 30% of our residents are low income. We also see the irony of being viewed as being an enclave of privilege despite the fact that family income in the Pearl is lower than the city as a whole. My message to the city, if you want our cooperation in solving problems such as this, act like it.

Hales: Thank you very much. [applause]

Moore-Love: The next four.

Hales: Welcome. Go ahead.

Madelyn Elder: Hi, Mayor Hales and city commissioners. My name is Madelyn Elder, I'm president of communication workers of America, local 70901 here in Portland. CWA members in Portland have suffered massive job losses in the last 12 years. First due to the dot com bust in 2001, off-shoring call center work and the housing bust of 2008. Those jobs had middle class wages and benefits and have not been replaced with equivalent jobs since. Many of my laid off members have lost their homes. Some of them are houseless, living on friend's couches or in their cars, seeking work or working jobs without sufficient pay to afford housing. With the increasing gap between the rich and the rest of us, we are all one or two paychecks away from houselessness. R2DToo is a model of how the homeless in this city can organize themselves. Ban alcohol and drugs, protect and preserve families. This last is a major issue for CWA and our laid off members. Breaking up families happens when there isn't enough emergency or low-income housing, and when they are separated according to gender in their current situations that we have mostly here in the city of Portland. Because of this, CWA is totally in support of Right 2 Dream Too moving to a new location until such time as the developers in this city and the City Council find the time, the money, and the energy to really solve the problem of one, no jobs. Two, jobs that don't support housing. Three, enough housing so that families can stay together when they're in an emergency situation. We support Commissioner Fritz's proposal 100% and we urge City Council to support it. Thank you.

Hales: Thank you. Thank you for coming. [applause]

Hales: Good afternoon.

Anthony Jensen: Anthony Jensen, and I'm pretty young and I'm just voicing my opinion and it is very biased. I really appreciate all of the resources and everything. It is of great help. And I've been on the streets for a while. As a state and country that represents quote unquote freedom, in my opinion, the meeting has been perverted and we have forgotten what matters, like love, sharing, equality. I have observed every day inequality, even with forces that are supposed to mediate and serve and protect, abuse their positions, and what seems to be in my perception to hold down poverty. And that is just where I stand.

Hales: Thank you. Thank you for being here. Good afternoon.

Kenneth T. Baca: Good afternoon. My name is Kenneth Baca. Good afternoon, Mayor Hales and Commissioners. First of all, I would like to commend Amanda Fritz on her proposal and her work that she has done on this. What I have to say is a statement that I prepared. These hearings today are about the homeless. Let's not forget that. The encampment, Right 2 Dream is an issue that needs to be addressed. Fritz may not be the Housing Commissioner but has proposed a plan and a unique idea in providing shelter for Portland's homeless citizens. However, both parties need to come to a compromise. The Pearl district citizens have attorneys to voice their concerns and spout their theories as to why and how the hearings are taken place and an agenda to rid the homeless from their area of living. Making statements by saying that you're destroying the city's faith and integrity and competency of the city's government, only to intimidate Mr. Hales and force a decision in favorite of the Pearl District's residents. This is not a faulty plan to make a lawsuit go away. This is by far the most reasonable plan providing local services and resources for the citizens. These are citizens of Portland. Homeless or not, they live in Portland and are citizens and Oregonians. They have the right to dream. They have the right to life, liberty and pursuit of happiness. This is -- what is at stake here is people who need a place to sleep. They are not pawns in a city war between the

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rich and city planners. The problem will just not go away. And out of sight out of mind ideas are not the answer. This proposal, I believe, is in good faith at addressing Portland's homeless issue and is by far the best on the table. Mayor Hales, please listen to the cries and pleas of our most needy citizens. Help provide them with a place to sleep and be safe, provide them with resources and a place to rest. This will be by far the best way to display your faith and integrity in city government, not by heeding the threats and warnings of a social and rich society. My name is Kenneth Baca, and I am homeless, and this place would provide me a safe place to sleep and a right to dream. The areas of Amtrak and Greyhound, as we have already seen, these people have been cohabitating for several years. To bring this tent city underneath the bridge, it may just be a temporary fix, but it is a fix. It is something. Something they will need this winter. It is not permanent. It may be only temporary. But we already coexist in this area. The Pearl District have citizens, they have mentally ill people in housing. Well mentally ill people that are homeless also need a right to some sort of housing, also need some place to sleep. I urge you to vote yes to this proposal and do something about the homelessness in Portland. Thank you.

Hales: Thank you for coming. [applause]

Preston Smith: My name is Preston Smith. I'm a resident of the Pearl. I'm not too happy with the way this has proceeded so far. I do not think it is a good model of due course, however, I support the change that you're making to Station Place. I've been by the current location of Right 2 Dream Too on Burnside, and I find it to be very neat, clean, orderly, and a model of good management. And it has an exemplary police record. And looking at the new site, I see that that is not really a model of prime real estate. For example, it backs up on the south side to the postal service's garages, immediately adjacent where they repair all of their vehicles. One thing they do is change motor oil. Motor oil is known to be a carcinogen, so I suspect that there is probably relatively high levels of toxic contamination in the area which is another reason why I don't think it is the best place for people to be living but apparently it is acceptable for this camp. I support the move to the new location. I do not think that it is a threat to the neighborhood. I believe that for the neighbors, the current residents in the neighborhood, as well as the homeless, it is a better solution than the alternative, which is sleeping on doorways and in the streets. Some people have said that we should be building more shelters for the homeless, that's true. But that is a long-term solution, it's expensive, and it is going to take time and it just is not in the cards in the current economic and political climate. So I don't think that that is part of the long-term plan, should not be part of the plan for this winter.

Hales: Thank you very much. [applause] Next four, please. Why don't you go ahead and we will let Christie go last. I think we may have council questions for her.

Rick Sohn: Commissioners and Mayor, my name is Rick Sohn. How to address homelessness? Michael Beckman, director of Heading Home Hennepin, serves more than 1600 families in Minneapolis, Minnesota, metro area. He wrote the following to me this week. Here in our community, we don't believe nor do we feel it necessary to set up camps for people who cannot afford housing. We do offer 24 hour shelter and meals for all who lose their housing. Frankly, the idea of camps for people is below our standard of care. We have a very strong outreach presence and enough emergency shelter beds for almost 2,000 people. We spend around \$12 million in county taxes to provide shelter. Shelter is a right in our community for most. All people are housable, even those who use drugs and alcohol daily, and who have lots of personal vulnerabilities. The Amherst Wilder Foundation gave \$42.8 million in 2012 for vulnerable people of the St. Paul metro area. These two are good examples for you and all Oregonians to example. The Lovejoy ramp is 2 1/2 times larger than the 4th and Burnside camp with the 100 to 150 residents. The new Lovejoy site could hold 300 to 375 people. I recommend you slow down your process and provide some leadership. If you move ahead. One, strictly limit the number of people to 100, as you said. Two, regulate sleeping and loitering in the adjacent vacant and covered areas, otherwise 350 people could

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easily become much, much more. Three, enact a two-year sunset provision. And within the two-year window, use your budget surplus to match grants for planning and program solutions beyond homelessness. Incentivize partners to provide indoor homeless space for R2DToo and others. Be proud of shutting the camp down. Thank you for the opportunity to testify. There is much more detail in my written testimony and I will answer questions if you like.

Hales: Thank you. Thank you for providing your written testimony as well.

Michael O'Callaghan: Hello, my name is Michael O'Callaghan. Amanda, I want to commend you and I want to commend R2DToo for raising this issue to the public consciousness. It's about time. Okay. I have been unhoused mostly for 10 years. I was a co-creator of R2DToo and I lived there full-time for four months. So I have a little dog in the fight, if you will. I'm presently unhoused. My concern is what I call shelterlessness. Mayor, you talked about the thousands of people on the street, and as I explained to you, but I want to explain to all of these people here, I took a survey last time. There were 1,453 two years ago. I was counted in that survey for the first time. I went around and I polled people for two weeks on a first question, are you sleeping without shelter? If the answer was yes, were you included in the survey? Okay. I got 75 yeses and I got 15 people that were included in the survey. The survey missed the shelterless by a factor of five. Okay. We have approximately 7,000 people every night sleeping out in Portland. Every night sleeping out. Okay. You talk about fear. These people talk about fear. There was a stabbing about two blocks away from where I live. And then just, I explained to you I had my neighbor come down the street with blood all over him with a cut on him, beaten on the head. He was robbed. Four people jumped him. Talk about fear. We want to be safe. Right 2 Dream provides a safe place for people. [applause] Let us be safe just like you all are. And Right 2 Dream is a good neighbor. I lived there. We didn't have thefts. We didn't have all of these problems, okay. It is a good, clean community and thank you, again, for considering this. I will discuss more later.

Hales: Thank you very much. [applause]

Joseph Gordon: My name is Joseph Gordon, to some, they know me as Tequila. I have been homeless on the streets of Portland for two years now. And I have been coming on and off in City Hall on and off every Wednesday for about a couple of hours for two years. And I'm just glad to finally some new faces are here. I just love to hear and see that. I want to thank the city because me and my significant other, we're walking around the city with the \$2,000 income every month, and we don't do drugs or alcohol or drink and because why? When the city had to send someone -- not send someone, they volunteered to come with us to see why we couldn't find housing. The reason why, there was no housing for us here. At the end of this month, we got done paying our deposits, we had to pay two deposits of \$840, and next month's rent, which we could afford, and we will have a home November 1st. [applause] And we pay for that. Not JOIN, not CCC or anyone else. For people to say that they're concerned about the health benefits of bird feces and everything else. When you was walking over me, were you concerned? I have been here for two years. I have not heard anybody concerned about me before. Why don't you just say it. What I see it as, I'm sorry, 1950s, '60s, president on the TV saying if we don't fix these problems now it will be left for the generation to come. I am that generation, and I am pissed off. [applause] So, when you are going to blame other people, blame yourself because you sat there and thought of nothing but what I'm hearing all today from the people totally against R2D2. It is about me, me, me, me. If it is not, I would have seen your faces at least at one protest. We have a government that's shut down. 15% of it is shut down. And you sit here want to fight against poor people, at your local government. So you should be god damn ashamed of yourself. [applause]

Christe White: My name is Christe White, I represent Williams and Dame, Hoyt, Ziba, and Pearl District Neighborhood Association. If it was my preference and I was allowed to do it, I would concede all of my time to Homer Williams after Lightning's speech, because we need to start talking about solutions. But in the meantime, I have some obligations on the record. If the city

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proceeds with this relocation, it will be in violation of the zoning code. That is not a difficult conclusion. It is a simple analytical exercise. I have little time, so I will give you two of many examples. The rest of the argument is contained in the brief before you. A homeless camp site is not a community service use. The characteristic section refers to mass shelters or short-term housing as community service use. But the ZCL goes to great effort to conclude the campsite is neither of these. The ZCL states, quote multiple temporary tents on the site are not like a single open sleeping area or multiple sleeping areas separated by nonpermanent partitions, characteristic of a mass shelter. This section of the ZCL shows the contrived nature of the opinion. The ZCL defines the tents as temporary or nonpermanent. They are therefore multiple sleeping areas, separated by nonpermanent partitions. But such a classification would make the tent camp a mass shelter. But if it's a mass shelter, it's subject to conditional use review and other development standards that it can't satisfy. So the ZCL claims that it can't be a mass shelter. The city can't have it both ways. You either use the characteristic statement to conclude that it's a mass shelter subject to conditional use review, or it's not, and it's prohibited. And another fatal flaw, the opinion states that the camp will constitute exterior alterations, but is exempt from design review because it doesn't require a building permit. The code clearly says that all changes in the type or number of uses require a building permit. The site is now a parking lot. The new use is a community service use, going from parking to community service is change in the type of use. It requires a building permit. This is rudimentary analysis. Building permit requires design review. If this makes sense to you, it should. This is how the city is run itself since the inception of the zoning code. Change the use on a site, change the type of use, put in a new use, every time this happens, the city is required a building permit. To hear BDS to say the permit is not defined so these changes don't require a building permit is going to be interesting news to most of my clients. You might think these are legal issues for the city attorney's office, but they're not just legal issues. They're issues that threaten the legitimacy of regulatory authority. They threaten the social and economic stability of our downtown. We have a homeless problem. There is no question about it. None of my clients are anti-homeless. So, if you want to site tents in city of Portland to accommodate homeless populations, go through a code amendment process. Do it legitimately, tell us when they're allowed, where they're allowed, under what zones they're allowed and how long they're allowed. Other cities have done that. If that's what you want to do, do. We'll participate and we'll help. The ZCL dismantles that social contract and it must be rejected for all of these reasons. Lastly, ask yourself, have you interpreted or applied a land use regulation in this proceeding? Have you exercised even a little discretion? If you have, you are making a land use decision. There is a long line of cases that leave no question that this is a land use decision. As such, I have to do this in my brief. Raise several procedural objections. Including failure to notice in the way the code requires under 197763, failure to provide a staff report seven days before the hearing and the right to request a continuance of this hearing which I will do today. You know me. I don't want to be in this position. I usually come to you with solutions. For decades, we have worked hand in hand with the city to solve problems, not create them. The circumstances we find ourselves in leave us with no option. I thank you for your time.

Hales: Thank you. [applause]

Hales: We have your brief, Ms. White. Any questions for Ms. White now? Thank you very much. Go ahead.

Joel Sievers: My name is Joel Sievers, and I don't really know what to say. We have an agenda for tomorrow. Let's see. I believe whatever Right 2 Dream wants to do, Right 2 Dream can do. And to fight against homeless people or, we don't want homeless people living by us, I find that very selfish. Low income housing in the Pearl District, I think not. I don't see places that are \$350, \$400 a month. I see places that are worth the thousands a month, and if you don't feel well about your living situation, you shouldn't have chose a \$25,000 up to \$85,000 condo. Sorry. Sorry. Yeah. That's pretty much all I have.

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Hales: Thank you. [applause] Go ahead, please.

H. David Silverman: Mayor Hales, Commissioners -- I apologize if I go over some plowed ground already. But I'm here to express my disappointment and frustration with the recent actions undertaken by Commissioner Fritz and Portland's Bureau of Development Services regarding the Right 2 Dream Too encampment. Some would like to use homelessness and the challenge of growing economic inequality of our nation, state, and city as the basis for the justification of moving the encampment, the heart of this matter unfortunately doesn't have much to do with either. Others would like to cast residents as Pearl as the one percent that receive tax breaks and continue to grow their wealth at the expense of others. Their argument is a middle class warfare and I find it offensive. We know that the Pearl District was not built for the wealthy and is the most economically diverse neighborhood in Portland. This is not even germane to the resolution you are voting on today. The real issue before you is, how do we choose as a city to govern ourselves? Whether or not the rules that apply to citizens, non-profit, and for-profit businesses also apply to the city of Portland. To have two sets of rules, one that applies to the city and another that applies to everyone else is just plain wrong. To force the bureau of development services to find a justification to circumvent zoning regulations is just plain wrong. And to call the Right 2 Dream Too encampment community services is intellectually dishonest at best, and a bald-faced lie at worst. Portland has a long history of very structured zoning laws. It has served the city well. And it is one of the reasons where admired. We have vibrant neighborhoods with great community involvement. We have a sense of fairness. And while we may not always agree with everything that happens in the city, we can all feel that the process was honest and rules were applied evenly. And Mr. Mayor, hopefully you can see there is not much difference between your having evicted campers from in front of the city hall and the Morrison Bridge a couple days ago, and why there should not be an encampment under the Broadway Bridge. Let us be honest: both are illegal and neither are community services. I moved here from New York to the Pearl District 15 years ago before it was even a neighborhood. And I was an early adopter. And I was comfortable that my choice to live in the Pearl District was a good one and the city of Portland was renowned for planning, citizen involvement, and structured zoning laws. Up until this August, Portland lived up to that reputation.

Hales: Thank you. Good afternoon.

Keith Dubanevich: Mayor Hales, members of the City Council. My name is Keith Dubanevich. I am council to the pearl hotel investors hoyt properties, the pearl district neighborhood association and ziba design. We provided a letter to the council and development commission a few days ago which explains our view that there are some substantial legal reasons why you cannot convert lot 7 from the use of a parking lot to something other than that. Let me simply summarize a little background. As many of you may remember, years ago, the pearl district was not a fancy neighborhood. It was very run down. It was decrepit, crime was rampant and no one was willing to move anywhere near it. In order to encourage investment in the pearl district, business leaders, councilmembers and the development commission got together and put together a very lengthy document called the pearl district development plan. Probably 100 or so pages long. And in that plan, the city decided it had a vision for the Pearl District. That vision at that time did not include tent camping anywhere in the pearl district. Now, when the decision was to go further and actually start doing some development, in order to do that, the city entered into contracts with developers, and in my case, my clients entered into what is called a design and development agreement. It's a lengthy document that spells out exactly what every single piece of property in that area can be used for. And as this indicates, parking under bridge. Now, why is that significant? My clients have invested over \$70 million in that neighborhood in reliance upon the representation that there would be parking under the bridge. If they were told that there would be tent camps under this bridge, they may very well never have invested one red penny in that neighborhood. Whether you agree with an analysis or not, the fact of the matter is that the people that have invested a lot of time and effort in

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developing the pearl district did so with a lot of planning. Now, to be honest, developing public policy with threats of lawsuits is not a good way to do it. In closing, what I would like to do is to participate with all of the stakeholders that really have an interest here in forming a solution to the plight of our homeless. You folks have done that. We have a 10-year plan. [laughter] And this effort -- this effort takes this plan, puts it on the shelf and forgets about it. Maybe it is not 100% effective. But the fact of the matter is, a lot of time and effort has gone into developing that plan and with good reason. What we need is a solution that increases, not diminishes access to a warm, dry bed. Increases, not diminishes access to a healthy meal and medical care. Increases, not diminishes access to education and other services to help these people get on their feet. This resolution does not do that.

Hales: Thank you. Good afternoon. Go ahead, please.

