



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **5<sup>TH</sup> DAY OF NOVEMBER, 2014** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5.

Commissioner Fritz arrived at 9:33 a.m.  
Commissioner Saltzman left at 11:02 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Deputy City Attorney; and Jim Wood, Sergeant at Arms.

Item No. 1144 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

| <b>COMMUNICATIONS</b> |   | <b>Disposition:</b>   |
|-----------------------|---|-----------------------|
| <b>1130</b>           | Request of Craig Rogers to address Council regarding street fee (Communication)   | <b>PLACED ON FILE</b> |
| <b>1131</b>           | Request of Ken Forcier to address Council regarding skinny house construction (Communication)   | <b>PLACED ON FILE</b> |
| <b>1132</b>           | Request of Ken Guenther to address Council regarding Council representative to oversee progress of a real estate project (Communication)  | <b>PLACED ON FILE</b> |
| <b>1133</b>           | Request of Joseph Walsh to address Council regarding City Charter (Communication)   | <b>PLACED ON FILE</b> |
| <b>1134</b>           | Request of Crystal Elinski to address Council regarding a follow up report (Communication)  | <b>PLACED ON FILE</b> |
| <b>TIMES CERTAIN</b>  |   |                       |
| <b>1135</b>           | <b>TIME CERTAIN: 9:45 AM</b> – Proclaim November 2014 to be Native American Heritage Month in Portland (Proclamation introduced by Mayor Hales and Commissioner Fritz) 15 minutes requested       | <b>PLACED ON FILE</b> |
| <b>1136</b>           | <b>TIME CERTAIN: 10:00 AM</b> – Proclaim November 5, 2014 a Day of Recognition for Steve Rudman (Proclamation introduced by Mayor Hales and Commissioners Fish and Saltzman) 15 minutes requested | <b>PLACED ON FILE</b> |

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| <p><b>1137</b></p>   | <p><b>TIME CERTAIN: 10:15 AM</b> – Consider the proposal of Robert Cushman for William Allen LLC, et al, and the recommendation from the Hearings Officer for approval, to change the Comprehensive Plan Map designation from Attached Residential to Medium Density Multi-Dwelling and the Zoning Map designation from R2.5 to R1 for property located at 3322 SE Cesar E. Chavez Blvd (Introduced by Commissioner Fritz; Previous Agenda 1086; Findings; LU 13-173075 CP ZC) 10 minutes requested for items 1137 and 1138</p>   | <p><b>RESCHEDULED TO<br/>NOVEMBER 12, 2014<br/>AT 11:00 AM<br/>TIME CERTAIN</b></p> |
| <p><b>1138</b></p>   | <p>Amend the Comprehensive Plan Map designation and change zoning of property at 3322 SE Cesar E. Chavez Blvd, at the request of Robert Cushman, for William Allen LLC, Lead Applicant; and owned by Jeffrey Evershed (Introduced by Commissioner Fritz; Previous Agenda 1087; LU 13-173075 CP ZC)</p>  | <p><b>RESCHEDULED TO<br/>NOVEMBER 12, 2014<br/>AT 11:00 AM<br/>TIME CERTAIN</b></p> |
| <p><b>1139</b></p>   | <p><b>TIME CERTAIN: 10:30 AM</b> – Appeal of South Portland Neighborhood Association against the Design Commission’s decision to approve with conditions the 6-story, mixed-use building with 270 residential units, 8,359 square feet of retail area and 225 parking spaces at 3700 SW River Parkway (Introduced by Commissioner Fritz; Previous Agenda 1109; Findings; LU 14-117884 DZM) 10 minutes requested<br/><br/><b>Motion to deny the appeal and uphold Design Commission’s design decision and adopt findings:</b> Moved by Fritz and seconded by Fish. (Y-5)</p> | <p><b>FINDINGS<br/>ADOPTED</b></p>  |
| <p><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p><b>Mayor Charlie Hales</b></p> |   |   |
| <p><b>1140</b></p>   | <p>Reappoint Kirk Ranzetta to the Historic Landmarks Commission for a term to expire October 1, 2018 (Report) (Y-5)</p>   | <p><b>CONFIRMED</b></p>   |
| <p><b>1141</b></p>   | <p>Reappoint Tad Savinar to the Portland Design Commission for a term to expire September 30, 2018 (Report) (Y-5)</p>   | <p><b>CONFIRMED</b></p>   |
| <p><b>Bureau of Planning &amp; Sustainability</b></p>                          |   |   |
| <p><b>1142</b></p>   | <p>Update Solid Waste and Recycling Collection Code to clarify the definition of solid waste (Ordinance; amend Code Section 17.102.020)</p>   | <p><b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 12, 2014<br/>AT 9:30 AM</b></p>     |
| <p><b>Office of Management and Finance</b></p>                                 |   |   |
| <p><b>*1143</b></p>  | <p>Authorize contract with Providence Health &amp; Services for an amount not to exceed \$500,000 for post offer of employment medical examination and physical capacity testing services (Ordinance) (Y-5)</p>   | <p><b>186869</b></p>  |
| <p><b>*1144</b></p>  | <p>Authorize contract with Bio-Med Testing, Inc. for an amount not to exceed \$622,075 for drug, alcohol and steroid testing services (Ordinance) (Y-4; Saltzman absent)</p>  | <p><b>186874</b></p>  |