Scott Omlid: Thank you. My name is Scott Omlid, I lived in the Pearl District for 13 years. I moved here from Eugene, and there was nothing but fields north of Lovejoy at that time. I'm raising an objection as to the lack of process, legality of the proposal, and the wisdom of this decision. I read the formal report from the director of the Bureau of Development Services where he concludes that the homeless camp is permitted as a community service under the Portland zoning code, principally because the camp is transitory and provides so little to achieve the legal requirements of habitability that it cannot be considered a structure. The director reasons that because nothing new will be constructed, there is nothing to consider for design review process. This conclusion is extraordinary. It is evident in reading the director's report as a whole, that it is biased and intended to reach a desired result. There is a conflict of interest here since moving the camp now appears to be an essential element of the city's objective to settle the lawsuit, the director's report is tainted by this conflict. The report has serious ramifications for Portland's future. Community services are allowed in the commercial zone as long as they do not involve short term living or mass shelter. Based on the director's report, the Right 2 Dream Too camp would be perfectly legal where it is currently located. The director's report points out that the camp will have no requirements for admission or occupancy. Portland has a large population of younger street people who travel in packs, hang out on the sidewalks, and live on the streets by choice. And they have various forms of aggressive behavior. What is to keep this group from taking over the camp? What is to prevent them from forming their own organization and doing the same thing? In closing, this is not the way to create policy or establish long-term solution. The Pearl District neighborhood does not pretend to have the right to forbid this action. What we want is the camp to be subject to the requirements of the city code. You should disapprove this plan and go back to the drawing board. Thank you.

Hales: Thank you for coming.

Moore-Love: The next four.

Hales: Good afternoon. Welcome. Go ahead.

Kathy Street: I must say, I lived in Oregon my whole life. I grew up in Hillsboro. I have never been in this building, and it is really beautiful.

Hales: Welcome. Don't make this the last time.

Street: Well, maybe the last time for something like this, let's hope. My name is Kathleen Street. I have lived in the Pearl District for 10 years. It has always been my dream to live in the city and today I'm representing the Bridgeport condominiums owners association. They've asked me to come in and make a statement to you about our feelings. You have letters that we have sent you already, but I'll submit them to the clerk just in case. Those who spoke before me may be strangers, acquaintances, friends, or neighbors. We are all here together following a process so that we can voice our concerns. Today we come to speak to the city that works. To the leaders who were voted into office by people who believed that the rules were made to be followed by everyone. That you would now hide behind a thinly-veiled attempt to make us believe that you are helping the homeless, by providing them with a temporary living situation that involves tents under a bridge in

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the winter in Oregon is a slap in the face of progressive thinking people. That you point your fingers at us, the neighborhood, saying your hands are tied and asking us now how we would solve the problem is disingenuous. We would have followed the rules. We would answer the city back by saying, let's solve this problem together. Our neighborhood is full of intelligent, highly creative and visionary people of all income levels and ages who believe in the efforts that this city has made to make things happen in a collaborative way. Yes, there will be disagreements. The key is not only to try to hear what people have to say. You must also listen to what the stakeholders have to say while still following the rules. Discarding the rules to suit your own end game does not define leadership. You have no respect for the people or responsibility to uphold the process that you, yourselves, have campaigned on. We can find no openness, no truthfulness and no integrity. Thank you.

Hales: Thank you.

Kathy Hansen: My name is Kathy Hanson. I live in the Pearl District. Many of the points in my testimony have already been given. I will try to avoid redundancy. I will say when I moved to Oregon in 1980 -- well, '78, all of the urban neighborhoods were in sad disrepair, especially on the eastside. I lived in Buckman from 1980 until 2003. And I know that the livability of Portland has been built through the collaborative efforts of both government and thousands and thousands of hours of volunteers. Who in Irvington and Buckman, preserved housing and respected the historic nature of Portland neighborhoods. And we feel that this is going to be put at jeopardy of this good -- this good work will be jeopardized by this decision of -- Amanda said this is a pilot program. And, so, where might the next site be? In closing, I will say I lived a block from St. Francis dining hall for 20 years, and I know better than some of your experience, what the ramifications are for siting a group within an existing community without the advice and consent of that community. I think we can do better through a longer, more collaborative process. Thank you.

Hales: Thank you. Good afternoon.

Bryce Stephens: Good afternoon. My name is Bryce Stephens, I'm a principle and multiservices [inaudible] management near the properties in the Pearl. We represent 1232 living units down there. Mayor, you started this hearing by talking about the Portland way. Let me also back up and say I have been on the pdna board and been involved in a lot of design land use issues in the neighborhood since its inception, and my father was before me. When you talk about the Portland way, what has happened here is not the Portland way. At my job, we manage mixed-use high-rise buildings. We often run into conflict between commercial and residential uses. It is our job to seek out solutions that are win-win. What I see here today is not just two groups, the rich and poor divided, but a whole economic stratosphere divided over this issue because the appropriate priorities have not been brought together to discuss the issue in an open, public process. This process was conceived behind closed doors and this is apparent in the comments that I read in the paper. We met yesterday. I asked you if this decision had already been made. You said it had not. But that is inconsistent with the way the majority of the people I represent feel about it. I have a stack of letters here to give to you at the end of the day that I received. I spent the last week and a half, spending 80% of my time answering concerns, questions of the people that I represent in the neighborhood. And so, my message to you today is to back up, redo the process, do it the right way that we have done it in the neighborhood from inception, and let's get this right so that all of the parties can come together and work towards a solution. Thank you.

Hales: Thank you.

Cameron Whitten: Hello Mayor Hales. Is that better?

Hales: You're on now.

Whitten: Hello. Hi, Mayor Hales. Hello City Council. My name is Cameron Whitten. And I'm fortunate enough to live in northwest district neighborhood about 20 blocks away from that mentioned parcel of land, block 7. And I've been watching Right 2 Dream Too since its initial inception in October 9th, 2011. And when it first started, it created this very necessary, very

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interesting conversation that we need in our community. Despite Right 2 Dream Too having permission from the property owners -- I might have to steal somebody's microphone.

Hales: That fades in and out. Slide over to the next one. One of these days we will spring for a new sound system in here. We will spring for one that works.

Whitten: Hello. Here we go. All right.

Hales: Sorry for the interruption to your train of thought.

Whitten: Thank you. So, speaking about -- despite having permission from the property owner to be there, despite a seasoned homeless advocates from organizing with Dignity Village who came to this parcel, there were many concerns that were brought up, whether this was about substance abuse, whether it is about crime or someone suffering from mental health crisis could attack some vulnerable citizens. A lot of concerns happened. For two whole years I watched to see if anything at all remotely like that was going to happen. And in two years, there was never a single complaint or call to our police bureau that was directly linked to Right 2 Dream Too. [applause] Instead what I saw: 71 individuals who were able to find jobs, 76 individuals who were able to move on into permanent housing. There were 10 people who were able to get their kids back from the child system. There were six people were able to go to school. Five people were able to kick themselves off of substance abuse. And by doing this, they only used about \$15,000 worth of operating budget every year. So fascinating to see how much impact they were able to make without having to come to any of our institutions asking for money. They all did it by themselves. They were self-governed. [applause] Can I finish? Thank you. I'll try to finish, please. And also in addition to that, I have seen them not advocate not just for themselves, but other communities and organizations in this region, such as Voz day laborers center. Or such as Sisters of the Road. Or they even partnered to help put on the homeless walk day of awareness. Also seen them attend the sidewalk youth committees hosted by Commissioner Fritz here. I've seen them involved with the livability committees in Chinatown. And they have always been transparent and approachable and wanting to find solutions. For them, it's always been wanting to be a welcoming presence in the community. Wanting to foster community, and to build that and be a good neighbor. Now we are talking about Right 2 Dream Too possibly being moved less than half a mile away. The big difference that happened here today, city officials have actually been working and partnering with Right 2 Dream Too to build a concrete social contract to really ensure livability and safety with the presence of Right 2 Dream Too that will be governed by a nonprofit that's providing for our community. I want to thank Commissioner Fritz allowing us to move forward on these solutions. And I want to thank Mayor Hales, who, while talking with the community while running for mayor, he was very vocal in recognizing the value built by Right 2 Dream Too over the past two years. I want to thank Commissioner Saltzman and Commissioner Novick, who are also very good advocates for our most vulnerable and great advocates for public health. And so, with your guidance, with the guidance of all of the other nonprofits that we have in the community working on the issue of housing and livability, that we are in such a critical moment that we can look at Right 2 Dream Too and see that they have an opportunity to be recognized as being a partner within our safety net. That's exactly where they belong. We have so much that we are providing, whether it is transitional housing, short-term rental assistance, whether it's supportive housing or shelters, but we have a void. We have a place where people who are on the streets, already under bridges, already in doorways, or in many unsafe areas who do not have a place where they can find their voice or they do not feel represented. Now that Right 2 Dream Too has stepped in to fill that void, we are seeing progress. Thank you.

Hales: Thank you. [applause]

Moore-Love: The next four.

Fritz: Karla, there are some folks in the Lovejoy room and people upstairs, so we'll call them again, right?

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Moore-Love: I'm calling the next four. So if you would listen, we'll try to get those people in the room.

Hales: Okay, great. Now go ahead.

Greg Close: My name is Greg Close, I'm with Wyse Investment Services Company, I'm here representing Ziba design and the four tenants that occupy Ziba's building adjacent to the proposed camp location. I have just handed for the record a memorandum describing a fairly detailed bit of economic ramifications to Ziba and its tenants, both business issues, real estate values, lost rentals and so on and so forth from a study that we conducted that might show economic damage to Ziba and their buildings and their tenants. But I'm not here to talk about that. I don't have a written agenda. I want to react to some of the testimony that's provided today and send a message to you all. Our friend Tequila is not the only person in this room who is pissed off, frankly, councilmembers. I am pissed off personally, I am a business person, and I grind it out every day taking care of my clients and being a good steward in this community and being part of the fabric of this community. And I have done that on the basis -- now, I'm partly the reason that I'm pissed off is because you all, every one of you, through this process, has created what one of the speakers called class warfare, and you are making me, maybe respected or not, a citizen of this community, feel with great apprehension about speaking on behalf of my clients economically. When, in fact, since 1989, I have continuously volunteered as a board member for mental health services west, for unity and Cascadia today, uninterrupted, and I chaired mental health west for 10 years. In that amount of time, we put up 2000 beds in this city addressing shelter issues and the homeless, mentally ill. Every time we did one of those, we had to grind out a difficult land-use and approvals process, but we always did it, we always did it the right way. If you want a candidate for contentious land use, look at the royal palm. The royal palm went in next to the Chinese classical garden and it was a massive undertaking. It took us two years just to put together a good neighbor agreement. But we did it the right way, in full public view. We rolled up our sleeves up and we worked it. It took effort. Here I am after all of that volunteer time continuously for 24 years feeling like I'm not an advocate for the homeless, I'm not an advocate for the low income. You have circumvented the process in a most egregious way and I'm here to beg you to call a halt to this process and let those of us who are experienced in doing these kinds of things get together as a group of stakeholders and bring real resources to bear. Let us take the legal money that we have allocated to fight you and other resources and bring it to bear on this problem so that we can rejoin like Portland does. We cannot have class warfare. I've got five businesses that I have to report to. One of those businesses is a young woman who scraped and paid her way through school. She is a doctor of chiropractic. She worked for seven years in the industry and scraped money together and opened two years ago a small wellness clinic around the other side of the parking structure. She does not have high margins. A great majority of her clientele is female. She is freaked out. She should be living the American dream. She has every right just like everyone else does to make a living. She is down there grinding it out every day and her business will fail. And that is going to create lower income in my building. And then I'm going to have to answer to my landlord, what are we going to do when the bank comes calling and we default on our loan? The ramifications are significant and not immaterial. We should not be spending our time worrying about these people, we should be spending out time working on a real solution. I have to tell you, we heard about this 30 days ago. Because someone stopped by our building and said hey, man, watch out. There is something coming. Let us get it together, Commissioners. We have that opportunity right here. Thank you for the extra time.

Hales: Thank you. [applause]

Patricia Gardner: Hi, my name is Patricia Gardner. I'm here on behalf of the Pearl District association. We strongly repudiate the conclusions of the zoning confirmation. In the Oregonian on August 16th, Mayor Hales, you said in a statement the use of tents on city property, including sidewalks, remains prohibited under the structure's code. That statement was true then, and it is true

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now. With the approval of this zoning confirmation, unregulated camping will be legalized in all commercial, employment, and industrial zones of the city. Every commercial street in this city, Mississippi, Alberta, Hawthorne, 23rd Avenue, to name some, every industrial sanctuary in Portland, the entire central city falls into these categories. The zoning confirmation states no design review will be necessary for any camp. If we collectively look into the future with approval of this confirmation, there will be many more camps throughout the city and no recourse for the city, any neighborhood or business, any individual to do anything about them. The purpose of the codes is to create certainty and safety for all of its citizens. If this confirmation is approved today, the fabric of those codes will be undermined for everyone. We believe City Council is approaching this issue with the best of intentions. Our neighborhood embodies these intentions of a mixed income city that supports all of this neighbors. I like to say, just because someone lives in the new building, it does not mean they are rich. Despite public perception, the average income in the Pearl District is \$12,000 less than the citywide average. 22% of our Pearl District neighbors are categorized as low income currently and there are at least two more low-income buildings that are on the books and are coming. We have advocated for all of those buildings, the Pearl District neighborhood association advocated for all of those. Just like City Council, we would also like to have a workable solution for the endemic homeless problem. There's a process for doing that and that needs to happen. Portland is supposed to work in partnership, not in strife. We are supposed to openly engage with each other to make a better city. Hasty solutions that consciously avoid engaging citizens do not meet any standard of public process in this city. Solutions that needlessly create problems are not solutions. We urge the city to search for a workable solution for this immediate issue as what is on the table does not fit the definition. Please do not approve this request. Please consider moving Right 2 Dream Too into a building that meets the codes. Build them a building. Organize a citywide discussion to come up with real long-term solutions to the larger problem. We have an opportunity as a city to be a leader on this issue that will serve to continue the inclusive Portland tradition of innovative solutions and we urge you to do so. Thank you. [applause]

Tiffany Sweitzer: Tiffany Sweitzer, Hoyt Street properties. Good afternoon, Mayor, Commissioners. I brought these pictures today that are in front of you to show you what we have accomplished together and I bolded accomplished together. And also what I think all of us, I know many of us that I've toured the neighborhood with are proud to show others who visit the city of Portland. In 1997, Hoyt street properties signed a development agreement with the City of Portland for its 34-acre site. That's picture number one. You can see the property, what it looked like when we first purchased it, it was an old rail yard and nothing that we see today. The development agreement, which took us two years to put together stated that we must work together, public and private, to take a brownfield site, again, picture number one, and develop it into a thriving new neighborhood. This was the first real legal agreement in the City of Portland and it was built on obligations from both parties, public and private. As a result of this agreement, we collectively built one of the most successful neighborhoods in the country. You can see that in pictures two and three. And Hoyt street properties, the primary developer of this 34 acres, followed its obligations to this agreement all along the way. Since 1997, I have built 11 projects or 2,000 housing units. I have not applied a dollar figure to this significant investment. The development agreement required us to allocate 30% towards affordable housing within Hoyt street properties' property alone. Again, picture number one outlined in blue. But we did better than that. 34% of those 2,000 housing units meet the city's affordable housing goals. This density, with a mix of housing, five acres of parks and Portland street car were built by a process that we both, public and private, followed. We have eight more blocks to build to complete this neighborhood. That's picture number four. You can see those in red are what we've done to date. HSP's, Hoyt street property's biggest financial partner, Mr. Joe Weston, has already relayed his thoughts via a written letter to all of you about moving forward, pending the outcome of today's hearing. That's pretty significant for the north part of this

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neighborhood. Hoyt street properties is also a party to the second development agreement. That's the site that we are discussing today. Again, we have followed the rules and the process along the way for this site. Mr. Mayor and Commissioners I ask that you follow the same rules that you have asked me to follow over the past 16 years. Communication, process, and thinking outside the box are what we all do best. So please, I ask you today take the time now, delay a vote, and use the issue of homelessness as an opportunity to do something meaningful for this group and others that will follow. I ask that the city be our trusted partner today with both public and private at the table, we can find a better solution. Thank you.

Hales: Thank you. [applause]

John Nicol: Good afternoon. My name is John Nichol. I and my wife live in Kenton, in north Portland. We, in about a month, will endure a foreclosure eviction and we will be out. And fortunately, we have the eternal remodeling project next door, which we own, and we have a place which is dry and where we can live. So we are not going to be creatively living on the streets of Portland. We're going to have a roof over our heads. What I have to say is mostly anecdotal but to a point. How are we doing there?

Hales: You're fine, go ahead.

Nicol: When we bought our first house, it was quite a wreck and it was an eight-month remodeling job, I took half the house to the dump. In the first two weeks of that project, half of my tools were stolen out of the house and I talked with a homeless person who would come to listen to rehearsals [inaudible] and invited him to move into the house. And he did and we had no further problems. We did have a problem when he reported that some neighbors of ours were abusing their animals. But we didn't have any problems with him. This past summer, we heard about a woman who was living in her car or in her vehicle. And some hateful person was breaking the windows of people living in their vehicles. So we invited her to come out and talk with us and we move her onto a foreclosed property, not into the house but into the driveway of it where she would be safer with her vehicle. We introduced her to all of the neighbors. This ended up being a very good thing for everybody. People got their plumbing fixed by her. She would play music with other neighbors and so we heard the sounds of guitars and singing coming from the porches of the neighborhood.

Hales: I'll need you to wrap up soon.

Nicol: All told, this is a different way of looking at people than what I've been hearing here today. What if the people of the Pearl actually made personal relationships with the people in this camp? [Applause] What if the people in the camp helped people carry groceries? Really the only objection that I see to this camp is aesthetic but then I have a rather high standard. I compare them to the nomadic cultures of the Lakota and those marvelous tepees, and the Mongols and their yurts and the color and beauty of Persian nomadic rugs. So maybe the aesthetics could be worked on a bit. But as far as R2DToo is concerned, they've done a marvelous job of governing themselves and they should be applauded and rewarded and assisted in unconventional ways. Yes, this lady has asked us to do it, let us think outside the box.

Hales: Thank you. Thanks very much. [applause]

JJ Bailey: I'm JJ Bailey. I'm living in Portland right now. I've got five different directions to go in. First to start with is safety. I observed Right 2 Dream Too last year for six months, from April to October of last summer, and in that time I saw an ambulance only have to be called three times in six months, police not at all, fire trucks showed up one of the three times with the ambulance, was not needed on the site. And in comparison, up the street three blocks, the formal shelter, Portland Rescue Mission -- a lot of times, an ambulance and a cop car there every day, at least one or the other every day, sometimes, three or four times a day. Whatever it is that Right 2 Dream Too does, it seems to be working. We've got all these plans designed to fix problems in a perfect world but this world has slowly become imperfect. We're proving that all over the country. Look at the government right now, we're having to shut it down. That's not the way it's designed. Sometimes maybe you

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have to come up with an imperfect plan to fix this world. It doesn't make any sense but it seems to be working. They also spent a lot of time, two years now, sticking it out, being humble, being straight to the point, not changing direction, no matter what hits them, they keep chugging, chugging, chugging. This is good character. I think they deserve a reward for this. The new site, it's not bad. But also I think there should be plans made to put modulars there. You talk about the bird poop. You talk about the trains. Modulars, you can get those. You can get grants to get those probably. I've heard of things like that. Or you build your own modulars or something. And keep your door open to help them try to find a better site in a building. People do cohabitate in buildings. It helps make for a stronger person. They have good purposes, it's a stepping stone. You put somebody that's out on the streets for a good amount of time into a nice apartment, first couple of weeks they're okay with it. And, all of a sudden, the culture shock starts to hit and before long, it eats them from the inside out and they end up back into the streets. You need to graduate them into - - slowly but surely, took them that long to go down this road, it's going to take them a little bit while to get back. Culture shock will freak them out. If I put you inside a shelter, Mr. Mayor, you wouldn't sleep too good.

Hales: Thank you. Thanks very much. Appreciate you coming. Thank you.

Christopher Handford: Good afternoon. My name is Christopher Handford, I'm the owner of Davis Street Tavern at northwest 5th and Davis. I also own Jameson restaurant that's just on Jameson Square Park in the Pearl. I also sit on the board of the pearl district business association. Eight years ago I had a dream, as well. I had the dreams of opening a restaurant and I came and opened up a restaurant December of 2008 at the bottom of the recession right in Old Town. And I got to see first-hand the effects of homelessness. And during that time we embraced a lot of changes, we embraced Bud Clark Commons, we embraced the change of the burger king turning into Central City Concern. We embraced McDonald's going up. The one thing that the neighborhood did not embrace was the Right 2 Dream camp. When that camp reached capacity, it brought a lot of people to the streets. I know that's my feeling and it's the feeling of a lot of the other business owners. If I put my Davis Street Tavern hat on, I'm thankful the camp is moving. It's nothing against homelessness. We've done our part to raise money for homelessness. I've reached out to Central City Concern to try to offer jobs for dish washers. We do charity events to raise happy hour events for the different groups. So we've done our part to embrace all the different homeless solutions in Old Town. Unfortunately, this camp is not going to be warmly embraced by the business community and the residences in the Pearl. At the same time, if you want to talk about a balance between livability and acceptability, this is not a solution that's going to work. The camp in its form needs to be something that it's going to work for everybody. And my fear is that the businesses will suffer. I will go on record that at the top of my business, we opened up in the bottom of 2008, our business generated almost \$2 million in revenue a year. I had over 40 employees. And on October 2011, it was pretty much a financial cliff for us. Another business did not survive. I know at the end of the day, you need the business community, residents, and homeless solutions they need to all coexist and there needs to be formats and there needs to be process and at the end of the day, the Pearl District has embraced low-income housing, like the Sitka and the Pearl Court. But unfortunately in this format, it's not going to work in the long term. It's going to hurt everybody involved. Thank you.

Hales: Thank you. Good afternoon.

Scott Rice: Mr. Mayor and Council, my name is Scott Rice. I live in southwest Portland, I'm a business owner and I'm here to speak on behalf of Right 2 Dream. I think by their record and who they are and what they serve to the community of people that stay there every night, they qualify on that grounds as a community center, never mind what the zoning laws, I'm not a lawyer. But they are serving a community as a community center. So I wholeheartedly agree with that justification. I've heard many people from the Pearl speaking here, some very high-profile attorneys with clients

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who have a lot of influence in this city. And as a business owner I agree with some of what they say. But I would challenge them. People are going to sleep on the streets tonight. It's going to get cold. And it's going to get rainier and colder and people will be out all winter long. This is an immediate problem. It is not something that for those individuals, they can wait for a long, long, long process. These powerful people in the Pearl and others, other places, the developers in the city -- Mr. Close had an interesting suggestion: Take the money that they are probably having allocated to sue over this, try to come up with a better solution within one year. Make this camp temporary by making no need for this camp. Thank you. [applause]

Hales: Thank you.

Moore-Love: Laura, are you here? Okay, the next four. I think a lot of them are upstairs. I'll call a lot of names and if you're upstairs, just come on down.

Hales: Let's see if some of them make it into the room and Joe in the meantime, go ahead.

Joe Walsh: I'm Joe Walsh. I represent individuals for justice. Last night, I woke up at 3:00 in the morning. And I had to go to the bathroom. My bathroom is five feet away from my bedroom. On the way, I wondered what it would be like if the bathroom was two miles away. At 2:00 or 3:00 in the morning. I was safe, my wife was safe, my dog was safe. And I wondered what it would be like. The people in R2DToo, they have created a community. They've been here for two years. All of the fears that you have heard today are irrelevant with this group. They are the most conservative, easy group to get along with on this earth: Their rules are so strict, I don't know if I could live there. [laughter] No joking. No drugs, no loud music, no yelling. That would get to me.

Saltzman: Mr. Walsh, I just have to say that I don't know that's a high bar because you are a known trouble maker. [laughter]

Walsh: And I wear it proudly. I wear that label proudly. All the people in the Pearl that testified, testified out of fear. I understand that, some of my friends are on the other side of this issue. And this is not the solution to our homeless problem. We all know that. This is a baby step. That's what's happening here. You're taking 75 people from one place and moving them to the other place. It's not even affecting the 2,000 people we have on our streets every night, or 7000, or whatever the number is. It doesn't affect them. It's a baby step. I applaud you, all three of you. And you know I take you on and I yell at you all the time. I applaud you doing this, taking the risk because you're going to pay a price for this. And I'll stand with you as much as I can, thank you. [applause]

Dike Dame: I'm Dike Dame, I'm president of Williams and Dame development. It's hard to be here to discuss an issue as big and important as homelessness through the tiny lens of a land use action. This is not the way to make important policy choices. We have a problem with homelessness. There's no question about that. We need a solution. No question about that. You have cut short, though, an ability to use resources. Homer is going to talk about what we would propose to you. You're eliminating the use of our brains, you're eliminating the use of our resources by cramming this deal down our throats and not using a regular process. Over the course of many years and as a result of many meetings, in 2001, the City Council approved the Pearl District Development Plan. Part of that plan contained specific requirements for affordable housing. It did not allow for tent camping under the Broadway Bridge. Since the adoption of the Pearl District Development Plan, millions of dollars have been invested in the Pearl District, including the development of four affordable housing projects within a few blocks of the Broadway Bridge. The latest data shows 34% of the Pearl is affordable housing. I signed a development agreement with PDC to build a hotel a block away from lot 7. That development agreement is a legal contract. More importantly, it's a partnership between my company and this city. Our end of the bargain was to buy the land and invest nearly \$50 million in building the hotel. We're under construction and expect to open next spring. PDC's end of the bargain was to provide 100 spaces in the Station Place garage, which we paid for, for the hotel and promise that the uses in the area would remain as shown on the site plan attached to the development agreement, the contract. Those uses show parking, not a tent camp, on

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lot 7. We were never consulted about converting lot 7 to a tent camp. That does violate the DA. I want to make one thing crystal clear: We would never have agreed to invest \$50 million in the hotel if the site plan showed a tent camp across the street. Does anybody question that? So put away the legal issues under the DA. How do you want to do business in the city of Portland? Do you want to attract investment to the downtown and leave your present and future partners with the uncertainty of a bait and switch? If you choose the latter, you're choosing a course of disinvestment, distrust, and uncertainty that will seriously impact the livability of our great community. You're truly on the precipice of a very bad decision. The city's failure to honor its agreement will harm further the development projects, future investment in other previously dilapidated areas simply won't happen if we cannot rely on the city's word. We've got a deal. We're partners. We're living up to our end of it. You need to live up to your end of it. [Applause]

Hales: Thank you.

Williams: Homer Williams, I'm the chairman of Williams and Dame. We need some time. We need to pause this conversation. You know, it's really spun out of control. We need the city to work together with its resources. We need to find a better solution. We're here to offer that assistance. We've done a lot of great things together. I mean, over the last 15 years, I mean, you know, the city really, because of the ability, the private and the public sector to work together. That's really what's driven the city. We need to do this again. We need right now to step back. We need to reengage. We're committed with at least 10 other businesses, social services, financial professionals, whoever you guys can get to the table. And let's take 30 days and let's really look at this and let's look at solutions and longer-term solutions and let's bring private resources and public resources together for this. If we need to meet every day, we will. We're willing to commit resources from our businesses. We've got people from Ziba, bora, ourselves, Hoyt Street, we want to engage nonprofits. We want to get people who are working on the homeless, R2DToo, let's get together and let's really try to sort something out here. You don't have anything to lose with this offer. You can come back in 30 days. We don't need to vote today. We need to take some time. And that's what I'm asking is let's have some time and let's work together. And I mean work intently together.

Hales: Thank you.

Williams: I'll wait for your answer.

Hales: Thank you very much. Appreciate it. [applause] Good afternoon. Put your microphone a little bit closer there to you.

Taz: Good afternoon, thank you for what you have done for us. And really, you know, taking your time out.

Hales: Just put your name into the record, too.

Taz: I'm Taz, sorry about that. R2DToo, you can in time. I got the message [inaudible] see what we're all about and we felt we needed to keep going to protect these people out here. And I'm proud of that, because when I came to R2DToo, I didn't have no hope. I didn't -- I was going down the wrong end of the road, you know. I had a drug addiction problem. Didn't give it up because I didn't have no more sources to go. Wouldn't be able to hold down a job. Since I've been at R2DToo, everything's changed. I have gotten a job. I'm one of the only persons that has gotten a job and has been able to maintain a job because I got my 12 hours of rest and being able to support -- show people what we mean. Going to the Pearl District is going to be an opportunity for a new growth to work with people there. I'm looking forward to show that we are a model and R2DToo will do what they have to do to help support that community there. The same with you, Mrs. Fritz. We're backing you up, 100%. Same with you, Charlie. We're going to back you guys up because you guys are backing us up, giving us the opportunity to show that we can do things on our own and we're just as human as anyone else. What we can't do alone, we can do together and we can make this positive and protect it safe like we did on 4th and Burnside. Thank you. [applause]

Hales: Thank you. Thanks for coming.

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Ronald Albright: Hello, Mr. Mayor. Again, Commissioners. My name is Ronald Albright. I first moved to downtown Portland in 1996. I bought my home in the Pearl District in 1998, over 15 years ago. Portland has a terrible homeless problem, a problem that is not conducive to a vibrant urban core. This problem confronts downtown residents and visitors every time we walk to a grocery store, restaurant, or any local business. There may be no simple solution to this problem but the solution is certainly not upgrading an illegal homeless camp to a city-mandated homeless camp. It seems that the negotiations that took place with the land owner to settle a pending lawsuit and the preparation for testimony by city experts this afternoon have the predetermined goal of approving the establishment of this city mandated homeless camp. I thought the occupy --

Hales: Please let him talk.

Albright: I thought the Occupy Portland movement was disruptive and destructive but I am appalled to see how far Amanda Fritz's capitulate Portland movement has gone. I sincerely hope that this City Council moves forward on this issue under the full light of democracy and community input rather than operating in the shadows as it has done to this point.

Hales: Thank you. Thanks.

Elizabeth Bodmer: Hi, my name is Elizabeth Bodmer. I'm actually speaking on behalf of the two ladies behind me, carolyn and kendall [spelling?]. This is the speech that they have written and I will be reading. I'm going to try to not get emotional during it. It's an honor to be here. We love Right 2 Dream and that is why we're up here today. It started with a lemonade stand that we had to raise money. We raised \$162. I believe that Right 2 Dream Too should be in this neighborhood. They're just like us but without homes. There is no reason to fight them about this. Why are you fighting them? Right 2 Dream is a good cause. It's a good thing, not a bad thing. [applause]

Donald Young: Is this working? My name is Donald Young, I live at 725 northwest 10th avenue. That's a difficult speech to follow. And some would like to paint this as rich against the poor or whatever but for me, it's not about being against the homeless. It's not about being against Right 2 Dream. In fact, I commend the Right 2 Dream organization for their self-governance approach and their responsible principles. They're doing the best they can in a bad situation. This is about -- this situation is about bad campground policy. The homeless deserve better than that. They deserve a building. And with all due respect to those wanting to rename the concept of what's really happening to get around the regulations, when I see a duck -- when I see a bird and it swims like a duck, it quacks like a duck, I call it a duck. This is a campground. And the whole notion of moving the problem from one neighborhood to another, trading one lawsuit for multiple new lawsuits, is kicking the can down the road. It's as simple as that. It's not addressing the problem and ironically, at first, the city is fining the land owners for establishing a campground. Now, their proposal is to be the host of the campground. What's wrong with that picture? I've camped out in the rain. It's cold and wet from the top of the bottom. It's a cruelty to think that that's a solution for the homelessness in Portland. This is Portland. It's not Florida. It rains a lot in Portland so it's not a solution. Further, the precedent, as already mentioned by a number of people, will create unintended consequences. And I would suggest postponing any vote on this subject. It's not ready for prime time. This is not a good solution. The homeless deserve better than that. Thank you.

Hales: Thank you. Thanks to you all.

Moore-Love: Was there a Ron? Okay, then the next four.

Hales: While we're waiting for them, please go ahead.

Janice Oates: Mr. Mayor, Commissioners, thanks for allowing the public to speak. I was shocked that this all came up so suddenly and I would like to see some brakes put on the line but what I have to say to you --

Hales: Your name again, I'm sorry.

Oates: I'm sorry. My name is Janice Oates. What I have to say really comes from my heart. I've heard of people who have lived here all their lives, 28 years, whatever. My husband and I moved to

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the Pearl District four and a half years ago from southern California. And one of the reasons was we fell in love with Portland, with its diversity, with all the mixture of everyone and every type of politics and we fell in love with the Pearl. I love the story of how it was kind of like the rising phoenix if you will. We've loved our time here. I cannot tell you how many business people I have spoken to because I travel a lot on business until just recently. How people from Canada, Scandinavia, were coming to examine what you all did when you made the development plans with Hoyt and with everyone else to have the planned community and what you've managed to accomplish in the Pearl and they find it absolutely astounding and plan to take it back and mirror those same things in their own countries in their own cities because it's been such a phenomenal success. I firmly believe that if this camp is to go through, you will see a significant loss of business, of revenues, and of people choosing to live in that particular area. It seems a shame to me, you've got three brand-new gorgeous parks by the encore. It just is -- I will talk quick. It just seems a shame to me because I can see if this camp is allowed, and it seems to me that there might be some legal discussions on whether that's true or not, that you guys ought to rethink this a little bit because I would hate to see the Pearl, 15 years from now, what it looked like before you all made such a good plan to make the Pearl such a successful star in Portland's crown. Thank you.

Hales: Thank you. Thanks. Hi.

Jonathan Treber: Hi. My name is Jonathan Treber. I am also a resident and also a volunteer over at R2DToo. It's my intention that R2DToo is helping out a lot of people on the streets and there's some city officials that have been coming around who dislike the fact that it is there, period. I've heard city officials say it is an eyesore. I've heard people they that it is a disgrace to the neighborhood, how it brings down property values. It might bring the wrong kind of people to the streets around it. But the Right 2 Dream Too creates a home for people who do not have services such as Janice Youth. Janice Youth only allows certain age, from like 17 to let's say 22 or 23. There's only some services that are only made for certain people and there's not enough services for the older generation. As well as others who have certain rules. Like Janice, has rules of age, if they are a runaway or have a warrant out for their arrest, as well as many others. Also those who have been chronically ill or pregnant or on lower forms of income as well as SSI or disability, they can barely afford to take care of themselves much less afford a child and a home. Right 2 Dream Too helps people such as myself, my fiancée, because I have a child coming in two months. It helps us when we were not able to have money to put a roof over our head. We need help to take care of our child and a decent home to raise it. Right 2 Dream Too does not discriminate, whether you are a certain age, whether you are race, gender, religion, they welcome all. Yes, they have certain rules. They have rules put in place so that it can be maintained and under control so it's not out of control. They welcome all who do not have a home to go to at night and also provide shelter against the coming winter in Portland's untellable weather. I've lived here for five years and I've been homeless for almost two years now and I've pretty much had enough of the weather, too. They also provide a chance for the people who stay there to volunteer there at R2DToo to help cook, clean, be security, to give them work ethic, to help them give them something to do worth day, give them something that they can look forward to do, something that they feel good at, that they're giving something out to the community.

Hales: Get you to wrap up soon. Sorry.

Treber: Sorry. I guess what I'm saying is that R2DToo should stay there. All I've been hearing from all the other people is money, money, money. Everyone wants more money or they want to build more businesses to make money. In my own opinion, for instance, if you did not build a MAX line going all the way to Milwaukie, you would have more money to build more homeless shelters. We already have buses going out to Milwaukie, we already have transportation out there. We don't need a MAX line. But I want to thank you, to all of the helpers and workers and the shelters, Taz, Roy, Mac D, and Carrie and many others. Thank you very much.

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Hales: Thank you. Next. Good luck.

Jim Whittenburg: Mayor and Commissioners. I want --

Hales: Just put your name in the record for us.