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| 1145   | Extend term of Olympic Pipe Line Company franchise to transport petroleum products by pipeline (Ordinance; amend Ordinance No. 162012)  | <b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 12, 2014<br/>AT 9:30 AM</b> |
| 1146   | Extend term of AT&T long-distance franchise to build and operate telecommunications facilities in City streets (Ordinance; amend Ordinance No. 162822)  | <b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 12, 2014<br/>AT 9:30 AM</b> |
| 1147   | Extend term of a franchise granted to tw telecom of oregon llc to build and operate telecommunication facilities within City streets (Ordinance; amend Ordinance No. 171566)  | <b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 12, 2014<br/>AT 9:30 AM</b> |
| 1148   | Extend term of franchise granted to Qwest Communications Company, LLC to build and operate telecommunications facilities within City streets (Ordinance; amend Ordinance No. 171914)  | <b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 12, 2014<br/>AT 9:30 AM</b> |
| 1149   | Extend term of a revocable permit granted to TCG Oregon, and subsequently transferred to Teleport Communications America, LLC to build and operate telecommunication facilities within City streets (Ordinance; amend Ordinance No. 173990)                                       | <b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 12, 2014<br/>AT 9:30 AM</b> |
| 1150   | Extend term of a franchise granted to XO Communications Services, Inc. to build and operate telecommunication facilities within City streets (Ordinance; amend Ordinance No. 175062)  | <b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 12, 2014<br/>AT 9:30 AM</b> |
| 1151   | Extend the term of a temporary revocable permit granted to Qwest Corporation to build and operate telecommunications facilities in City streets (Ordinance; amend Ordinance No. 175757)   | <b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 12, 2014<br/>AT 9:30 AM</b> |
| 1152   | Extend term of OnFiber Communications, Inc. franchise to use designated City streets to provide telecommunications services (Ordinance; amend Ordinance No. 175793)   | <b>PASSED TO<br/>SECOND READING<br/>NOVEMBER 12, 2014<br/>AT 9:30 AM</b> |
| <p><b>Commissioner Nick Fish</b><br/><b>Position No. 2</b><br/><b>Bureau of Environmental Services</b></p> |   |  |
| 1153   | Authorize a contract for construction of the Columbia Boulevard Wastewater Treatment Plant Digesters 1 & 2 Compressors Replacement, BES Project No. E10118 for \$470,000 (Second Reading Agenda 1120) (Y-4; Saltzman absent)  | <b>186870</b>  |
| <p><b>Commissioner Dan Saltzman</b><br/><b>Position No. 3</b></p>  |   |  |
| 1154   | Authorize an Intergovernmental Agreement with Multnomah County to support the operation of the Gateway Center for Domestic Violence Services to provide accessible and coordinated services to victims of domestic violence and their children (Second Reading Agenda 1121) (Y-5) | <b>186871</b>  |

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| <b>REGULAR AGENDA</b>  |               |
| <b>Bureau of Police</b>  |               |
| <p><b>*1155</b> Accept a grant in the amount of \$699,464 and appropriate \$300,000 for FY 2014-15 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance FY 2013 Smart Policing Initiative Program to fund, in partnership with a research partner, the evaluation of the impact of patrol frequency and patrol timing on crime and service calls to support improving the efficiency of patrol methods (Ordinance) 15 minutes requested<br/>(Y-5)</p> | <b>186872</b> |
| <p><b>*1156</b> Accept a grant in the amount of \$42,390, appropriate \$32,000 for FY 2014-15 and amend an Intergovernmental Agreement with the Oregon Department of Justice Crime Victims' Services Division to extend the 2012-14 VOCA Non-Competitive grant period through September 30, 2015 for Police Bureau Crisis Response Team (Ordinance; amend Contract No. 30002937) 10 minutes requested<br/>(Y-4; Saltzman absent)</p>   | <b>186873</b> |
| <p><b>*1157</b> Accept and appropriate a grant in the amount of \$136,399 from the State of Oregon, Oregon Military Department, Office of Emergency Management FY 2014 State Homeland Security Grant Program to fund joint state bomb teams equipment and training (Ordinance) 10 minutes requested<br/>(Y-4; Saltzman absent)</p>   | <b>186875</b> |

At 11:28 a.m., Council recessed.

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| <p><b><u>WEDNESDAY, 2:00 PM, NOVEMBER 5, 2014</u></b></p> <p><b>DUE TO LACK OF AN AGENDA<br/>THERE WAS NO MEETING</b></p> |
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November 6, 2014

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6<sup>TH</sup> DAY OF NOVEMBER, 2014** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman, 4.

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

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| <p><b>1158</b>      <b>TIME CERTAIN: 2:00 PM</b> – Accept the Americans with Disabilities Act Transition Plan Update (Report introduced by Mayor Hales) 1 hour requested</p> <p><b>Motion to accept the report:</b> Moved by Fritz and seconded by Saltzman.</p> <p>(Y-4)</p> | <p><b>Disposition:</b></p> <p><b>ACCEPTED</b></p> |
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At 2:58 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.

**NOVEMBER 5, 2014            9:30 AM**

**Hales:** Good morning, everyone. Welcome to the November 5th meeting of the Portland City Council. Will you please call the roll?

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

**Hales:** And we're expecting Commissioner Fritz, but she's actually entitled to a lot more than a day off having successfully led the Parks bond campaign that passed overwhelmingly last night. One of the things that in an election where you might scratch your head about the nation, you can be happy about around here. So, she did great work, and so did other folks on this dais on getting that done. The three of us who are former Parks commissioners as well as her are pretty happy about that, and I know you are too, Steve, because you were there for the celebration. Great. We have some communications items up front, then we have time certain that are proclamations. Then we'll move to the rest of the council calendar. If you're here to testify on one of the items on our regular agenda this morning, we typically we give people three minutes. We ask if you're a lobbyist you disclose that, because that's required by law. You don't have to give us your address if you're a citizen to speak, and if you are here to speak, we expect folks to give you a fair hearing, so we ask people will not make vocal demonstrations in favor or against their fellow citizens when they're here having their say. But if you agree with somebody and want to give them a thumbs up or wave your hand or something, that's fine. But again, everybody gets to have their say here. With that, we will begin with communications.