Jim Whittenburg: Jim Whittenburg. I want to speak to you because we have misconceptions about people. I come from a wealthy family, all of them are very, very wealthy people. I went to school and became a pharmacist and I practiced for 43 years. But I also had hard times in my life. After I [inaudible] initiative issue was that it was going to lower the property taxes in Oregon in 1978. I couldn't get a job. I could not get a job in this state so I moved to Washington. And believe me, it is difficult up there. I got a job making phone calls while I was having my license [inaudible] but also lived in a shelter up there, the homeless shelter. I lived there for almost six months before I had enough money and I found a place to live. I've also lived in the Eugene shelter. I spent a month down there. I spent about 10 days in the shelter. And all of these cities seem like they have places to take care of people, except Portland and I don't understand it. I don't understand it. In 1988, I went to Washington, D.C. with Michael Stoops and Mitch Schneider, if you remember the movie about him, if you remember. Reagan, I believe, passed the bill that said all vacant buildings are open for people to move into. That was passed in 1988, the U.S. Congress, and it was signed into law. I don't know what happened but there's got to be some empty federal buildings or state buildings or local buildings in this town for these people to be in. I don't want to live under a bridge with pigeon droppings and exhaust fumes and I don't want that on my long-term resume, either. I want to live inside a building. I want to keep the rain off. And believe me, these people are real people. They're not pawns. I could be living down there with them right now, too. 10 years ago, I was living in a shelter. Today, I'm not, because of social security, that's the only reason. Thanks very much. [applause]

Hales: Thank you, next.

Jason Barber: My name is Jason Barber. Good afternoon, councilmen. A lot of people are speaking of the safety of the homeless. I currently reside underneath the Morrison Bridge. I'm a part of the -- you walked through the other day. Monday, six of us were maced. Tuesday, again we were woken up by the parole -- whoever the officers are. They speak of safety. There is nowhere safe for us homeless. We've been chased from your front sidewalk to the next park to now, we're under a bridge. Now, you wanna move us from under a bridge to under another bridge? I don't care where you move me to, as long as I can put up a structure to get out of the rain. That's all that matters to me. I'm tired of being homeless. To me, a tent is a home. It's somewhere I can be dry. Now, I don't have that. I'm on the list to get into, but there always seems to be quite the list. I look forward to 100 people. There's only 15 of us under the bridge. But there are 15 of us and we have nowhere to go, nowhere to set up a tent, to be dry. I hope this works.

Hales: Thank you. Thanks a lot. [applause]

Willow Zzuzahira: Hi. My name is Willow Zzuzahira. Last month, I just want to say a second about me last month, I was actively a mother and a nana and I had dreams about playing with horses with my four-year-old granddaughter and cooking dinner and things like that. Less than 20 days ago, I became homeless. In 13 days, I was attacked twice because I'm a single female. I just got out of the hospital. Because I can't take the attacks anymore. R2DToo has offered me a place that's not next to a restaurant that's abandoned on the sidewalk. They've offered me a tent and a sleeping bag and let me tell you what that means to me. That means home. That means four walls, I don't care if they're vinyl, and a roof. It gets me out of the rain but mostly nobody harms me or wants to harm me, because there's security. Those people have 24 hours a day to watch people like me that keep getting hurt. And let me tell you something else, female, male, old, young, it doesn't matter. Nobody's safe on the streets. Nobody's safe anywhere on the streets. What R2DToo is is a community of compassion. And all I hear today from both sides -- and I love to play the devil's advocate -- is hearts against wallets and hearts against status and hearts against and love against and

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compassion against old money, new money. Safety and security does not reside in your pockets, in your pocketbooks. It resides in numbers and in family and in community and I am without my family now. And the only family I have right now live in tents and thank god for them. I don't care if we live under a bridge with 75 more people or 100 more people. That's 100 more people to watch over people like me. Thank you very much.

Hales: Thank you. [applause]

Amber Dunks: My name is Amber Dunks, I'm the board secretary for Right 2 Dream Too. First of all, I want to thank Commissioner Fritz for working so hard and so tirelessly with us to come to the solution that we have and I also want to thank Mayor Hales for going out into the community and speaking with people to get a better understanding of the houseless issue, especially my husband who will be up here later, that's all he's been able to talk about the last few days. At Right 2 Dream Too, we've had 71 people find jobs, 76 people find permanent housing. You'll hear a lot of stories here today. You'll hear some of our success stories. We were able to get some of them to come today, including my sister and my godson. And all we really are is people helping people. There really shouldn't even be this label with houseless versus housed. We all have the same hopes and dreams. The people that are housed just like the people that are houseless hope that they will be able to have that stability and if they don't have it, get that stability. If they still have it, hopefully, keep it. You know, everyone wants the white picket fence and the dog and whatnot and they just want to be happy. And that's all the houseless community really wants. They want -- and they don't really want a handout, they want to be able to do for themselves. So what I would suggest to the business owners that say they will give this and give that, what we would really like is if you would give jobs so we can help ourselves. [applause] Thank you.

Hales: Thank you.

Brad Gibson: Hello. My name is Brad Gibson. I'm the vice-chair of Right 2 Dream Too. And our place is not -- well are we having the same--

Moore-Love: If you could sit back a little bit. Thank you.

Gibson: There's a certain section of the homeless party that is like career homeless, and they do cause problems but we're not their target, their demographic. We like to have those that aspire for more than, you know, those are our concerns. People who want to come out, they need a place. In order to get housing, you have to be rested or fill out forms, look nice so that you can be accepted so you can get on those housing lists or you need to find a job. Sleep deprivation, I mean, the FBI uses it for deterrence of assailants. It really rattles your brain. After three nights of sleep out in the rain, getting pushed along. This is what this is for. And it really needs to do it. And we really thank you guys for putting this in your heart and taking heed to the need. Like I said I've heard things, they care more about cars and parking than they do about the human lives. I think that's really appalling. And like I said, thank you very much. Appreciate it.

Hales: Thank you. Thanks for being here. [applause] We're going to take four more, and then we do need to take a one-hour break. A couple of us have an event in between and we'll be back at 6:00. We'll take more four people, and then we'll take a pause. Welcome. Okay missing one. We'll take these three. Is he upstairs? Come on down if you are. Go ahead, please. Welcome.

Carey White: Mayor, City Council members. Good afternoon. My name is Carey White. As you know, where we're located now used to be an adult bookstore. Drug addicts, prostitutes, riffraff used to hang out there every day, all day. Since we moved onto the property, we no longer have that. We've cleaned the area up. Pearl District is worried about the same thing happening when we move in. I'm here to tell you it's not going to happen because we cleaned the area up on 4th and Burnside, we're going to clean it up in the Pearl District. They're worried about us vandalizing their homes, their cars, themselves. That ain't going to happen because we police ourselves, we police the neighborhood. When our neighbor had a broken window, we helped him put a new one in. For that, he brought us out hot soup during the wintertime. So we had something hot to eat. We do not allow

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drug addicts, alcoholics, prostitution, or any of that to go on in the rest area because we police ourselves. Since we have moved in there, the crime rate has gone from an extreme high to almost nonexistence on the corner of 4th and Burnside, as your records show. I am here -- as one lady testified, she's got stage one bipolar. I'm a Desert Storm vet, stage two bipolar, PTSD and a heart patient. They say we can't live together because of our illnesses. I'm sitting here before you as living proof we can. They say we can't look for work, we can't look for housing, we can't maintain ourselves. Well, our statistics show they're wrong. We have people that have maintained housing since they've been with us. They've gotten jobs. As Amber, my wife, has stated we now have a godson. He's our newest member. They were members of Right 2 Dream Too before they got housing, before they got a job, and before my godson was born. It can happen. It will continue to happen. Pearl District has nothing to worry about. We're human just like they are. We are compassionate and we're caring. As far as the vandalism and the damages, that ain't gonna happen because we'll make sure of it. If people think my word is nothing, I will gladly step down from Right 2 Dream Too and I will gladly go back on the streets where I was before Right 2 Dream Too opened. Thank you.

Hales: Thank you. Thanks very much. [applause]

Kris L. Misener: Hello, my name is Kris Misener. Right out of the gate, I would like to extend a thank you to Mayor Hales and Commissioner Fritz. The fact that you're giving us this shot to prove ourselves, I mean, to hopefully use this as a stepping stone to hopefully get more of a much-needed platform out there, more like it for houseless people to benefit themselves and help improve themselves on their own, is awesome. I mean, it took a while for you guys to recognize that it's a much-needed thing to have here in Portland. 18 months or better, you know. But you recognized it finally. So with that, the Pearl District, we're a good neighbor. We invite you to come check us out, come in, take a tour. We like to check out what you got going on. We'll help out neighborly, you know, help out the elderly. No reason to be scared of us. We're human beings. We got hearts. So yeah. Just thanks for giving us this shot and I hope that we'll come through for you and I pretty much have no doubt that we'll come through for you.

Hales: Thanks very much. Thanks. [applause]

Aaron A.: My name is Aaron A. I don't really have a lot to say. But I've been at Right 2 Dream for quite a while. We help anybody that needs help that we can help. You know, the drunks that come out of the bars but they're too drunk to drive their cars home for the night, and we have bed space available, we give them a place to rest. If a guy gets in a fight with his wife somewhere and comes stumbling by, if a guy needs a place to sleep for the night, we let him sleep there for the night. We're just out to help people. Since I've been there, we walk around the block to make sure everything's status quo or, you know, good shape. People sleeping in the doorways around the block, we make sure nobody's harming them and across the street. We probably will do the same over there. I've heard that they're scared to walk nights to the bus stops and stuff like that. We're willing to walk with them. If we had a way of being gotten hold of, we would walk them back, too. We're just people trying to survive. That's all I've got.

Hales: Thank you. Thanks very much. [applause]

Roy Pascoe: All right. My name is Roy Pascoe. I'm a member of Right 2 Dream Too. Since I've gotten to Right 2 Dream Too, my wife and I have been quite impressed with what we've seen, what we've learned. The numbers of homeless people. Before we came downtown, down in January, we were living up in the mountains, up off southeast Portland, 108th. We are constantly being harassed by the police to get off the mountains. We didn't have much of a way of being able to get around or get any means of support or help at the time. I was in between jobs, the few jobs I could get was as a mobile mechanic. I ended up dispersing that job up with a friend took ended up taking over the business. I'm working on getting back with the union. My wife is three and a half months pregnant. If it hadn't been for Right 2 Dream Too, I have no idea where I would be, other than somewhere on

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the streets of Portland, shuffled around from doorway to doorway, just like a lot of the others are. Right 2 Dream Too has been a big stepping stone. It's a place where a lot of us can go to be able to get a good night's sleep, to be able to rest well, a place to eat, a place to call home, only temporarily because I don't have plans on being there long, just like many of the others who have passed through Right 2 Dream Too and many others will, too. To be able to not just call a place a home permanently, but to find a permanent home. Without places like Right 2 Dream Too, there may not be a permanent home except the sidewalks of Portland. I've been here since '95. And I've seen quite a bit of it. I've seen the homelessness expanding to areas I never thought they would be. I've lived in north Portland for five years. The homelessness wasn't that much. Without places like Right 2 Dream Too, it's only going to continue to get worse. It'll never get better. A lot of people can utilize Right 2 Dream Too to get a step up that they need. Without that step up, from the rest area, not a camp, a rest area, as I've heard many people say, it's a place to rest, to be able to carry on for a better life in the future. This place -- people seem to complain a lot about their businesses going downhill. Their property values depreciating. Is that all they think of? What about the life of the people of Portland? What about those of us that don't have what they have? That's what Right 2 Dream Too is. A place for the rest of us to be able to start a fresh start to go where they are, to be able to get what they have, a home. A place to rest our heads. A place to get out of the rain. A place to start a family. It's hard to do on the streets. Without a place like a rest area like Right 2 Dream Too, a lot of people find it really difficult. Right 2 Dream Too has helped a lot of people get a foot up, to be able to get a fresh start, to go to work, to go to school, to have a life. Thank you.

Hales: Thank you. Thanks very much. I want to thank everyone for excellent testimony. I know we will be back for more and I just appreciate everyone here tonight very much. Thank you. We will be back in an hour and resume the hearing, then. Thank you. [gavel pounding]

At 5:07 p.m., Council recessed.

At 6:05 p.m., Council reconvened.

Hales: There are three of us here, so let's get started. Council will come back to order and will resume the hearing. Commissioner Novick will be joining us shortly. And Karla, I believe you are still in possession of the sign-up list. Welcome, come on up. Here we go, now we have four. Go ahead, please. Don't be nervous, it's okay.

Fritz: We made you wait for an hour to get even more nervous, sorry about that. Just the way it happens on the sign-up sheet. Just talk to us.

Hales: Give us your name and say what's on your mind.

Loretta Pascoe: My name is Loretta Pascoe. I've been in Oregon for quite a while now and I am two months pregnant, three and a half months pregnant, by my husband. And I've been at Right 2 Dream Too for almost about -- roughly two and a half years, almost more. And they've helped me out a lot. They've provided women, men, couples who come in with -- sorry -- with warm, safe shelter. They provide food if they have it. They usually do. With a warm sleeping bag, a warm place to come, get off the streets, where they're not in the doorways where the police are rousing them up every morning. And -- sorry --

Hales: You're doing fine. Keep going. Or take your time.

Pascoe: We've made a lot of accomplishments. We've got people off the streets into safe housing. And me and my husband are looking into getting into some housing soon for me, the baby and the dad, and I've come a long ways since I've been in R2DToo, Right 2 Dream Too. And I appreciate you guys for what you're doing. I just hope you guys keep it up. You guys are -- I love the help. I love my members of R2DToo. I even love my husband. I adore R2DToo -- [laughter]

Fritz: That's cute. No, you're good. That was really beautiful. Thank you so much. Perfect.

Hales: You're good, you're good. Thank you. Go ahead.

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David August: My name is David August. Good evening, Mayor and Commissioners. As a citizen living in downtown Portland, I am very concerned about how the Right 2 Dream process or issue is being handled. And I will like to give some historical perspective to this if I can. Commissioner Fritz, I would like to refer to a statement that you made in 2008 and I'm quoting, you need a conditional use permit to allow large numbers of people to congregate to sleep at night. And I'm going to hand that statement in for the record. And you continued, and I quote once again, I would like committees working on this issue to propose amendments to the anti-camping ordinance to address this need. End of quote. And, once again, you stated in 2008 that one would need an amendment to the anti-camping ordinance to permit camping like the type of camping that is being considered here. Since that time, to my knowledge, no effort has been made to amend the code and define the circumstances and conditions under which this will be allowed. As a good example, unlike what we have here, and I will hand in this document for the record, when the city made an exception to the anti-camping ordinance in March of 2008 to allow 24-hour exception along the rose parade route, the city adopted a new code section, made rules, and had to deliver a public process with an ordinance before City Council. The discussion and decision on this very important matter should not take place under the threat of lawsuits either from the Right 2 Dream Too and its landlord, nor the affected parties in the proposed relocation area. Notwithstanding the good work that Right 2 Dream Too has done, and I haven't heard anyone in this room say anything about disbanding or getting rid of it, not a single person. I've been here since 2 o'clock. I would urge City Council to delay voting on this issue until a reasonable solution is presented. Thank you.

Hales: Thank you. Good evening, welcome.

Otto Papisadero [spelling?]: Hi. It's good to see you again, Mayor Hales and Amanda Fritz. Thanks for attending. It's been good to hear all the discussion. It's really important when people are in conflict to recognize everybody's really passionate about their homes, they're passionate about their neighborhoods and passionate about how they're living and their life is. I want to start with realizing that people still do not understand that there is not a solution, that people have been trying for 10 years to find a solution to homelessness and it's not been found. It's been growing and growing. And I feel that you're still leaving it up to experts to fix it instead of the community to fix it. Looking into the Old Testament, it talks about hospitality as a service. If you're a Christian or Muslim or Israelite. It's like, you serve and you're a hospitality to strangers. And our society has forgotten that. As to people really being upset about not having that dialogue in the Pearl District, I want to say this is the opportunity to have campers in your neighborhood and have dialogue, real dialogue. Homeless people do not have a voice if they're in shelters or if they're on the streets. Where is their voice? R2DToo has organized people so they can have a voice. People have organized themselves to be clean and safe, and they are having a voice who are up here speaking before you. This is a real golden moment for us as a municipality. I hear that the Pearl District has a history of doing dialogue and doing planning for the neighborhood. There's a possibility that the Pearl District could solve the problem with R2DToo talking with negotiations here. And I commend you, I haven't had a chance to tell you, Mayor Hales, I saw you switch up the heads of all the departments. I see you trying to undo the siloing that's endemic of our society. People don't understand other aspects of other people's lives, or other people's struggles, or other aspects of how our community works. People who live in houses do not understand the struggles of people who do not have a house. It's plain and simple as not understood. And instead of trying to understand and find a place of dialogue, people are treated as warts, dependents, people who are just too messed up to have a voice. Historically here, and there's a lot of different places here, that working towards -- once you have conversation, you have the same vocabulary, you have a bridge of communication and understanding, solutions are found. So I really suggest all the people in this district, get creative. You have to get out of just making money. It's called social responsibility, that's another new tag in the business world. As well as green and sustainable. It's also about social justice. Let Portland

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being the first person saying yes, in my backyard, yes, there are homeless people, and yes, we're going to fix it.

Hales: Thank you very much. [applause]

Melissa Orsbun: My name is Melissa Orsbun, this is James, and I'm going to lean a little bit away from the microphone. I can tell you right to serene -- right to -- what did we call it today? [laughter] It works. Not just because of my words, what I'm holding right now. He is my reason for telling you Right 2 Dream Too works. We were homeless for six months. I was four months pregnant when we got our housing. We got our housing and we got a job. During that time, it was hell being on the streets being pregnant. The food sucks. Being pregnant, you might want food once in a while. The members gave us food. They were willing to help. Even now, we've taken my son, our son down there to see the Right 2 Dream Too people. We visit nearly every week. I trust my son with them. That tells you they're safe. And like I said, it works. They helped everybody, they love my son as if he's their own. He's got so many aunts and uncles there that I don't even think he knows who's who anymore. And it's a great community. You heard there are pregnant women now and they're the future. They're going to have the same things that James has and he also is the proof also for the future for potential houselessness. It's always going to be there, even in his future and he's going to have Right 2 Dream Too to say, I can help be an advocate for you, I can help you because he's seen it. He hasn't had to deal with it, he hasn't had to live it but he's seen it and that alone will help our future more than anything else. Thank you.

Hales: Thank you. [applause]

Hales: Good evening, go ahead please.

Lisa Fay: My name is Lisa Fay. I want to thank you Mayor Hales, Commissioner Fritz, Mr. Novick, Dan Saltzman, you all have stepped and put your best foot forward with Right 2 Dream Too. You've watched over the last two years as we've cultivated and erected a community of safety for the houseless community. We have used this time and our efforts to put people back to work, to get people into housing, to create a safer community around the area of 4th and Burnside. We're looking forward to the next year and the challenges it faces and we welcome all input from the pearl district and we're looking forward to moving ahead and continuing our relationship with the city. And we hope that, in the future, we can come together and find a more permanent solution to houselessness. In the meantime, please consider Right 2 Dream Too as a first step. Thank you.

Hales: Thank you. [applause]

Eric Williams: I'm Eric Williams and I'm a native Oregonian. I've lived in the Pearl District for about eight years. And when I bought my condo, if I would have looked at the land use designations in the neighborhood, I would never have any clue that a tented camp would be a permitted use. And I think no developer that was developing on the north end of the Pearl District as we heard testimony from today would think that a tented camp would be a permitted, or even a conditional use. In fact, there's ordinances that the city has against public camping. So what I think we have here is a lot of intellectual dishonesty. There's people that are trying to refer to this homeless camp as a rest area and I've heard some people in the peanut gallery chiming in that it's a rest area, it's a rest area. You can call it a rest area if you want, but anyone who would go and visit the camp and would look at it and you said what is this? Is this a rest area? People would say it's a camp. So it's intellectually dishonest to call it otherwise. I have a suggestion to make. I reviewed that the reports of the Bureau of Development Services wrote and again, I find that intellectually dishonest and I would suggest that maybe you should partner with the Pearl District neighborhood association, one of the developers and find a private land use attorney or a planner that doesn't have a dog in the fight, that's in a different jurisdiction, have them review the city's zoning code and also, you know, the proposed use and see what they think. And I suspect that they will not come to the same conclusion that the director of the Bureau of Development Services would come to. The other issue that I would like to talk about is crime and I've heard a lot of people say, crime has declined in the

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area and there's not a problem with crime on the site and while I don't disbelieve that there's not crime on the site itself, there's a GIS information system that the city has that all crime is reported. And you can look at it very granularly, you can look at it within 0.05 miles. And if you do that, .05 miles it's about one block, it's actually less than a block and if you look at that, there's about 1200% more crime near the current R2DToo camp than there will be in the location that's proposed to move it. So, you know, I would question the stats on crime. And I know Commissioner Fritz said it's declined since the R2DToo camp went in and you can't look at it as granularly when you go back multiple years on your system. But you can look at the neighborhood crime stats by neighborhood and you'll see that the crime stats on an average monthly basis are about flat. There's no change and you can look at that information yourself. So I guess the thing that I find disturbing is that it seems like there's not a lot of honest solutions here and people talk about well we don't really have a solution, a permanent solution. I looked a thing like the Bud Clark Commons. That's a beautiful building, it's a Taj Mahal. The thing that's interesting --

Hales: Let him speak, and then you do need to finish up.

Williams: The Bud Clark Commons has 90 dormitory beds, 130 units, and the average size of the units is around 400 square feet. About six blocks west of that there's the freedom center on 14th. It's a market rate set of apartments. The rooms are as small as 267 square feet. If the city would have reduced the size of the living units in the Bud Clark Commons, they could achieve well not a couple hundred, probably 100 more living units than they got out of the \$50 million Bud Clark Commons. So I just think that the city's not really being honest with the way they're going about the process and I encourage you not to approve it, or at least to extend it and give it greater consideration.

Hales: Thank you. Good evening.

Rico Jones: Good evening, I'm Rico Jones. I was here about a month ago. Told you all to step up or get out. I'm an Oregonian. So I think for me, you guys have been doing a good job. You've been working hard. I think you've been doing what I asked you to do. What I said you took serious. So I think Right 2 Dream Too is great. They help a lot of people, myself and others, but I think them moving -- us moving over there would be beneficial for the houseless and stuff like that and I just want to say you guys are doing a good job and thank you very much for looking out for us, and the houseless.

Hales: Thanks for your comments.

Mark J. Hofheins: Hey, guys how are you doing? Mark J. Hofheins, Jr., Founder of United Coalition Against Repression for Equality, UCARE. Thank you council member Fritz, by the way, for being the only member to ever respond to any of my e-mails. God be with us all. And let me remind you that the money or tinder that you carry also says in god we trust. Well do you? Do you care? Your credibility is really -- I'll be honest with you, sucks. Stop sending your thugs, after especially, like the Morrison Bridge, which has been all over the internet, all over the media, good example. I've been here before you repeatedly. We still keep getting involvement this. We are nonviolent. The only violence that gets aroused is the cop interactions when they become violent towards us. Okay, we support R2DToo because at least they don't assault our service animals and citizens. On the contrary, also as you will see when the proposal is written from Chad Stover, it reflects what they are doing now. The halfway house for the homeless ran through the nonprofits such as JOIN will be ran appropriately by the homeless based on volunteers basis, through the system which they already have for the barter. Also, the Mark J. Hofheins Jr. locker house will also be another opportunity to get property off the streets. It will be a great thing and when we come before you guys, I pray that you guys vote yes on it, because it will be a good reflection of that these are doing. And if it hadn't been for these guys, I wouldn't have the opportunity to present this.

Thank you.

Hales: Thank you. [applause]

Hales: Stand by if she called you and there's not enough chairs we'll get you up next. Good evening.

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Ivan Scharbrough: Good evening, my name is Ivan Scharbrough, I'm here to talk about, obviously, the issue at hand. First, I would like to start by saying the Portland camping ban has been deemed unconstitutional by both the Oregon and federal constitution, article one chapter 16 amendment eight respectively so everyone talking about the camping law is malinformed. Get that right out of the way. Second, I would like to say, as Mark mentioned, the police intimidation and harassment which I came to city hall two weeks ago and requested to speak with the Mayor about. I've been given no response. It's been 15 days as of today. I was told to come to your office talk to you more expediently which obviously was less expedient, I haven't heard from you yet. But I've witnessed some of the police brutality, pepper spraying people in the face, shining strobe lights in epileptic girls' faces, right outside here, witnessed by city hall security. I wanted to talk about that. Never given an opportunity to do so. But it really boils down to like money-based values over human-based values. Everything I hear is about money. We're going to lose profits because of people looking ugly in the street. From what I understand, you have plenty of money to dump into the projects like the Hyatt lodge, etc. It's like cold, calculating people who know how to manipulate the law and use the legalese terminology that most people don't know how to do, they're able to get away with all kinds of crimes whereas the poor homeless are discriminated against, pepper sprayed in the face, nobody really cares, apparently. I'm glad to be here and see that people are being stood up for. The R2DToo camp is a place for people to be safe and get away from being on the sidewalk, being kicked in the face, and sprayed by police officers. We've filed an independent review today for one of the incidents that happened the day before yesterday and I still have yet to report on the one that happened two weeks ago and I await your response on a meeting about that. I'm glad to see we're all there. I'm glad to see that this is being put into the public eye because it needs to be. The city continuing to support discrimination by police and unconstitutionally enforceable camping restriction laws. Blessings, have a good day.

Hales: Thank you.

Tom Wehrley: My name is Tom Wehrley. I'm here as a supporter for Right 2 Dream Too tonight but I would like to back and up give a little bio about who I am otherwise. I am also a representative of the Oregon Center for Christian Voices. Our cause is to bring justice issues before the state and also the city. And I have a bit of a unique history with Right 2 Dream, I'd say, and Right 2 Survive before that. About three years ago, this time of the year, I spent a couple of nights on the street myself incognito and a night at one of the missions. And I had my cell phone and I had \$10 in my pocket and I could have gotten on the bus and went home. But I knew what it felt like to be on the streets. I knew a bit what it felt like to be criminalized because I didn't have a place to stay. We know there's at least 800 plus people in that category. Tonight, this winter is forthcoming. Beyond that, I spent five nights on site at Right 2 Dream in its early days. The first year in November to mid-December. So I had a chance to see what it felt like from the inside out. They were gracious, they called me an organizer. I had no ability to organize. I had an ability to support them in what they were doing. But that was pretty much it. I can see the values lived out. I could see the empowerment to have dignity back in their lives, to come together and support each other. It's not perfect. It's not the last word. But I think it's perhaps the first word this time in Portland. I see nothing else like it on the horizon. It could be enhanced by public support. You all are faced to have the wisdom of Solomon tonight. There have been compelling, cogent, human arguments on both sides of this issue. But I ask you to move forward for with courage. What's really in the best interests of Portland and humanity and that we can all look back, there will be a winner and a loser tonight by the decision but we don't have to have winners and losers if we move forward and help each other.

Hales: Thank you. Thanks very much. [applause]

Barry Joe Stull: Hello, my name is Barry Joe Stull. This is the first time in a really long time that I've appeared in front of a public body as a person that actually has housing. And that's something that we have to kind of address here because I lost my housing in 2005. My nonprofit, affordable

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housing landlord brought a 30-day, no cause eviction. And I appealed that. I was locked out in violation of the state pending appeal. The landlord and the Multnomah county sheriff went into the apartment, so we know when that happened. And the landlord destroyed \$15,000 worth of my property. I proved all that, and they did it again. And I've been asking the police Commissioner, Sam Adams at the time, and now you, Commissioner Hales to effect a police report against the judge down here a couple of knocks that allowed all this to fly. And to get into my housing, I got my keys September 10th. And that was because I took JOIN who you funded to the tune of \$300,000 to federal court across the park over there. And my first meeting with JOIN, after we settled, they presented me with the paperwork that they had, the whole time I might add. I qualified as a person with a disability that met the definition of chronic homelessness. My housing is paid. I'm a really smart guy and that shouldn't be a problem for me. That should be a problem for you and it is a problem for you all. I'm going to tell you about the anti-camping ordinance. State law mandates that owing to the inherent social problems, homeless people can't be on public property, every municipality in the state, that would include Multnomah County and the City of Portland, must have an anti-camping ordinance. That's under the section of law 203.077. If we go under another ORS chapter 203.081, we find there are exceptions. Two of those, emergency so we might think of hurricane Sandy, Katrina, earthquake, volcano. Or a permit campground, the area that's designated. That's permitted by state law. I've been here at council, I don't know how many times and you would never, ever as Portland City Council, the predecessors, you all have never, dating back to Vera Katz, have never stepped up and used the part of the Oregon law which the legislators intended there to be permitted campgrounds or they never would have put in that that statute, ORS 203.081.

Hales: Thank you. Thanks very much. [applause] Good evening.

Mary Nichols: My name is Mary Nichols and I spent about 100 nights last year here in front of city hall. I didn't want to be a protester. I thought we were going to pitch a softball and Portland was going to hit this out of the park because I'm looking at the national picture of people working with government for solutions and I just believe that we can protect people at night. Because if we do that, then they get better, they don't fall victim. And I think the numbers of increasing homelessness is not coming from so much the economy and job loss and so forth as much as what happens when they get here, they can't get out anymore because what we're hearing is -- we used to say, oh, that poor man lost everything. And that brings a bunch of stories like Gary's, long and interesting and it's the son and the retirement. All these stories. But when we talk about that poor homeless person, it's job loss and housing market at best or there's laziness, craziness, drugs, alcohol like we know. And I did interviews, I did about 100 of them which I have, and what I found was it was the same thing. It was the guy who lost everything. For all these weird reasons. Only now there used to be a step in between, the neighborhood would get together and they would help or there was a farm and you could work on it and stay there. There's nothing now. You grandparents don't have a couch for you now. The step is immediately onto the street and people get disoriented and they came to city hall and that's how bad it was. We didn't expect that. We didn't expect to be a triage. And Right 2 Dream right now when they come, they're wandering around lost, they're sleep deprived, they don't understand what the police are saying and if they get shuffled over to Right 2 Dream, they get some orientation, they get some sleep and they have a chance. What's going to happen is homelessness can only be solved with the leadership of people who have experienced it and the people closest but you guys saying you have earned a chance, what you are doing is you're allowing them to bring in the community like they've already done. Because once people go through Right 2 Dream or they become involved or care, they never leave and they're committed to the issue but they're educated and unfortunately right now, people who are houseless are considered "other" and therefore, they're either beyond help or it's their fault, and then we aren't close enough to solve it. So what's going to happen now, I believe, is in this temporary situation, you're removing the stigma. So now, the government is working with the people, you're removing that stigma. That allows business that care

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and people to come in and not being afraid they're getting involved in some kind of muck. So they're going to help and we're going to see what can happen when people who have experienced homelessness lead this and I believe that Portland is going to show the rest of the nation. So everybody just needs to calm down about worried about the prospects. Because what it's showing me, is when they're worried about what's going to happen with housing values and whatnot, they've accepted homelessness. We're not there, we're not accepting homelessness. Homelessness is deadly. Anyway. Thank you so much.

Hales: Thank you. Thanks for coming. [applause] Hi, good evening.

Veronica Bernier: Good evening Charles Hales. Mayor Hales. I got that a little bit backwards because I've been a little bit scrambled today. However I am really delighted to talk to you and you are all looking well--

Hales: Please put your name into the record.

Bernier: I'm Veronica Bernier, I'm a PSU graduate from 2005 in Public Health and Community Health Education. And part of what I did when I did my internship was watch homeless numbers. I'm considered an expert witness on homelessness. Currently, I don't have a home. It seems ironic but that can happen to you, just a paycheck away from being homeless. But my background is I was a nurse for 30 years, and then I became unemployed. I did a geographic, went up to Seattle and became another type of classified aide. I worked in the school districts, I went to Sacramento, I worked in the school districts also. But, what I wanted to tell you about this particular issue is that I found in my studies, over 10 years, Jonathan Kozol wrote a book called songs from the alley and Rachel and her children. Songs from the alley is about a single homeless woman back east and Rachel and her children is about a single woman with three children and her struggles in trying to find housing in the Michigan area. Good books. I wanted to say something very specific. When laws are introduced and ordinances and building bonds and imminent domains, a certain amount of land use problems come up, we have a process to go through and it's the governmental process and has to do with the department of the interior and land and we all know that and that particular process works very well when it's applied. At this time I understand the R2DToo place. I've seen it. I've seen the tents. I don't recommend it for coed housing. I don't think that coed housing works for homeless. I will tell you from the get-go that women and men have different issues. However, a place where it did work, we all know that, Amanda's smiling. Of course. Well, it ought to be apparent. But, however, in San Diego, father Joe at St. Vincent's put up a multicenter that worked. Nine stories. It worked well for the homeless. It was a homeless multi-center with all the services that you could want or need. Barbering, free lunches, transportation, I think it's 16th and terminal, c street, or something like that. And all of the people there got jobs with united handi-capable workers as telemarketers. You think this is funny but one of the people back there mentioned telemarketing as a viable employer for homeless. The steps to success is to get a job, get clothing, and get out there and lobby for yourself. Multicenters work for homeless. It marshals their energies. They keep the women separate from the men. However, Father Joe said if they're a married couple in good faith, I'll let them sleep together but if they're not married -- I'm just making a joke. But anyway, you understand how it goes.

Hales: I need you to wrap up.

Bernier: I generally support the issue but I find that the impact on the neighborhood might be negative and do worry about the businesses in the area. People are conservative in the pearl district. As a Red Cross member, I was there counting people and whenever something happened, they kind of react as a mass. There's a lot of people that speak another language there. They speak Chechen, Russian, Bulgarian, Latvian, Estonian, French and German, Spanish. It's a different cosmopolitan mix and to throw homeless in an area like that and expect them to mix well, it's a challenge. I would have to say I would have a question mark about it and a better site might be sought. Thank you.

Hales: Thank you.

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Kris H.: Good evening Mayor and Commissioners. My name is Kris H. and I am here to represent Right 2 Dream Too. I am currently in the process of becoming a member. First off, I would like to share a small part in how they've helped me personally. I hear a lot of arguments and teeth gnashing but nobody's talking about how it could help. I myself suffer from PTSD and anxiety problems. Before coming to Right 2 Dream Too I had issues dealing with being in crowds and dealing with people in general due to PTSD and the anxiety. Since I've come to be at Right 2 Dream Too and being able to work and socialize with a diverse population of people, I have found many, many different ways of coping with the PTSD attacks and the anxiety attacks. I've also learned to regain a lot of patience. I also believe that Right 2 Dream Too that can be a useful resource for the Pearl District. With that I would like to ask a question, you know, to the members of the Pearl District that are being represented here. If the Mayor and the Commissioners are willing to give us a chance, why isn't the Pearl District? For starters, the constant security checks we have at our perimeter can ensure extra eyes to keep a lookout for suspicious behavior. We have a strict no drug, alcohol or weapons policy, which is strictly enforced by the members and volunteers there. In doing so I believe that we can help minimize the use and exchange of various drugs, weapons and alcohol in the vicinity of the area that we are in. With the rest area volunteers constantly working to keep the vicinity and the area that we use as our rest area, we work to keep it clean and trash-free. We can also help improve the area in that regard. And I would like to thank you for your time and allowing me to speak.

Hales: Thank you. Thanks for being here. [applause] good evening.