**Item 1130.**

**Hales:** Good morning, Craig. Come on up.

**Craig Rogers:** Mayor, Commissioners, good morning. My name is Craig Rogers. 11010 SE Yamhill Street, Portland. I woke up this morning listening to NPR, and they were talking about a gentleman that had to take a drug test. And the urine sample he provided was actually from his wife. It came back clean, but they also told him he was pregnant. So, it just kind of shows you that sometimes you gotta look behind closed doors or underneath the table. We recently had a survey where the citizens said that they didn't have a whole lot of trust in city government, it was the lowest in 20 years. Twenty years ago is when I first got involved with city government, and we had a City Commissioner of Parks who in the paper said he was going to cut down 75 Douglas fir trees. When asked why, he said it's too dark in there. I thought I would get involved at that point, and really that's why I'm here now. I figured that with regards to the street fee, it's going to be a really big show, and I haven't been disappointed. So when we had PBOT staff come up here one by one, make their presentation about three weeks ago, I realized not only is this thing very complicated, but it reminded me of the secret formula, Coca Cola, where no two people -- no one person knows this. That's how complicated this thing is. And I thought that when you build something, you really need to have your intention right, you need to have a cornerstone, a foundation that this thing is going to work. And I don't think it has that. I think the intention was to never allow the people to vote. That in part is why it's so poorly written. Right here, we have where the mayor says, details not as important as long as it raises cash. I think there's a lot of problems with the foundation. I don't think this can be fixed. I think there is a plan B. And if you notice, these -- which I hope you

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have in front of you -- are two street fees that passed yesterday -- and by wide margins -- by the voters. So, I want you to take a look at that and consider that eventually we're going to end up with something that's good enough for the people to vote. Thank you for your time.

**Hales:** Thank you. Look forward to hearing about plan B, whatever it might be.

**Item 1131.**

**Hales:** Good morning. Welcome.

**Ken Forcier:** Good morning. Thank you. Mr. Mayor, members of Council, thank you for this opportunity to speak. Yesterday, the citizens of Portland voted to retain a provision in the Metro charter prohibiting Metro from requiring local governments to increase density and identified existing single family homes. It cannot be more clearly stated than by Metro charter that our established neighborhoods are protected against increases in density. What, then, are skinny houses? My historically platted subdivision named Irvington Park is entirely 25 by 100 foot lots, which were developed in groupings of two, three, and sometimes, four. It is built out as R5, speckled with more spacious spreads where wealthier homeowners secured yards and gardens. This subdivision is the greater part of Concordia. A few years back, my neighbor Sean had a skinny house built to the south of his craftsman bungalow. Over the weekend, a humble cottage to his north was demolished by an excavator. The house across the street is being sold to a developer. With a skinny beside and likely another across the street, Sean is already facing double the density the zoning promised when he bought his home. Literally squeezed between the McMansion demolition epidemic and the skinny house invasion. In 2003, Mayor Katz and Council ignored the recommendations of the planning commission and the pleas of many citizens. With no well-considered plan, they passed an ordinance allowing construction on all 25 by 100 vacant lots. These individual lots, whether or not they've had a residential structure on them in the past five years, have no grandfather building rights associated with them. Nonexistent rights for nonconforming construction were created and authorized by fiat with a gavel. The comprehensive plan zoning map and the Metro charter language protect our neighborhood density and is being ignored and violated by that action. Eleven years later, longer term analysis provides that this form of development continues to fail to meet the benchmarks for compliance with the comprehensive plan. In the eyes of the department of Planning and Sustainability, skinny houses don't even meet the definition of infill development. They are frequently marginalized as being an insignificant number of units and an unnecessary contribution toward meeting the housing goals set forth in the comprehensive plan. Skinny house construction only finds conformity in an R2.5 setting where the very size and stature are nonconforming to the R5 neighborhoods because the constraint, lot size, is half that of the neighboring homes. The permissive code table authorizing the single lot development was unapologetically given the heading nonconforming situations. A home on a single lot is out of compliance with the residential 5000 zone from the day it is authorized to be built. Skinny house development offends our zoning rights as homeowners. If every 25 by 100 lot in an R5 neighborhood can be individually developed, then, by ordinance, the city has rezoned those neighborhoods which violates state law, the comprehensive plan, and the Metro charter. As our elected officials, I'm asking you to implement the most expedient plan of which you are capable to end the illegal development of 25 by 100 foot skinny lots in R5 neighborhoods. Please get back to me with your determination before allowing the Bureau of Development Services to grant any further approval of new construction permits, including the application made for 6216 NE 22nd Ave. Thank you.

**Hales:** Thanks for coming in. Your timing is great in that I met with the Planning Bureau staff about this issue on Monday, and the Planning and Sustainability Commission is going to be looking at these issues very soon in their work on the comp plan. We'll make sure -- you send us your

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email address, we'll make sure you get notice of those discussions. Because this is very much on the table right now. So, thank you.

**Forcier:** Excellent.

**Hales:** Thanks.

**Item 1132.**

**Hales:** Good morning, welcome.

**Ken Guenther:** Good morning, all. Hope you're feeling good this morning. This is a proposal to benefit the city, among other things. The proposal is regarding a four tax lot bordering SW Broadway Drive covering four and one half acres. There's a map attached. The potential for increased current \$5000 a year taxes on unimproved property to \$150,000 approximately on improved property after residential development. The development would be up to 15 homes. The number of school-aged children would be minimal because of the type of homes. Sites suggest a PUD development, which would be beneficial to housing quality. The homes would be within walking distance to Portland State University and downtown Portland. I personally did this route for many years when I lived in an adjacent home. The property is south facing, overlooking Marquam Nature Park, gives a Sylvan outlook -- a true northwest style of life feeling. I'm going to jump over to the summary and then back into the history a bit. I'm 87 years old. I want to see this tract developed before I die. The Bureau of Development Services early assistance summary has raised issues it complied with -- it would be so extraordinarily costly as to totally preclude any development of the tract. Currently, the situation is this. The Lincoln High School football team playing against the Seahawks in an NFL football game without a referee. We cannot proceed under the present situation.