Ibrahim Mubarak: Ibrahim Mubarak, chairman, cofounder of Right 2 Dream Too, Right 2 Survive and Dignity Village. I heard a lot here and I had something I want to say but what keeps coming up in my mind is the word unless. People spoke on their fears, people spoke on their concerns, people spoke on their ignorance, and people spoke on what they know. And unless we come together, and talk and reason with one another, it's going to be that way: fear, ignorance, what's true and what's not true. We don't have to rub elbows. Everybody knows that Right 2 Survive is a successful, in-the-meantime-solution to getting people off the street. We know that. But what's not known is those people that's getting successful, what they went through, how they became homeless and how they became successful, they're humans. And the people in the Pearl District are weighing monetary over humanity because they're always speaking about we will bring their property value down. And maybe that's good. Then there will be more affordable housing. [laughter] [applause] However, we're not there to bring property values down. We're there to get people from sleeping on your sidewalk, we're there to stop people from sleeping in the doorways. We're there to stop the drug dealing. We're there to stop the drug uses by our presence. And that happens everywhere we go and everywhere we will go. Ask the Old Town/China Town Neighborhood Association. Ask the Chinese restaurants and the businesses that's involved around Right 2 Dream Too. Ask Bill Russell of Union Gospel Mission on how he wants us to stay there. However I thank you Commissioner Amanda Fritz and Charlie Hales, Steve Novick and Dan Saltzman, for giving us this opportunity to rise to the occasion again where we can help houseless people become productive. People need to stop looking at the houseless people as a negative thing. Right now, the government is closed and you hear on the news that people are trying to figure out how they're going to pay their rent or they're going to be in the streets. They're afraid of that. We're here to pick them up. We're here to do things as an organization, not as a houseless, as an organization that helps houseless people we reorganize themselves, look into their soul, look into their status and say I can do this, if given the proper resources and the right amount of guidance and reference. And we're building community and that's why Right 2 Dream Too is so successful. So if people are afraid of us, they're afraid of their own fears, not us. Thank you. [applause]

Hales: Thank you.

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Leo Rhodes: I would just like to say thank you for letting me speak here. And I applaud and I encourage the Mayor and the city commissioners --

Hales: Just give us your name when you start, please.

Rhodes: Leo Rhodes, I'm sorry. I'm nervous.

Hales: It's okay.

Rhodes: I am from formerly homeless. I did stay at Right 2 Dream Too for a little bit just prior to getting into housing. So yeah, I would like to encourage, applaud and encourage the Mayor and the city commissioners to let Right 2 Dream Too to stay in the Pearl District. I want to read a poem that I wrote when I was homeless. And it was after speaking to a lot of decision-makers and neighborhoods, anybody that would listen to me and this is what I kind of wanted to say back to them. It's called being human with a question mark. I am the voice you never hear. If I spoke, would you listen? I am the ugly duckling, visible in your pretty little world. I am the criminal when I sleep. I am the nuisance trying to keep dry out of the rain. I am the homeless person, looking for dignity and a safe secure place. Now that is what happens every night and there's a lot more that happens to homeless people every night. Right 2 Dream Too, I believe, stops or has the first few sentences is come on out, I am the voice you never hear, if I spoke would you listen? I believe you guys have listened because you are working right now with the Right 2 Dream Too and trying to get them a place to go which I applaud and that's great. We should be working together. There's also a thing that was talked about early, us and them. I believe that this council can stop this us and them by working with Right 2 Dream Too and also the Right 2 Dream Too is a homeless community which is very rare that this -- I've seen in my advocacy where the homeless people are coming up and speaking with the decision makers. So the 10-year plan to end homelessness, it's in our ninth year and it's not -- it's doing some -- some parts of it is great but we still need to keep up on that. We don't have enough affordable housing for everybody. Right 2 Dream Too, I believe, is helping these individuals that don't have that. It's like a stepping stone to come on up. So I also would just like to say that please, yeah, stop the cycle of the them and us and show the leadership. With working with Right 2 Dream Too and give them the right to dream in the pearl. And also I would like to close with let's not reinvent the wheel, which was said earlier about all these commissions or whatever, getting together. That's already happening with the 10-year plan. If these individuals want to help, they should go to the 10-year plan and help that on out. But working with Right 2 Dream Too is what we should be looking to. A lot of people said that they didn't believe when they bought housing, or when they went to the Pearl, that the homeless people would be there. Times have changed. And we do have to help these individuals. These are human beings out there. Don't put laws up, don't have the police come after them. Give them someplace safe and secure. If you are going to put those laws and police on them, at least give them a chance to have someplace stable so that they can get themselves on out of homelessness. Thank you.

Hales: Thank you. Thanks very much. [applause] Good evening. You get to be first. Give us your name and proceed.

Michelle Rintelman: My name is Michelle Rintelman. Thank you for allowing this forum today to bring the community together to discuss the issue. I've lived in Portland for quite a while now, about 13 years, and I have my Master's from Portland State. I'm a dula fighting for support and advocacy for pregnant women and families. And I work for social justice here and wherever there's injustice. And about two years ago, shortly after, right about the time that Right 2 Dream Too opened, I lost my housing and I did end up staying at Right 2 Dream Too for a short while. And got housing and a job while I was there. So I'm very grateful for the time and for the opportunity and having that short time there and having kept in touch with the community, I've been able to see personally the level of commitment people have to their safety and helping people that need help. They are very consistent. Meetings are inclusive. They meet every week. There is, like you've heard, 24-hour security. Everyone is required to be involved in protecting the site and each other and the

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area around. Frequently, when I go by to visit, people are cleaning up around, walking around the block, cleaning up, plants, community activities. It's a very lively place. And I also had the opportunity to see tourists and people visiting Portland stop by, learn a little more about the issues. Get a chance to tour and talk with people that are living at Right 2 Dream Too. Also, I've seen concerned people in the Portland area come to provide food and talk and also just get an insight into what people are experiencing. So I guess I would advocate for Right 2 Dream Too and the site. The rest area. And the methodology that they have. And I'm just grateful for this opportunity that everyone was able to come and maybe find out a little bit more behind the scenes what it could look like in the neighborhood and I'm grateful that people are opening up to be more compassionate to people who are in need. Thank you.

Hales: Thank you. [applause]

Rich Barazano: Hello, my name is Rich Barazano. I would first like to say very quickly that your interpretation of land use is troubling as it probably will be to the state, considering that 51.8% of land in the state is either owned by the BLM, federal government, or the state. I don't know what the figures are for counties or city. That's very troubling. I don't know how tempted Oregon would be if they were to maybe take on a nuclear dump site called a public service and if they get \$2 billion a year maybe, maybe that would tempt them. I think, you know, when you start doing that, it's kind of unravels the fabric of what the state's known for all over the country. That's very troubling. As far as the neighborhood, alcohol-free zones was a big concern and the local produce store on 9th and Everett was very stringently reviewed. And what you're doing here, because what I got out of this evening's testimony is the camp itself seems to be very well managed. It's the people who won't be allowed in the camp who will feel attracted to the camp. I'm sure you thought of this. I'm sure you looked and you know that the five and a half acres of park within three blocks or less are going to attract people like a sponge. The sidewalks, everything is going to turn that area into an alcohol impact zone. I believe that -- a friend of mine brought this up to me. I'm just repeating what he was thinking. That liquor store which is a half-block away is something you don't have in Old Town. And that's the most successful, I believe the busiest liquor store in the state. And you're asking for a lot of trouble. It's going to happen. I believe if you intend to make a resolution, you also need to make as part of that resolution that if you turn the area into an alcohol impact zone, as a result of your actions, you should also agree to resign. If that happens as a result of your actions, you should agree to resign. It's pretty simple. The picture's right there. The parks are there. They're a sponge. It's going to happen. And what's really a travesty here is you are very well aware how many children are moved into that area. You know there's two grade schools very close to that three and a half acre park. Kids pick stuff off the sidewalk. They're going to get hepatitis. It's going to be a lot. I mean, if it doesn't happen, that would be wonderful but this is something I want to bring to your attention.

Hales: Thank you. You're next. Folks, please. Hang on.

Barry Sutton: Thank you for having me here. You might have cut me ahead of other people. I have a lot to do. I hope you're a little better off now. I think you weren't there last night, and Commissioner Fish isn't here, I'm sorry. What has impressed me as an area where I travel a lot is going up 12th avenue. I'm sure a lot of you have been up there. And there's a huge field in back of Washington, the old Washington high school and the building was sold to someone to make it condominiums. Sometimes, a couple of the people around neighborhood running their dogs in this field, it's about three blocks long, huge, immense, immense. And I was just thinking about the first Dignity Village, well the first camp here in Portland, catter corner to St. Patrick's church and I come there on Saturday night and I'd always pick up around the people there, about 55 people in this little, tiny space and everything worked out just great except the department of transportation wanted to move their road blocks, hoses, rakes, and all their tools. And they said you gotta get out. So we have the dignity village out by the airport. And that worked out fine. Okay, well this, too, could work out very well. The only problem I would see, a big problem is with the police, but the police could

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create a section of their department because the police are here to, well, technically keep the peace. They're supposed to. But the police could create a department to help people live together in this camp and there could be a lot of things going on that would help -- that people would live together. Now, that's good. That would be fine, take all the people off the streets and then the -- what is it? Something you -- what is it?

Hales: Right 2 Dream Too.

Sutton: Right 2 Dream Too camp, that could go there or stay where it is but this would be enough for everybody. Other people in the east could see this like around Detroit and those other areas, they would have a lot of room and a lot of homeless and they could start their own camps, too. And this would actually bring our entire society together again.

Hales: Thank you.

Sutton: I leave that thought with you and commend Commissioner Fritz, if you would please consider this. It's not impossible. Thank you.

Hales: Thanks very much.

Angela Hammit: Hi, my name is Angela Hammit and I never dreamed in my entire life that I would be homeless. When I did become homeless, I knew I could count on my city to help, especially Portland. You have so many wonderful programs out there. Only what happened was I fell through the cracks because I don't have an addiction, I'm not an alcoholic, I'm not a drug abuser, I'm not being abused by my husband, I'm not fresh out of prison and I'm not a veteran of the United States of America. Right 2 Dream Too is somewhere where the people that fall through the cracks can go and they can be safe. They don't to sleep in a doorway and be kicked awake by police and/or angry citizens on the street because that are mad that there are homeless people sleeping on their sidewalks. It's not the solution. I understand that. But until there is a solution, please let us have somewhere to go. Thank you. [applause]

Hales: Thank you. Thank you very much. Next please. Let's take these three, and then we'll call some more. Go ahead please.

Dik Weed: Hi. My name is Dik Weed. It is my street name, I am very proud of it. Mostly because I get to come to events like this and they have to call my name, oh, Dik Weed is here. It's funny. I've been watching all these proceedings and I've been listening to everybody and I am really disturbed by some of the language that's being used. I particularly loved being associated with toxic waste. That's a new one. I was told -- well, I was asked, if I could not come up here and say things like bigot.

Hales: Please don't.

Weed: Or point out the NIMBY or all that kind of stuff. And I don't want to focus too much on that but the truth of the matter is I work with a group of people that do amazing work every day. And we don't ask anything from anybody, except for the freedom to continue to do that work. That's the thing that really drew me as a person to this organization and it's why I continue to work there. We are completely devoted to what we do. That's an amazing experience. It's very few people who go about their lives with any kind of devotion. And I am blessed to be with a group of people who believe that advocacy is a human right. That we all deserve to have a voice. That we all deserve to know our rights and to expect others to appreciate and accept us as humans, as equals. There's a lot of inequity in our class system but there is some equality in the laws that govern us. I'm a human being and I deserve to be able to sleep. I don't deserve to have rich white people tell me where to sleep. [applause] So, I think that that is the part of the argument where I'm lost. The Pearl District says that we are going to drop their values on their homes and property. And I'm going to tell you this, it's actually your hatred that drops values. [applause] Hold on. There's a point. When you get behind an organization and are positive and then teach others who come into your community that this is a positive thing, your values and homes don't go down. They go, oh, there's a homeless camp and you go that's not a homeless camp, it's a rest area and they're doing great work for people and

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we're all supportive of them well guess what? Then your value doesn't go down on your house. If you hate, then your property value goes down. And that's called justice. [applause]

Hales: Thank you.

Michael David Crawford: Good evening, my name is Michael David Crawford. Call me Mike. Thanks for permitting me to speak. I'll say to you something that I said to the Portland startup weekend about a year and a half ago that we are arguing at cross purposes here. I want to ask you why government even exists. What the argument is the structure of the government, for example, land uses and zoning and so on. Because some of my ancestors were some of the earliest settlers in what at the time were the British colonies in the new world. A great uncle of mine by the name of Roger Sherman was the fourth of the five signers of the declaration of independence on the back of the commemorative two dollar bill from 1976. He's the tall guy with the tall forehead fourth from the right. On my paternal grandfather's side, General George B. McClellan of Clan Donald from Scotland gives me the right to wear a blue Clan Donald tartan. He was the general in chief of the Union Army of the North at the outbreak of the Civil War. Shared with me an intense hard work and attention to detail that I believe he shared with what I have now obsessive compulsive personality disorder. That makes me really good at the work I do with computers. But he found himself strangely unable to murder his own brother so they replaced him with another uncle of mine from my paternal grandmother's side, William Sherman, who was just a maniac and he just murdered everybody in his path. Mental illness is endemic throughout the human race and throughout human history and is quite common among many forms of animal life. It's not going away. In my own case, I do the worst if I don't get enough sleep. I'm working on a business idea, it doesn't matter what that is but if you want to learn more about my mental illness, I discuss it at my business website, warplife.com, there's a big yellow box at the top, living with schizo affective disorder. My biggest fear, if I don't get enough sleep, I hallucinate vividly. If I go while more I can't see where I walk. If I go a little more I enter a completely altered state of reality and I am unaware that I am not hallucinating. This was approaching about a week and a half ago, I realized it was getting to be a problem so I dialed 9-1-1 on my own, told them it was not an emergency, I could have walked to the hospital, they gave me one single pill and let me get six hours of sleep and set me just right. Had I continued to try to sleep on the street out in the rain in the cold, a side effect of the medicine I take for my psychosis, I have to urinate quite a lot. So I need to find a place where I can urinate without getting arrested. During the night in order to avoid a take up a bed that somebody could use, I sleep during the day at R2D2. They have a port-a-potty there and I do just fine and I work at night on this business idea for the most part in the Pearl District. Powell's just across Couch Street there's a Starbucks that of all the batshit things, serves beer, wine and parmesan-encrusted chicken skewers.

Hales: I'll need you to close soon.

Crawford: Go in the parking garage or the front door at Starbucks and out the back door, go get yourself anything at the Starbucks and then walk eastward I think down Couch Street or more or less go north and then east towards the Willamette River. There are a whole bunch of places in the Pearl District that even if I had gotten my much-desired job of working as a mobile developer since I moved here three years ago, I couldn't even set foot in there even with a good salary. But it's not hard at all to drop my name into any internet search engine to find essays such as, hold on --

Hales: I need you to wrap up because we've got to let other people speak.

Crawford: I wrote an essay and I have a lot of essays like this, I regard the vast majority of my colleagues as total slackers.

Hales: Could you send that to us?

Crawford: I will. It makes it hard to get a job which results in my homelessness. I am not asking for one thin dime. I can start a good business and I can employ other people, provided I have a police to sleep where I can urinate several times during the night and I am not rained on. Everything else is handled. Thank you.

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Hales: Thank you. [applause]

Dianne Riley: Hi, my name is Dianne Riley. I think tonight there's been a lot of testimony that could evoke some sympathy, maybe some empathy for each other. I have a lot of empathy for you guys because you have a tough job. You know, I have been kind of shocked actually by some of the testimony that's been shared tonight. I know that people are not always connected to other people's experiences. I know that, you know, we all focus on our own financial struggles and tend to not pay attention to other people's financial struggles. But I think the takeaway for me is that I want to follow the leadership of people who care, you know. I want to be with people who are caring. And Right 2 Dream Too is an organization that organically, almost it feels like magically, Portland has been blessed with. They're building community, they're helping each other and providing an amazing example for the rest of us, as well. I don't want to follow the leadership of people who are so focused on the bottom line that they can't -- they can't care. And so basically, I would urge you to help us as a city push through the rigmarole of the zoning, the codes, all the excuses I think they are, excuses for not dealing with this problem. It's not like we just, you know, that homelessness just popped up. I'm old enough, I was born in 1962 to remember a time when there wasn't as much homelessness right? And we don't have to live like this, you know. But we are. And I'm excited about people who are able to grapple with the reality of dealing with this issue and coming up with solutions and I'm really excited to follow the leadership of Right 2 Dream Too. And I urge you to do the same.

Hales: Thank you. Thanks, very much. [applause]

Mike Withey: Hi. Good evening. Mikey Withey. I would like to tell you guys up there that I think you're all very brave. I think you're handling a very delicate and controversial emotional issue that is so important that people are dying out on the street. They're getting raped, we know that. We know that the crime statistics don't really count the crime on the homeless but what Right 2 Dream Too has caused is saving lives, uncountable lives and robberies and rapes that would have happened out on the street. I've heard a lot about money. Right 2 Dream Too doesn't cost us any money. What it does is it saves us money. It's saved us millions of dollars of folks that would have ended up in the hospital or ended up in prison or state institution. You can see that they deal with a lot of mental health issues. We don't have the places for those folks to go so they are at Right 2 Dream Too. They save us millions but on a human scale, they've done more than any of the other services that we hire to do. So the only thing that I'm kind of pissed off about Right 2 Dream Too is there's not more. There should be more. [applause] I would like to commend you Mayor, especially you, because I've noticed what you've done over the last couple of months. You've pretty much ignited a fire that's going to have to be put out. So for that I commend you. [laughter] [applause]

Hales: Thank you. Next three or four please.

*****: [inaudible] Called my name in the last round [inaudible]

Hales: Can you hang on just a little bit longer and we can bring you up on the next floor? Is that okay? All right. Thanks. Go ahead. [indiscernible]

Steve Entwisle: I'm Steve Entwisle, I was born in Portland. On October 28th, it will be 54 years that I've lived in Portland and I was born at the Kaiser hospital. In 1978, 1979, I graduated in '77. If you would have told me that this was going to be like it is today back then, I would have called you all a liar. Okay. But this situation that we have. First of all, I want to thank and commend the commitment and the compassion of Ibrahim Mubarak that has done the work that nobody else could do. If you were to say that like the one gentleman said, it's class warfare that we're having a humanitarian help -- trying to help people survive the winter. I would say well, what about the 30 years of Reaganomics that absolutely devastated this country and especially here in Portland. We're hit first and the worst and we are the last ones to recover from any kind of a recession. This was not a recession. This is a depression. And as far as class warfare goes, yeah, we've been hit with class warfare for 30 years. Anyway. That speaks for itself. And the 10-year plan to fix homelessness, it's

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really interesting that all of a sudden everybody wants to fix it right now. Because we've got all this excitement. Which is good. I hope we can, you know. And as far as the rest areas on 4th avenue, I think we should be both. I don't think they should move. I'll tell you what, I have a prediction that we're going to have a really bad winter this year, really bad. We're going to need as many as places for people to sleep as possible. And R2D2 saves lives. I couldn't imagine how many people would have died if it wasn't for R2DToo being in place. [applause] And, by the way, where's Fish?

Hales: Thank you very much. Wrap up.

Entwisle: Being homeless is like being in a swimming pool. Either you're in or you're out of it. People that are out of homelessness telling people that are homeless what to do and how to be and such is not right. Because your mother -- if you're against R2DToo then you're against your mother, your sister, your little brother, that are all without shelter. Thank you very much.

Hales: Thank you.

Jess Heman: Hi, my name is Jess Heman. I manage a restaurant near the current location of Right 2 Dream Too. We've had the opportunity to meet some of the honest, compassionate and resourceful people who run operations there. I've heard a lot of talk this evening supposedly about zoning codes and legal process. Everyone in this room knows, however, that all of this jargon is meant to veil an ideological and moral debate. I'm here to support R2DToo, so you know where my ideology stands. Instead, I want to address reality. The reality is that many more people are living on the streets today than there are spaces available at local resources such as Bud Clark Commons. This is not debatable, this is fact, a matter of simple mathematics like one and one is two. While the city has allocated resources and done a lot of work to provide more affordable and transitional housing, the fact remains that demand exceeds supply. Pearl association representatives earlier tonight in a letter to the Mayor from the chair of the owners association for park place suggested that everyone should move to Bud Clark or perhaps another building. To this I say, yes, let's build the building, let's build many buildings. But I also know there are finite resources city has a duty to balance the budget. While R2DToo is not a permanent solution to homelessness in Portland it is helping. They help keep our streets safe. They help keep the residents of the rest area safer and drier as we move into the winter months, and best yet, it's free. The chair for park place, david lactect [spelling?] even pointed out in his letter to the Mayor that Bud Clark Commons cost the city \$47 million, and in his words, R2DToo costs the city nearly no cost. And let's not forget another reality. We are not talking about a business venture. We are talking about people. Shutting down R2DToo will not prevent people, houseless people, from living on Pearl District streets. You cannot ignore or remove this problem. I support R2DToo because they run a tight ship. They have policies and procedures to keep their space clean, a sanitation contract, and security volunteers. I have purposely chosen to walk their direction when I leave my late night shifts because I know it is a safer route. To the arguments that R2DToo does not follow zoning laws, of course there are no specific zoning laws that fit the situation precisely, for this is an unprecedented. Laws and policies exist to support beneficial ends. Let's not hold these laws above their purpose. To the argument that businesses lose money based on proximity to the rest area, no one here tonight has presented sound evidence that such a correlation exists. Without interviewing former customers on their rationale, there's no way to know for sure. While R2DToo is not a perfect solution, no one else has presented a better solution. For now, it's the best idea we've all got. To end my statement I would like to remind everyone of a major occurrence in the country this week. Like Ibrahim said earlier, 800,000 federal employees went home without working without pay this week. And this precarious place where the future of so many employees is uncertain, we may be relying on organizations like R2DToo in the future. It would be unwise to take them for granted.

Hales: Thank you. [applause] good evening.

Art Rios, Sr.: Good evening. Art Rios, Sr. And like I normally do, can we provide for a moment of silence for the homeless that may die on the streets tonight? [silence] Thank you. So once again, I

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do this every time that I come because you know a homeless person may die every night. We know that. And I keep hearing about the Bud Clark Commons. In the homeless community, we know of it as Blood Clark Commons. The eighth floor is known as the morgue, Death Valley, whatever opportunity to call it, okay? Has there been any deaths at R2DToo? None. None at all. So I wanted to come up here and I knew what I wanted to say and who I was going to support but I have to look at it this way. I have to support every group. The Pearl District, thank you. Thank you for coming out and realizing you have compassion and being a human being to your own folks in your neighborhood. To Right 2 Dream Too, Ibrahim Mubarak, to have compassion and dignity to be here to speak to folks today. And to you three, because there was a conversation that a group of us got together right around the beginning of Right 2 Dream Too and we came in and we talked to Dan Saltzman and we were talking about the humanity of people and their lives. He said this was not about a humanity meeting. Then why were we there? Why were we there the first time? I've sat outside for three different Mayors and protested. You're the only Mayor that I have not protested against, just yet. It's coming. [laughter] I'm just letting you know. It's coming. And I have a big support in many different ways. If I can put 310 people around here and get them to sign the same agreement that Right 2 Dream Too has upgraded from what I wrote before, who says I can't put 2,000 people out here? I'm not saying the pearl district is a good place for them, because once again, you're under a bridge, you're not seen, you're not heard. To me it sounds like the billy goat gruff. Every time these people are going to come up from under the bridge, the first one is already homelessness, they're going to get knocked down. The second one is drug addiction. They're going to get knocked down. The third one, the money that they keep talking about, is going to keep knocking them down. So why put them under the bridge? Leave them where they're at. I like the ideal from Williams and Dame, I think that's their name. Build them a building. Let that community help them. Let them stay where they're at. Let people know that you do care but don't put them under a bridge. It's bull and you know it.

Hales: Thank you. [applause] welcome.

Renee Stephens: My name is Renee Stephens. You know that. I want to raise the consciousness of this discussion. I'm with the Pay It Forward -- the pay--

Hales: Sorry, it's a weird microphone. Sit a little farther from it.

Stephens: Sure it is. [laughter] I'm with the Pay It Forward leadership society. I'm not sure if everybody knows but what we're trying to do is we're trying to create something -- we're trying to build a new society basically. And the reason why we're doing that is because we have lost our focus. We have lost our meaning as a human culture, as a race of beings. Somewhere along the line, money has become more important than life. And this is a travesty because life is what connects everybody. You are living beings, I know you know that. And you know that you wouldn't want to be out on the street like these people. You wouldn't want your loved ones on your family members or your friends to do the same, either. These people are looking for someone to care for them, someone to help them. And that's what should be important. But the conversation continues to come up about money. And money's not what should matter here. Life is the only reason why we should be running society. And we should actually make a conscious decision to make that the goal, not owning things, not making money. Nobody actually owns anything. It's an ideological -- it's a wholly manufactured ideological construct that we're imposing on each other. For what purpose? It's not helping anybody. It's actually hurting people. We're not developing in a balanced manner. And that's why we need, we need to start thinking in terms of life and people, how do we help them? How do we optimize life for everybody? For not just human beings but all the life on the planet, the planet itself is a living being. It's an organism with its own consciousness. And she's not really happy with us as a race of beings I can tell you that right now. We're all cells living here on this planet, we're cells, we're a part of her body and right now, we're acting like a cancer when we are continuing to disregard life. These people, they're not things. They're living beings. They're not

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garbage. You can't treat them like this. I don't believe that there should be a camp over there on Burnside and 4th. I believe that every single person living in that camp should have a home because there are vacant homes. It's very possible for us to create a society where we're cooperating and working together to create an abundance that we can all pull from at will. We do not need leveraged economic transactions. We need at-will economic transactions, genuine transactions. We need people to help each other, to help each other at will and they would do that if we could stop this whole nonexistent idea. It's just an ideology.

Hales: Thank you.

Stephens: I'm not done.

Hales: You need to wrap up. We have people who need to speak.

Stephens: I realize that. People need to stop being so concerned with what they have. And realize -- and I think there's a general misconception. That happy and healthy people are lazy. Happy and healthy people -- if we strive to create happy and healthy people, we will have more productive members of society. More hands to help. I mean, have you ever heard of the term or the phrase many hands make light work? That is true.

Hales: Very true thank you.

Stephens: But these people -- let these people be for now. But the ultimate solution is to actually get rid of the money, that's the problem. That is the problem. And I'm coming to you a very serious problem, you know my struggles, I've come to you many times and I still haven't heard back okay?

Hales: I need you to close.

Stephens: I realize that.

Hales: There are other people that need to speak.

Stephens: Okay. Listen, I'm just putting it out there and not just putting it out there to you, I'm putting it out there to every global citizen on this planet, every human being, every living being. Let us put away the monopoly game, okay? We see that the 1% has already won, that's great, pat 'em on the backs, whatever, let them have the prize. What we need to do is move to a more responsible model of society which includes taking care of everything single life on this planet.

Hales: Thank you.

Stephens: Thank you very much. [applause]

Hales: Hi, good evening. Go ahead, it'll come on. We have the quirkiest sound system of any place you'll be. So just bear with us.

Jordon Benning: It happens. There it is. My name is Jordon Benning and I'm also pissed off. Bear with me, I'm not going to attempt to not lose my temper. I've had meetings here in this building to discuss the houseless community, to discuss the City Hall vigil up front and what was returned was absolutely nothing. The meetings that I had with people were for solutions so we could just live together. I slept in front of this building last year. And I'm not ever going to forget that. I'm not going to forget the police brutality and harassment, and I'm not going to forget the harassment from the people alone in this building. To try to find solutions, you wouldn't even allow pallets for people to get off the freezing sidewalk. And that bothers me. And note that there are creative minds in this city that have been actively trying to work on the houselessness issue as a whole together. But nobody cared to listen. Nobody cared to listen to the people that have spent over 100 days in front of this building. This is class war. A doctor was brought up earlier who deserved the American dream. The houseless community at least deserves the right to shelter and safety and R2DToo does that. Parking lot. Parking lot. Oh, my investments. Screw your parking lot and screw your investments. I do not care about no parking lot and I don't care if anybody decides whether or not that they want to put \$50 million into a new hotel. That disturbs me and boils my blood. The fact that you don't want to lose a parking lot when people are losing their lives every single day. There are estimated 37,000 homeless people that die per year in the United States. There's not even enough homeless people in the United States to fill the empty homes or the empty buildings. We don't need no new buildings.

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We need to put the buildings, including the government buildings we already have that are empty, to use and we need to put the people in those buildings. [applause] Some of you may be familiar with the challenge some members of Congress and CEOs have taken on trying to live off food stamps. Some less than \$5 a day. I want the people here who oppose R2DToo to try living on the street for at least a week. And I hope that -- [applause] and I hope that they can escape the possible rape, the possible assault, the possible robbing, the possibilities of being jumped or even beat or even harassed by police officers in this city. [applause] These are the dangers that living on the street are real. These are real dangers that living on the street brings. I want them to see if they can escape that and live through that. A liquor store was brought up here in the Pearl. That liquor store is not only the busiest, it's also more one of the expensive and I don't know if you know this, but the houseless community doesn't necessarily have enough money to go into one of the most expensive liquor stores in the damn city. [applause] Real, real quick. Some of the success that has been brought up for R2DToo, it not only has housed people and helped people get jobs, it lets people sleep in numbers. It's drug-free. It's weapon-free. And here's a quote for all you pearlies that came out today. Go to Right 2 Dream Too's website. Look at their love notes. And look at their other section. Here is a quote I have pulled off. They have more comprehensive strategy for protective sexual assault within the community than any church I've ever been in. [applause] And people want to talk about how women may be scared? People want to talk about how women may be scared to go around there? I would feel safer sleeping there than anywhere else. Listening to all these bourgie white people has made me want to rewrite my notes over and over and over again and I can't even begin to touch on all the different idiotic ideological differences that have been brought up. And to the people here in support of the pearl that felt it was necessary to point, laugh and judge the homeless people who have the courage to testify, simply you're a shitty human --

Hales: Hey, hey.

Benning: And you don't deserve to live here and that's all. [applause]

Hales: Go ahead. Thank you.

Marko Lamson: Thank you for that. I'm Marko Lamson. I'll try to keep it short. I want to say kind of two things. One is Right 2 Dream Too is a very, very successful model. I think for politicians in a progressive city, I think by attacking this model, I think you're doing a really big disservice. This model has been extremely cheap and efficient, it's done an extremely good job of connecting people to the resources, connecting people to jobs, giving them enough places to sleep, a rest, where they can get their stuff together and be able to move forward in their lives. Now in contrast -- and also, cost of that. So it was very efficient in cost. About \$15,000. \$20,000, if you want to count the lawsuit. Comparatively to the \$47 million that you invested into the Bud Clark and the stories that have been continuously coming out of the Bud Clark for people who work in the houseless community or have been houseless themselves. It's the question of investment. If you're really going to be efficient with city funds, \$47 million into a project compared to \$15,000 into a project, which one has been more successful at helping people and really turning people's lives around, I think it's something to really value. The second thing is less actually address to you all, I've been hearing class warfare brought up a couple of times. And I think it's embarrassing for me to hear class warfare talked to from pearl district residents in condos that talk to houseless people about the class warfare that they're doing, that these houseless people are doing to those residents, hypothetically. The idea that taking the houseless community, one of the most dispossessed, one of the most powerless communities in Portland was able to scrap its resources together and to produce a model that works, two years of it working, that is class warfare because they wanted to move that location underneath a bridge? That is ridiculous to me, in contrast to the class warfare that I would see, where you're seeing 1% of your rental is going to go down, 1% of your property value is going to go down if there's a houseless tent city next to you, hypothetically, 1% or 2% of your amount of total money that you're going to lose on this. And those folks are quantifying it to me that that money is

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worth that amount of loss of life. When you have people publicly state up here, I've been beat twice in two weeks and right to survive -- right to dream is the only thing that has done it. It is literally like when folks from the pearl talk really specifically about how their property values are going up based on, you know, like the houseless people and at the same time, you hear narratives coming out of our communities that say we're dying on the streets. When you say money is worth it, more so than those people dying, that is class warfare to me. It's not our people -- [applause] I'll keep it short, thank you.

Hales: Go ahead.

Jonathon Cobb: Hi, my name is Jonathon Cobb. I have sat here for the last few hours hearing the most privileged members of Portland talk about property values to people who have no property. Now, Right 2 Dream Too is a group of houseless people who self-organized to pull themselves up by the boot straps, which I thought was poor people were supposed to do according to your ideology, but now you're taking away their boots. [applause] Now, I don't necessarily think that the pearl district is the best place for them. After all, if I were a member of Right 2 Dream Too, I wouldn't want to move there because they're such lousy neighbors. But I think they're fine where they are. I think they would be much better in the multiple empty houses that they could easily live in if the capitalist system hadn't screwed them out of them. Now, yes, this is a temporary solution. As is any solution within the capitalist system. The people of the pearl district want to find some other compromise, want to find a compromise that doesn't insult their class privilege. Now in the gospel of Matthew, Jesus said to his disciples, as you've done to the least of my brethren, you do unto me. I think that'd be good to keep in mind for those who worship mammon. Now, I just want to say that I don't have any faith that any long-term solution can be reached through this process. But this I do believe: One day, a day of reckoning will come when the last shall be first and the first shall be last and you're damn right that's class warfare because class is warfare. [applause]

Hales: Good evening.

Judith Beck: Good evening. My name is Judith Beck, and I'm a senior, an honored citizen. I'm 73 years old. I've lived in Portland for 12 and a half years and I want to speak out of compassion and love, acceptance for all the people who are here today who have been giving testimony. In gratitude, because I'm a white privileged woman who never slept on the street, who's never been hungry. I have everything I need. I've lived in the Pearl. And I know that in the building I lived in, one of the buildings I lived in, the 10th at Hoyt, there was a homeless woman living on my floor. I had never taken in anybody else off the street but a man took her in. I don't know why. Maybe, maybe not. I have friends who are homeless, they're out on the street. They've slept in the rain. The gentleman has gone to the OHSU emergency room any number of times because he's so sick and disabled. They go to the defense services that people say we have in Portland that are gonna [indiscernible] for the homeless, and they can never get any money. The agencies don't have any more money left to help them with electric bills. And this couple that I knew who lived on the street did have an apartment -- a room, excuse me. They were being exploited for 500 plus dollars a month for a room on a third floor walk-up. I was there. I saw it. There's exploitation going on here in this city. Of course, a camp, a rest area, is not a permanent solution. But we have to do the band-aids as well as the systemic change. We need both ends to put out a either/or solution, suggestion, choice, no. Both, and. Long-term systemic solution so everyone has a shelter, a real house to live in, a real home to live in. But in the meantime, Dignity Village, Right 2 Dream Too, we need these. Tomorrow's the feast of St. Francis of Assisi. When his father challenged him to give up his god-ways I guess, Francis threw his clothes off and said, goodbye dad, and walked out onto the street, naked and homeless. That's what he did. And tomorrow's his feast day. So may he bless us and lead us to make the best decision we can make in this present situation. Thank you very much for your attention. [applause]

Hales: Thank you. Got a couple more people signed up. Good evening.

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Moore-Love: People may be upstairs, too. If you've signed up come on down.

Hales: Go ahead.

Harley Williford: My name is Harley Williford and my wife were the sort of people that did get housing. Now, we're both students. And we're living proof that it actually worked. Now, I've heard a lot of people talk about how we deserve better than tents, I agree. I also know before all these cowards got and up left because they got their shots in, a lot of these people owned a lot of those empty buildings and none of them actually said, you know, I would rather you live in one of my empty buildings than live in my backyard. They all agreed that that wasn't better but I don't want us to live in one of their buildings either, even though they're not making any money off of those buildings because they're empty. So, you have those people who pretend to be decent human beings. And then you have these other people who are decent enough to hate us openly. And that's exactly what this is. If someone said I don't want black people moving into my neighborhood because it will bring down the property values, you wouldn't be sympathizing with them at all. No sane person would even admit they're sympathizing with them even if they did. But when you say I don't want homeless people in my area, everybody's like, I don't want homeless people in my area either until you're homeless yourself and you're like I'm not going to be one of those homeless people. And then you end up being one of those homeless people because all homeless people don't have access to showers or a place to keep their clothes. If you're homeless, you're going to stink. If you're homeless, you're going to be hairy. You're not going to be pretty if you're homeless. And guess what? If you sleep in subzero weather in the rain, eventually, you'll figure out that if you sleep drunk, you're likely to go to sleep at all. If you don't, you'll probably spend weeks to sleep. All the stereotypes you make up about the homeless, there's a reason they're like that. It can happen to anyone who loses their damn job.