**Fritz:** It's a great analogy.

**Guenther:** Thank you. The clarion call is for this council to appoint a referee to help this project to survive and be a real benefit to this city. Please do that. Quoting from the city's Southwest Hills Resource Protection Plan, page number 65, housing and education values will diminish only where the resource protection reduces or eliminates opportunities for a residential development. If you should decide not to help facilitate progress by appointing a referee or some other solution, then purchase the tract. The connection to Governors Park should be a value to the city. We are open to constructive discussions on this matter. Thank you greatly for considering our plea, and let me just touch on a couple of history items. Our family has owned this property for over 54 years, since 1960. Buying the tract and paying taxes all those years has been a big financial burden. There is no developable tract similar and close to PSU and downtown Portland. Other homes built some time ago surround the tract on all sides, even up the hill from the tract. And an existing city water tank off Broadway Drive is adjacent to the tract, and access to the tank is with our permission being over the tract. Evidently, the city analysis is that there is no landslide hazard. The current office of transportation development review calls for development along Broadway Drive would be about a million dollars to do that. There'd be no advantage to the tract. We've incurred significant expenses over time. The tract touches Governors Park at one point -- this could be a continuous connection for both sides of the ridge of Davenport Street. And I thank you very much for hearing me.

**Hales:** Thanks for bringing this to our attention. Obviously, there are a couple of bureau staffs involved, so we'll make sure this gets to them as well.

**Fritz:** Mr. Guenther, I think you just did an excellent advertisement for some developer. Because some of the processes -- particularly, for dividing a property as big as this -- are really complicated, so hopefully you can engage somebody in the community who's familiar with working with the city staff on this.

**Guenther:** Thank you very much.

**Hales:** Thank you.



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**Item 1133.**

**Hales:** Good morning, Joe.

**Joe Walsh:** Please refer to me as Mr. Walsh. My name is Joe Walsh, I represent individuals for justice. First, congratulations, Commissioner Fritz, on the park ordinance you got through. The last time I looked at it, it was about 70%, I don't know where it's finishing, but it's a strong finish and I would suggest that you have a lot to do with that. Your name attached to that brought it into the 60, 70 percentile, and you should be very proud of that. We're very proud of you doing it, and we would suggest that you reconsider running for office in the future. Now, the charter that you all should be aware of has a provision in it that says when you pull an item off the consent agenda, like I did today -- there's one of the items that I pulled -- it is supposed to be dealt with directly after the vote on consent agenda. So, the charter is something that was voted by the people of Portland, and yet, you disregard it except when you want to use the charter to your advantage, you use it. You did it Monday. You were subpoenaed -- three of you -- to appear before a hearing officer, and you sent your lawyers in to say that you are privileged, you don't have to do that kind of stuff, you don't have to honor subpoenas. Well, if you're looking to slap me in the face, it didn't work. Because I had a motion already ready, because I knew that you would not come. The hearing officer felt a personal slap in the face because they're his subpoenas. The security guards were there, but you weren't. That's the arrogance that we talked to you about. The arrogance of this group, all five of you together -- cocktail liberals all -- cause us great pain, and you constantly do this kind of stuff. You're going to lose this just like you're going to lose the appeal in the 9th Circuit Court of Appeals when you went after Judge Simon. This council has 40 lawyers, has 10 paralegals, and you can't even come up with a reasonable reason that you don't show up. The hearing officer looked at that paper you sent over and said, bleck, this is nothing, they don't have a privilege. You're not privileged, this is not some kingdom. I will see you in court, sooner or later, whether it's that court or the federal court. And when the federal judge -- and god help you if I draw Simon.

**Hales:** OK, thanks. 1134?

**Item 1134.**

**Crystal Elinski:** Nincompoops --

**Hales:** No, no, not here --

**Elinski:** That's what Joe Walsh did and you kicked him out for 30 days.

**Hales:** And we'll kick you out if you keep that up.

**Elinski:** Exactly. As you allowed the federal officer to disappear me for two hours last year, September 4th. And you still have not met with me. I asked -- I requested to meet with all of you. My name is Crystal Elinski, I represent 10,000, and I see how the threats that you feel threatened by are just a mirror. Last time I was here, Amanda Fritz was concerned with the appealing the DOJ decision because she wanted the city -- the people -- to trust you. And I said, people don't trust you. I've been very kind. I've been nice. I come here on a regular basis to tell you as a citizen representing 10,000 where mistakes are being made. And as I learned -- actually Nick Fish met with me -- I learned from him he doesn't even read what I -- he doesn't remember what I come here to say before you, and he doesn't read what I submit. I imagine that's sort of the norm. I had two meetings immediately -- I asked for all five of you. And for a year now, Mayor Hales, you've been promising to my face on this camera in the hall multiple times to meet with me about the disappearance with the federal agent. I just learned two weeks ago from -- I'm sorry, what was your name again? Rachel, that's right. I just had to look at her, and I remembered. Rachel -- that Cindy and Susan had decided that I was not to meet with you. And I said, well, what was the reasoning and why did it take over a year? All the time, you were saying that I would definitely meet with you, and you told your staff that. In fact, when they were in the office -- Rachel pretended like she didn't remember that. Really? He said you were you going to meet with him? Yes, he promised.

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Just 10 minutes. I asked all of you 10 minutes. Dan Saltzman at least said, I will never meet with you ever about anything. But in your case, Mayor Hales, I just wonder -- when I'm here to talk about how citizens cannot come to you without feeling threatened, and yet, you're going to be threatened by one of our most eloquent assets to this entire institution, and try to ban us or have security guards who carry guns and curse at me and steal my things, and on a particular day, even your chief of staff was saying that he hates me and I'm like the worst person in the world, and I've been nothing but kindness here. If I feel this way -- and I am being disappeared and assaulted by a federal agent -- and you guys don't do anything about it, how do other people feel about coming here?

**Hales:** OK. Thanks, Crystal. Take care. OK, let's move to 1135, please. I'm sorry, let's do consent first. Before we do consent, just want to note that items 1137 and 1138, which are findings in a land use case, are going to be continued until November 12th at 11 o'clock because we need more time to prepare the findings. So, 1137 and 1138 are continued to November 12th. If there are no requests to remove items from the consent calendar -- there has been one, 1144. So with the exception of 1144, the rest is there. OK, let's vote on the balance of the consent calendar.

**Roll on consent calendar.**

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

**Hales:** OK. Now, back to the time certain, please.

**Item 1135.**

**Hales:** Commissioner Fritz.

**Fritz:** Thank you, Mayor Hales. It's my honor as the Commissioner-in-Charge of Portland Parks and Recreation to introduce this agenda item. It's a proclamation in honor of the indigenous peoples who have lived at the confluence of the Willamette and Columbia Rivers since time immemorial. Before I read the proclamation, I would invite two members of the Parks Native American Community Advisory Council members to come forward, Donita Fry and Judy BlueHorse Skelton. They're going to share a few words. Thank you, everybody, for honoring us with your presence this morning.

**Hales:** Good morning.

**Donita Fry:** Good morning, Mayor Hales and City Commissioners. Thank you so much for having us here today. As Commissioner Fritz said, my name is Donita Fry. I'm an enrolled member of the Shoshone-Bannock Tribes and a descendant of the Cheyenne Nation, and I coordinate the work of Portland Youth and Elders Council, which a diversity and civic leadership partner funded by the City of Portland. And thank you so much for that funding. Part of the work that we have been doing since 2004 is advocating on behalf of the local Native community with Portland Parks and Rec to identify Native culture in our public lands and spaces. And in 2010, in partnership with the local Native community, community Native serving organizations, and Portland Parks and Rec, the Native American Community Advisory Council was formed to take a look at how we can better integrate Native culture, which recognizes the land we're doing business on here as the city of Portland, and also recognizing it's the home to the Willamette Valley and Columbia River peoples who were the original stewards of this land. But today, it's also home to a very large urban Native American population. Many community members are in the audience -- if you guys want to stand - - members who serve on the Native Community Advisory Council and members who are just active in the local Native community. We also have some wonderful staff from Portland Parks and Rec who are very dedicated to the work that we've been moving forward. If you guys want to stand, Portland Parks and Rec staff? So, Portland Parks and Rec is a large land manager in Portland and is concerned with the welfare of public properties and the community interaction with parks. This is a common role that creates a unique relationship between the Native community and Portland Parks and Recreation. In recognition of this parallel mission and the essential value of

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working with Native community, this unique council of concerned Native community members who would inform the Parks Bureau about Native cultures and life ways was created. The role is to advise and collaborate about park development, management, and projects. Thank you.

**Judy BlueHorse Skelton:** Ta'c meeywi -- Nez Perce welcome, thank you. I'm Judy BlueHorse Skelton, Nez Perce, Cherokee. And it's really an honor to be here this morning. I've been asked to speak on behalf of the group, the Native American Community Advisory Council, many of whom are here. However, it's hard to separate our group out as to one voice. But just to share a little bit, the collaboration since 2010 with Parks and Rec and the tribes and the urban Native community and the larger communities has been a real privilege. And we've been meeting monthly and in prep for the Westmoreland salmon celebration -- which we just celebrated a couple weeks ago -- we were meeting weekly. Really want to thank all of those partners -- Elizabeth Kennedy-Wong with the Portland Parks and Rec for never tiring of all of us getting together here and there, and to have the deep conversations that are required to have true equity and to feel heard and to participate in what it means to recognize this land as sacred, the water as sacred, and to have the opportunity to help inform Parks on how land can be managed and restored and reclaimed and regenerative. I have a few notes. It's a good thing -- they know I ramble on. The NACAC, or the Native Advisory Council to Parks and Rec, provides a forum to express values such as the sacredness of the land, of the water, and this place we all call home. It's also an important aspect of our spiritual and cultural connection to place, to heritage, and in the 21st century -- more than ever -- the role in how the city will continue to be a good place to live for the next seven generations. We recognize that indigenous people have been here since time immemorial. The confluence of the Willamette and Columbia Rivers have been a huge trading, gathering place from the beginning of time. And it continues to be that. We look forward to opportunities to continue to serve not just the nation, the region, the state, but also the tribal and the city of Portland interests. Over the past few years, we've been instrumental in shared meaningful partnerships with Parks, and have done several projects, including the Westmoreland salmon celebration -- Commissioner Fish, you were there with your son -- many were watching and watching the salmon spawning already in Crystal Springs. If you haven't been to Westmoreland Park, the salmon coming home is like us coming home. We were asked, is this a big party celebration? And we said, not so much a party, it is a healing. It's a celebration of people, of salmon, of place, and it's been a privilege to be part of that. The other projects is the ongoing Delta Park Powwow. We look forward to that becoming a city-sponsored event. It's again from time immemorial, the gathering of nations at the Columbia River, Delta Park Powwow each Father's Day weekend. We just recently celebrated at Scott Community Center the Native American Family Day with Parks. We also are working on the Cully Park Inter-Tribal Gathering Garden, the first of its kind. Portland Parks is recognizing there may be a component of sharing these parks and this Inter-Tribal Gathering Garden as a place to actually pick some of our healthy traditional foods. Coming up, we're working on the Native American art installation at the southwest waterfront park and greenway section, and looking at the Kelly Butte restoration and plantings work there. We've also been assisting with the bureau's policy on park namings -- most recently, K<sup>h</sup>unamokwst -- and looking at also blessings on the land as the land heals. Thank you. Qe'ci'yew'yew.