Hales: Thank you. [applause]

James Bizzell II: Hello. I'm James Bizzell II. I don't know what I wanted to say. It's a few things I do want to say, though. To the Pearl District people that want to sit here and say we should bring a halt to it because they want to help us. In my opinion, you weren't thinking of us one second before this went down, so y'all just need to go ahead and shh, and back up, and let us do what we've been doing for the last two years. Because we didn't need your help then and we don't need your help now and I'm not trying to be disrespectful when I say that. We don't do no wrong where we're at. As far as alcoholics, just like that lady said, who's going to go into a liquor store that's the most expensive one in the city when we ain't got enough to buy us a dang pouch of rolling tobacco for \$2, let alone to buy a \$15 bottle of vodka? It don't make no sense. As far as businesses, it's okay, I'll continue to spend all the money that I spend at the food carts and at Dante's pizza, I won't give you all none of my money. I have no problem doing that. I can be greedy just like y'all can. [applause] Like I have no problem doing that. And I mean, all of us are good people. You know, we've got people that wash windows, we've got people that work part-time at Saturday market, I ride a pedi-cab. I pedal either your brother or your sister or your mother or your grandmother, up and down hills all day. But yet, we're the bad people. No, y'all the bad people. Take a look in the mirror and really look at yourselves because that's ridiculous. And I guarantee you more than half of you all is religious and in every single religion you're supposed to help the homeless, supposed to help the people that ain't got nothing. Jesus did it, I don't understand what's so hard about that concept. Put your hand out and help us up. Don't put it in your pocket and look down at us. That's it. [applause]

Trillium Shannon: Good evening. My name is Trillium Shannon, I'm a cofounder and a board member of Right 2 Dream Too. And first of all, I just want to say I am incredibly proud of all the dreamers who came out today and all the dreamers who have been doing the work they do. They do really hard work, and I think somebody had mentioned that Right 2 Dream Too has been able to reach some folks who haven't been able to find that help and there's people who have gotten into housing who thought they were going to spend the rest of their lives on the street. We have a lot of

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elderly members of Right 2 Dream Too. Many of them are starting to get into housing or have already gotten into housing. But, you know, so when you talk about vulnerable elderly folks that are some of our members are those people. And some of them did go to Station Place to speak to people and reach out a hand and say don't worry, to calm those fears a bit. I think that's what we'll continue to do. Kind of hard to sit in a room where people are saying things that are hurtful, and I think that it can cause some reactionary sort of statements coming out and you have to understand that. Like it's hard when your community is being attacked. But then, on the other hand, I'm really happy and thrilled to be sitting here today and actually after two years, and many more than two years, but two years with Right 2 Dream Too, coming to City Hall and talking about the realities and having people talk about their first-hand experiences, to be heard and to be here so that you can hopefully vote yes on a resolution that will give Right 2 Dream Too a place where we are sanctioned as a service. We are a community service. It's plain to see. And that's exactly the right classification for what Right 2 Dream Too does. So there's lots more to say, I know we'll have lots of conversations to come in the future. I just commend you all for being here, for doing what you're doing, for listening to us and we have a lot of work to do. So Right 2 Dream Too is not the answer. It's just one of the stepping stones along the way. Thank you very much. [applause]

Hales: Thank you. Good evening, go ahead.

Lisa Mazatti: Hello. My name is Lisa Mazatti. You know about me because my fiancée Harley just spoke. I never thought we were going to be out in the streets. And early 2012, Harley lost his mom because she was having issues with her life and we had nowhere to go, we had nobody to support us. And I never thought, you know, that we were going to have to relocate from my beautiful home in Colorado just so we could survive. When we first came here to Portland, our original intention was to go to Dignity Village to live. And it's far out near the airport. We didn't have no bus fare, no nothing and we came to Right 2 Dream Too. When we became members at Right 2 Dream Too, that was the first time I felt safe. I felt like finally there's hope, finally there's a place where we can try to better our lives. Like Harley said, we're both currently students. He just started school and I started my first term of college at Right 2 Dream Too. It was hard but I got through it and it's just, look at the humanity side of it. Forget about the politics. There's people out there who are trying to actually better their lives who are actually homeless. There may be a lot of people that represent the bad population of homelessness. But that's not all true. And I would like to thank you Amanda Fritz and Mr. Mayor Charlie Hales for actually taking this issue into consideration. I haven't been able to talk to both of you, since of course we're housed, but I really appreciate that you guys have actually put some thought into giving Right 2 Dream Too a life and making sure they can help people for many years to come. We never know. But thank you.

Hales: Thank you. [applause]

Grant Swanson: Hello and thank you so much for having me tonight. My name is Grant Swanson, I work at the library. I was glad I was able to come down and testify today. In addition to working at the library I was the vice-president of the Multnomah County and I am a current board member of Right 2 Dream Too. And what I'm so excited about with this move under the bridge is the possibility of creating more rest areas and more locations throughout the city and throughout the community. And I have heard from a lot of people that this isn't a permanent solution and I agree, it's not. People need homes, need stable environments. But in different communities throughout the city, I've worked at Rockwood library, I've worked in other parts of the city where there are some services and everywhere I go, there are communities of homeless people. And this model that was kind of tried in other communities for a while and then brought down here is a really good, really viable model. And as you've heard from many people tonight, it has worked for them and it has gotten them up into a stable place where they can prosper and get on to the next stage in life. And even when there are people who are able to get out of this, there are always people falling back into it. We spoke of the federal employees who are out of work. Likely most of them will go back to

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their jobs and they'll likely get reinstated pay but, you know, they might not. And as the wages of jobs in the U.S. keeps getting driven down lower and lower, there's going to be more need for communities to come together to be able create a new type of safety net, one that isn't mandated from the top but is grown up from the grassroots. And that's what Right 2 Dream Too has done. And I applaud you all for considering this model as a viable option to just having no model and for outlawing homelessness, houselessness. And thank you for your time.

Hales: Thank you. [applause] Good evening.

Benjamin Barber: Good evening. My name is Benjamin Barber. I've come to give you what I think are good ideas and not complain or give anecdotes. So if reducing houselessness is the goal for everyone, I think we also need to recognize that people need to have scaffolded supports as well as stability. And I believe the city as well as the county has opportunities to help this along. Some of my experience with the maker's spaces and hacker's spaces to teach skills to kids at Portland public schools. And I know that we'll be having some money for those schools. I believe that maybe some funding for capital in Benson High and increasing enrollment there may help individuals gain skills towards employment and you can help amortize those costs by offering the services to people who are without homes and need to have those basic skills trained to them. Furthermore, I know that Bud Clark Commons was used to reduce houselessness, but my experience in SE Asia after the tsunami was that that is the most expensive way and least effective way of delivering stability to those people. [applause] I believe that we have some assets in the county and the city that can actually help. I'm aware that the Wapato county jail has not been used for close to 10 years, or what the current plans are for that but perhaps that property can be used to provide stability for people who have medical or psychological issues that need to take time. Furthermore, I'm not sure if you've heard of tiny houses, but they are relatively cheap and the only other property that could accommodate a large number of houseless people perhaps is the now empty open reservoirs at Mt. Tabor. And fill them with proper electrical, sewage, and tiny houses sell them back to FEMA if they're not needed any longer. Thank you for your time.

Hales: Thank you. [applause]

Charles Johnson: My name is Jim Chasse. No, that's not right, that's a mentally ill person that was killed by the police in the Pearl District. My name is Charles Johnson, and you know that because I have spoken before you before. We have a lot of good things going on in Portland. I'm going to move over to the other microphone.

Hales: Yes, please. We're going to get rid of that thing.

Johnson: It's alive. I'll be back next week to make sure it's gone. We have a lot of good things going on in the Pearl and around the entire town. One of the things that's good is journalism. I'm partial to Mr. Thoreau over there. But we also have Wendy Culverwell. She brings us some good information too. People who are here in this room should think about what they're doing not just here but when they go out and when they spend their dollars. They should talk to people who are involved with Hoyt street realty. For people who don't have money to spend with Hoyt street realty, you might have time. If you're homeless, we're allowed to sleep on the curbs, you might sleep on the curb in front of a Hoyt street property because they don't want you under the Broadway Bridge. You might think about Ziba design and Greg Close. They have a strong opinion, I don't know I wasn't able to be here for all the testimony, I don't know if they shared that but I'm sure they think their opinions and ideas are very important. So we want to make sure that that gets mentioned. One thing that has not been mentioned and is underrepresented is PDC, Portland Development Commission. We know they have many other properties that could be put to community use designation. We know that we're not using the big overflow parking lot that's south of Bud Clark Commons next to the greyhound station and I hope that concerned developers will -- who benefited from PDC real estate deals will just back off, let R2D2 have this space and then be more assertive at moving the PDC in a

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direction that gets more low-income housing in this very stressed rental market. Thank you Commissioners.

Hales: Thank you. [applause] Are there any others?

Moore-Love: That's all who signed up.

Hales: Thank you all. I think we have some further work by the city attorney to bring forward, is that right? There you go.

Kathryn Beaumont, Chief Deputy City Attorney: Just one minor thing to recommend to you. You received a memo dated October 2nd from Rebecca Esau. It addresses one section of the city code that Mrs. White has challenged as lacking discussion in the zoning confirmation letter. My recommendation to you would be to amend the zoning confirmation letter to include Rebecca's discussion, beginning with the paragraphs below the heading additional information on page one, and continuing through the end on page two. And I would add --

Fritz: Do you have copies to hand out?

Beaumont: I have my one copy that I can give to the council clerk.

Hales: We can put one before the clerk for now and pick it up later.

Beaumont: And I would add it to section 2d of the zoning confirmation letter after the first paragraph on page 10.

Hales: Why don't we leave that with the clerk for now and obviously we'll be making that publicly available. Any other questions for staff? So let me reflect a little bit on this, what I believe has been an excellent public discussion. I know there's been a great deal of passionate concern here in this room today and tonight. And I respect that and I understand that there's passion and sometimes anger when it comes to issues like this. And I think you could perhaps listen to this discussion today and see only polarization and see only dissent. And, of course, there has been some. You would be Polly Anna-ish to say there hasn't. I also hear some things that I think represent progress and opportunity. And I want to talk about both of those. One, you know, again, some people told parts of the story here. I wasn't here for some of those chapters of the story and neither was Commissioner Novick and of course, Commissioner Fritz who's played an amazing leadership role in this situation, it wasn't in her current responsibility. Thank you. [applause] But it has been a long, strange trip in which there was once a particularly notorious adult bookstore that a previous member of this council got into a conflict with and regulatory actions happened and ultimately, it was demolished and the property owner became angry and got in a fight with the city, and then in the midst of you might describe all that as legal wreckage, a legitimate and wonderful community has sprung up and one of the things that I say is progress is that a lot of people, me included, and I think my colleagues, as well, have come to understand that this unique community, Right 2 Dream Too, is doing valid work in a special way that no government agency ever thought of. And I respect that. [applause] And I think a lot of people in our community, including some who maybe came to this hearing to oppose this particular location decision, might have come to understand a little more about how valid Right 2 Dream Too is. So let's give those folks credit. Let's assume good faith because that's what we ought to do in Portland. We ought to assume good faith. We ought to assume that people in Right 2 Dream Too who have talked about self-help are really about that, and who have talked about being good neighbors and making sure that the streets around their community are safe, let's assume that that good faith is true and, in fact, the numbers that I have from my police bureau confirm that this community is the least of our worries. And that the safety situation in our city with respect to what happens on the street is not harmed, it's actually helped by having a self-help community like this providing a place of safety. So I respect the work that's being done and along with my colleagues I want to make sure it keeps being done. Now, we've also had people come forward in good faith here tonight, people like neighborhood association presidents, people like Homer Williams who built buildings and who built affordable housing in this city and who are angry about this process and about this pending decision and who have said give us a chance to do more. And

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frankly, I think any elected leader would be crazy to reject an offer like that. And I should take that on good faith, as well. And I think my colleagues believe likewise. So what I would like to do, we have a clock running because the good work that Commissioner Fritz has done has a pending settlement of a lawsuit, that we have about 25 more days to make real. What I would like to do is continue this hearing for a couple of weeks and give us a chance to have some more discussions with people that have come forward in good faith tonight and said they want to help. I want to keep talking to those that don't want this to be a zero-sum proposition. We can decide this as a zero-sum game, as a win and a loss. But we might be able to do better than that. We might be able to have people of good will who come here on perhaps different sides of this question, get together and do more than just decide yes, or, no, on this particular relocation. So I would like to take a couple of weeks and put heart and soul as your Mayor along with Commissioner Fritz and Commissioner Novick and Commissioner Saltzman and Commissioner Fish, all of us out of a shared responsibility for this. Commissioner Saltzman, our housing commissioner, has some tools he can bring to the table, the Portland Development Commission has some tools they can bring to the table, the Bureau of Development Services does as well. So I would like to give this a couple of weeks for intensive further work and leave this pending for two weeks while we do that work. So what I would like to do, I want to open this up to my colleagues for their comments and their reactions to this suggestion, what I would like is continue this hearing on the resolution for two weeks, bring it back two weeks from today.

Moore-Love: You're gone on the 17th, Mayor. You're gone in two weeks on that Thursday.

[laughter]

Hales: Well, let me get my calendar out while they talk and figure it out. The Wednesday then. I'll work on that while they react to the suggestion. Sorry, I should have checked my calendar before I started making suggestions like that.

Novick: I appreciate everything the Mayor just said and that sounds very reasonable to me.

Hales: Oh, I see. I think that's possible. Maybe Wednesday the 16th instead of Thursday the 17th.

Fritz: That will require everybody, including and especially Right 2 Dream Too, to be at every meeting so that those who have the most at stake here are very much a part of those discussions. I want to start by saying thank you to my staff and the bureau of development services and to the city attorney's office who have been integral to coming to this point and I would have preferred to have voted on the zoning confirmation letter today because I think it does encapsulate the rules that should apply to this site and other sites. I'm happy to take some time to look at the evidence that came in today and see if there's anything else that we might need to add to a zoning confirmation letter but I haven't heard anything that causes me to consider it anything other than a community service that would be allowed by right. So then the next question – so thank you all who have been here through these long hours and put in untold work behind the scenes and I very much appreciate that. Secondly, this has been probably the most memorable hearing that I remember, and there have been other hearings that have had a lot of controversy. This one brought out some passion on both sides. What it has also done, though, is helped everybody understand that people who live outside are people and that they are the most qualified to help find the solutions, to propose the solutions. I don't know that Right 2 Dream Too wants any more government-run buildings. I believe that Right 2 Dream Too has provided this amazing model for people who are outside for many different reasons and with 2000 people outside, it is completely unrealistic to expect that in the next 15 days that we can come up with housing or shelter for all of those people. [applause] So we did have some wonderful testimony, including the person who said it's not either or, it's both. And this finally, I know that there has been a lot of great work done, and particularly by Commissioner Fish who continues to be probably even more passionate about housing, even though he's no longer the housing commissioner. Commissioner Saltzman who is dedicated to making sure that particularly women who are so vulnerable outside have proper shelter and a quicker path to getting back into

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housing. I appreciate that and I appreciate the Mayor's partnership on this project. That this obviously is not something that is popular with everybody. There's hopefully a way to get to not having winners or losers but I'm very confident that there will continue to be a lot of angry people on all sides. So kudos to the Mayor for being willing to address this head on in the first year of your mayoral term and to all of you thank you so much for each and every person who testified, who is putting dedicated thought and passion and heart into addressing the challenges for people who are living outside in Portland. Thank you very much for this great hearing.

*****: Mayor Hales --

Hales: No --

*****: On that note, [inaudible] giving us two weeks, people [inaudible] tents in rain and cold. I agree that people who oppose it come stay in tents with us and see how that system would remain when they're stuck in the cold [inaudible] [applause]

Fritz: So, let me just address that. The settlement agreement that we have signed was signed last Friday. It sets into play a 30-day clock. We have to get to a use agreement by the 28th of October. We can continue working on the use agreement, and we can continue having discussions about what else is needed in any situation in order to be able to make the residents of Right 2 Dream Too and any neighbors to be safe and to be able to get along. So that doesn't -- that's not going to stop right now. What's going to be added, if I'm understanding the Mayor correctly, is a new discussion of what more.

Hales: Correct. And let me raise some procedural questions. Steve, I know you might want to speak. And let me say, if all we're going to take up on the 16th is the resolution that we just had this hearing on I'm going to close the public hearing and we will vote because we don't need to repeat a public hearing. We have had one. It's been a good one. But if all we're going to do is vote yes or no on what's in front of the Council today, then that will simply be on the calendar for second reading and we'll vote. But if we're going to take other action or make changes, obviously, we'll have an open hearing for the community to respond to what we have come up with if we come up with something new or different. In other words, we'll vote if all we're going to do is vote yes or no as we might have originally done tonight. But we'll conduct a more public hearing if the package includes anything else other than the resolution in front of us. Steve, comments?

Novick: Just one thing, Mr. Mayor, along the lines of your comment that people should assume good faith. I heard a lot of testimony tonight to the effect that people from the pearl district are concerned, care only about money and property values. There were some people who did talk about property values. But I think most of the people who talked, they were scared. Mostly they were scared of crime. And I realize it's hurtful to hear people talking as if they assume that all homeless people are criminals but I do think --

*****: I'm a physicist!

Hales: No, let him speak.

Novick: I do think that it was more -- I heard more fear than I heard greed. And there's been compelling testimony tonight that reason people value the Right 2 Dream Too is that it's not a scary or dangerous community but it's a safe community. I would hope that, although it might be hard sometimes, that the message from the Right 2 Dream Too and its supporters to people in the pearl district would be, listen, don't be scared, the reason we like this community is because it's a safe community.

Hales: Well said. Again, thank you all. We will be conducting a number of discussions with the parties to this that of course include the leadership of Right 2 Dream Too and the Pearl District Neighborhood Association and others who can bring things to the table. We'll try to--

*****: [inaudible] what about people who are not inside R2D2 that are homeless?

Hales: No, no. We'll try to make some stone soup here with the parties involved, and thank you all very much. We are adjourned until next week.

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At 8:18 p.m. Council adjourned.