**Hales:** Thank you.

**Fritz:** At the moment you said that sometimes you ramble, I was thinking how beautiful your words are and how helpful it is to be putting in context the timeless work that we do. And so, I very much appreciate your being here today. I need to acknowledge Commissioner Fish, under whose leadership the Native American council was established and much of this work springs from, and also, the voters of Portland who yesterday decided we're going to help fix our parks and continue

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to invest in them for the reasons that you just stated. Thank you. Commissioner Fish, did you have a comment?

**Fish:** I wanted to thank Judy for the role she played at the reopening of Westmoreland Park. You offered a prayer and you spoke, and part of your comments -- you reminded us of the power of rain, the importance of rain. And it frankly hasn't stopped raining since you -- [laughter] -- and we're now net about three billion gallons of water in the Bull Run. So, I wanted to personally thank you for that. And afterwards, you led a planting, and you gave my son and me a small sapling to plant. It was a very beautiful ceremony, and having you and elders there made it especially meaningful. So, thank you.

**Hales:** Thank you. Thanks very much.

**BlueHorse Skelton:** Mayor Hales, I have something from the group for you to present. Mayor Hales and I met first at the Johnson Creek -- not far out from where these salmon were spawning - - with your son, too many years ago to count. So, thank you so much for staying in this watershed and -- thank you. [Applause]

**Fritz:** It's now my honor to read the proclamation. And I want to acknowledge the presence of Carey Whispering Waters [spelling?], who was one of my very first assistants and who is now a great leader in the community. So, thank you very much for being here. Whereas, Native Americans, the indigenous peoples of this land, flourish with vibrant cultures, developed one of the largest trade economies, and are the original stewards of mother earth; and whereas, the city of Portland now rests on lands at the confluence at the Willamette and Columbia Rivers, a major crossroads for the economic, social, and political interactions of the indigenous tribes for thousands of years; and whereas, indigenous peoples hand down oral histories, science, governance, a distinct relationship with water, land, rocks, native plants, birds, fish, and animals, and invaluable cultural knowledge and rich traditions that continue to thrive in Portland supporting community health; and whereas, indigenous people who have been here since time immemorial continue to contribute immeasurably to our county, state, and city's heritage, distinguishing themselves as scholars, veterans, teachers, athletes, artists, entrepreneurs, and leaders; and whereas, the indigenous population of the Portland metro area is over 40,000 people descended from more than 380 tribes and bands from across the nation; and whereas, the community continues to contribute to the cultural fabric of the city of Portland through many events throughout the year, such as traditional Powwows, festivals, celebrations, active community organizations, and tribal intergovernmental relationships; therefore, now, Charlie Hales, the Mayor of the city of Portland, Oregon, the City of Roses, does hereby proclaim November 2014 to be Native American Heritage Month in Portland, and encourages all residents to observe this month. [applause] I just want to acknowledge also that Ms. Skelton mentioned that our newest park, K<sup>h</sup>unamokwst Park -- it means "together." And this celebration, by bringing those 380 tribes and honoring the work do you with us, your governmental partners who are assigned by the federal government to have those intergovernmental relationships. We are so honored that you are here, and thank you so much. We will do this together.

**Hales:** Thank you. Could we do a photo with the group? That would be wonderful if we could. Please, come up. [photo taken] [applause] That was wonderful, thank you. What a nice combination of last night's success and this celebration. I don't know if you timed that specifically for this, but it was a good idea. OK, let's move on to item 1136.

#### **Item 1136.**

**Hales:** Well, this is a fun occasion as well for those of us that have worked with this activist and public servant. Let me read this proclamation, and then I know I have a couple colleagues that are interested in speaking about Steve as well as some of his friends here. Whereas, Steve Rudman has spent a lifetime working to improve the lives of low-income families and adults; and whereas, Steve served as executive director of Home Forward for 13 years, retiring on September 30th,

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2014; and whereas, Steve led Home Forward, formally known as the Housing Authority of Portland, during a period of rapid change, transforming distressed public housing projects into complete communities including New Columbia, Stephens Creek Crossing, and Humboldt Gardens; and whereas, under Steve's leadership, Home Forward worked with the City of Portland and other community partners to develop affordable homes for those priced out of the local market and to open doors to opportunity; and whereas, Steve previously served with distinction for nine years from 1993 to 2001 as the City of Portland's Director of the Bureau of Housing and Community Development; and whereas, Steve helped launch and nurture some of Portland's mission-driven community development agencies, including REACH Community Development, the Portland Housing Center, Proud Ground, Portland YouthBuilders, and neighborhood partnerships; and whereas, Steve represents the spirit of Portland through his work as a tireless advocate for people experiencing homelessness, low-income families, and others in our community who have fallen on hard times; now, therefore, I, Charlie Hales, Mayor of the City of Portland, Oregon, the city of roses, do hereby proclaim November 5th, 2014 as Steve Rudman Recognition Day and encourage all residents to observe this day. Steve, congratulations and thank you.

[applause] You might have noticed in the proclamation some interesting dates there. I was here during the tenure of Steve as BHCD director, and he did a great job. And long, long ago when we both had a slightly different hair color, I was convinced to join the board of a new nonprofit called REACH, and Steve was the board chair. That good work was just beginning there at REACH, and it was great to see how much good it's done in the community under your leadership and your successors of REACH. So, you've not only done great work, but you started great things that others like Michael and others in this community have continued. I hope that gives you a lot of satisfaction as you make this transition, Steve, thank you. Michael, I think you're on.

**Michael Buonocore:** Alright. Mr. Mayor, Commissioners, thank you for having me. I am Michael Buonocore, I'm the new executive director for Home Forward. I'm joined this morning by several of our colleagues in the back of the room. Thank you for having us. I've been on the job a little over a month now, and in that time, I've been to a national conference of other large housing authorities, I've been to a state conference of nonprofits and affordable housers, innumerable meetings, you can imagine the number of times I've heard the phrase, "you have big shoes to fill." In fact, last week at Steve's going away party, I was standing in a small group of people and someone said to me, "you have big shoes to fill." And in that small group was a gentleman named Paul Parker, who used to work at the Housing Authority, a British gentleman. And Paul says, "I've seen his shoes, they're not actually that big, are they?" [laughter] And literally speaking --

**Fritz:** Very good, I like your accent --

**Buonocore:** Thank you -- [laughter] -- I'm going to go home today and tell my family I busted it out at City Council. So, that was a nice moment for me. But the truth is, I do have big shoes to fill, and I don't mind hearing that phrase because the truth is, Steve has spent 13 years building an organization that is now recognized as one of the best housing authorities in the country, and has worked tirelessly to build an organization that serves some of our most vulnerable citizens. And I appreciate you recognizing Steve's work. It's not the most glorious time to be a public servant, and I think Steve has done it with distinction and absolutely deserves this recognition. So again, thank you.

**Rick Nitti:** Mayor Hales, Commissioners, my name is Rick Nitti, executive director at Neighborhood House. Several years ago, Home Forward approached Neighborhood House and asked if we would support them on their application to HUD for HOPE VI funding to tear downhill Hillsdale Terrace and build something new, a community of opportunity. They asked if we would commit to moving our Oregon Head Start pre-kindergarten classrooms into the development. I eagerly said, yes. That's when I was trapped. First, they said, we'll build a building and all you

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have to do is contribute \$300,000. Sure, we can do that. That amount grew to a half million, and again, we said yes. Next, we were told we need to invest \$700,000. We hesitantly said, OK. By the time construction started, we were in for \$900,000. Those folks at Home Forward are sly, or maybe, I'm just easy. [laughter]

**Buonocore:** I'm not sure I vetted these comments, I think you're off script right now -- [laughter]

**Nitti:** Success. We raised over a million dollars. With help from Home Forward, we leveraged \$450,000 more and handed Steve Rudman a check for \$900,000. Together, we built what I believe is the best early learning facility in the city of Portland. For those who of you who haven't yet come out, you should come out. That was proof to me when on the first day of school of our Head Start program, three four-year-old girls walked around the corner of the building into our covered play area. And this is what they said, oh, wow, oh, wow. The voice kept getting louder. Oh, wow! And they ran in and started playing. That's how I feel every day about the Neighborhood House children's center at Stephens Creek Crossing. So, through that experience, here's what I learned about Steve Rudman. Steve defines vision, leadership, quality, and partnership. With Steve's vision and leadership, Home Forward has grown into the best housing authority in the country. The quality of the HOPE VI developments that were built under his leadership are models for the nation. Last year, I was at a conference in D.C. and sitting at a table, and we were introducing ourselves and the guy next to me says, oh, I was just in Portland visiting this new knock-down development that's called Stephens Creek Crossing. And he talked about how incredible Home Forward was. But for me, what I appreciate most is what a gift it is to partner with Home Forward. In my experience, Steve Rudman -- and under his leadership, Home Forward -- are the model for partnership. I can imagine no better partner. Steve, thank you for what you've done for the people of the community, and thank you for your partnership, vision, and leadership.

**Hales:** Steve, I think you get a chance for rebuttal.

**Steve Rudman:** [laughs] Well, first, I'm very humbled. Thank you Mayor, Commissioners, Michael and Rick. It's been a great ride so far. Just want to say for Home Forward, you know, 1992 the city council actually worked with Multnomah County and the City of Gresham to make the Housing Authority of Portland a countywide body. And I think it's one of the best examples we have of inter-jurisdictional cooperation. Our board is appointed by all three jurisdictions by intergovernmental agreement. It has continued to work well since 1992. And I think it's a really important organization, and you can tell we have incredibly talented mission-driven folks. Michael and his team are going to continue to make sure that we do what we can do to meet needs in our community. Unfortunately, as the largest housing provider in the state -- some 15,000 households are assisted every day -- there's about maybe three times that in terms of families that qualify in Multnomah County. So, it's daunting, and if you can bear with me for one second, I just want to go back in history with Mayor Hales. I also remember that. I came here in the late '70s from the east coast as an urban planning kind of student. I heard a lot about Portland after being in D.C., and I moved here. And what I liked about Portland was the history in Oregon of progressive planning and the sense of everybody came from somewhere -- except the Native community, before -- and we had this tradition of thinking about not making the same mistakes, or trying to learn lessons from earlier cities. And that lead time I think is very important. So, I've been involved in community development and affordable housing for some 35 years or so, but in the city, I got involved in 1988 with -- believe it or not -- what was a vacant abandoned building task force. We had two to three thousand vacant buildings and lots in inner northeast, southeast, and north Portland. If you remember that situation if you were here then -- crime, perception of crime, gangs, blight, disinvestment was actually what characterized the inner city. Things have changed considerably, and I think part of it is -- and sometimes we kind of beat ourselves on the head about what we're don't accomplish -- but in the early '90s, under Commissioner Hales, Commissioner

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Kafoury, and Vera Katz as the mayor, they took a three-pronged housing strategy. One was a cap for 20% of the growth of the region. Two was to revitalize the neighborhoods where we saw blight and disinvestment, and this is where we actually -- the city did a lot of things with the county to really encourage community-based development. A lot of CDCs and Habitat for Humanity, the Housing Authority, we reclaimed a lot of the buildings. It was for revitalization purposes. Thank god that it was done, because now it's one of the last bastions of affordability. That was the third prong of the leg, affordability. And unfortunately, we're not doing well. And it's not really -- what I find so difficult is that the federal government's disinvestment since the 1980s has continued, if you look at the trend over time. And yet, our needs in our communities go up, and cities like Portland, counties like Multnomah, have done a lot to think about what we can do. But frankly, stimulating private investment is something that I think the city of Portland has been very good at, and it's important to recognize that most cities have not achieved what Portland has. The problem is when you have enough private investment, you want to try to stem the tide. It's too powerful. We don't have enough capital to kind of really look at the marketplace, and Portland is a very hot market. I would argue that the same leadership that we've had -- that you guys are wrestling with, Amanda, too -- is really important to think about. We are now I would say infant San Francisco or baby Seattle. And that's our future. We are going to be -- we are a growth west coast city that on balance is a very affordable city compared to the big west coast cities. But we know our incomes don't keep pace with the housing market. It is the tightest rental market I've ever seen. Now, four or five years, we'll have a lot of rental housing. How do we on the edges of the marketplace try to do what local governments can do to kind of continue to find ways for the city to be a place for peoples of all backgrounds to live, to work, and to raise families? Extremely challenging. It's a long-term commitment and investment. I think what the council has done recently in the last -- for the last 20 years, I guess in terms of mid county, you know, the east Portland, west Gresham aspect -- it's going to take decades. And I think the city council has shown its commitment. And so, it's really important -- I'm very proud to live in a place that has committed public servants like you, and I'm going to take a little break, but I'm really happy to be a Portlander, and I will be back. So, thank you very much for the honor.

**Hales:** Thank you, Steve. Comments? Please. Whoever would like to make comments, take your shot.

**Novick:** I'm too sleepy this morning. I suggest Commissioner Fish starts first.

**Fish:** Let me kick it off. This is the second of a series of celebrations scheduled for Steve. Last week was the Home Forward event, today is the proclamation, tomorrow night, Commissioner Saltzman is giving an award, and we're hoping for pop-up events next week so that we -- Shelly figures this will take about a month until we get it right. First of all, congratulations, Steve. I want to thank Dan and Charlie for joining this celebration today. I want to thank Liam Frost and Jenny for drafting this proclamation. And I want to just offer a couple of personal observations, because Steve and I have history. I was on the search committee at Home Forward -- then known as HAP -- that hired Steve. Howard Shapiro was the chair, I was on the board, we had a community member named Rudy who served in that process. It was an enormously important search, because we were replacing someone that many thought was irreplaceable, the great Denny West. And when Denny stepped down, there were people who wondered whether we would find someone of that caliber to continue the momentum. And we did uniquely find someone who could fill Denny's shoes, to use the metaphor that Michael began us with. Those were big shoes to fill. And what I always appreciated about Steve is he was the guy in the room who always said, that's fine, but we can do better. And that was both his most endearing and his most annoying quality. Because frankly, Steve was never satisfied. And I look back on the body of work, and I think had there not been a Steve Rudman in the room, there are things that we would not have accomplished. We probably would

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have done a New Columbia, but there would not have been a Rosa Parks Elementary School. And when Steve first put the marker down for that school, the board did not receive it well, and the naysayers identified a hundred reasons why it could never happen. And by the way, that's a familiar story in housing. Big ideas are often met with massive resistance. But Steve said, we're going to build a new elementary school, and I don't know how we're going to pay for it, and I don't know how we're going to do it, and there's no model, but Portland is going to do it -- and he convinced the city council to put money into that project, and he convinced the school district to work with a whole variety of partners, including Boys and Girls Club. And today, one of our shining, one of our most beautiful new elementary schools with a great campus is located in the New Columbia. And it wouldn't have happened had Steve not said, we can do better. I remember during the teeth of the recession, when the city could not figure out a path forward on what's now called Bud Clark Commons. And Mayor, one of the biggest challenges in addition to the recession and the fact there were no cranes in the air was there was a lawsuit challenging urban renewal over an unrelated fight of a satellite district, and it stalled everything. And there were a lot of people who wondered whether that project would ever move forward, and Steve never doubted that we could build that building, and he never stopped pitching different and creative ways of getting there, because Steve is never satisfied. Bud Clark Commons could have been just another building. The reason the HUD secretary chose it as the best in class is that the city partnered with Home Forward to develop that building, and Steve was relentless in his vision that it had to be something special. I could spend all morning giving examples like that, but that's what Steve represented and represents to me. He always said, think bigger, be bolder, and then he took it upon himself to figure out how to get from A to B when others doubted there was a clear path. And that's not just the fact that he brings passion and smarts -- we know that about Steve -- but it's relentlessness and his work ethic that always challenged us outside our comfort level to do something bigger and better. And so, I deeply appreciate that. And then a quick personal story. When I was the housing commissioner, all of a sudden it started showing up on my calendar was a quarterly meeting with Steve Rudman. And I didn't know why I was meeting with Steve on a quarterly basis and I would sit down with him and he had a handout he would give me, and I thought, this is really nice, a community partner supporting me in my work, and cares enough about what I'm doing to visit with me on quarterly basis. It took about a year for me to finally figure out what was really going on. Steve was giving me my marching orders. And the way Steve does that -- it's a document, there's comments, he engages you, but really what Steve was saying is, let's be bold together and here's an idea, and I want you to think about it, and I'll help you get there. And that was Steve. And Steve didn't have to do that. Steve had a full plate. I just want to thank you from the bottom of my heart for the work that you did and the passion that you brought and the standards that you set. And there may be no greater indicator of your legacy than the two kids we met last week at your party, your 25-year-old daughter, Zoe, who's an actor, and got up and just wowed the crowd. And your son, who's in the Marines who was in uniform and came to honor his dad. You can be justifiably proud of all you've done, Steve. Today is our chance to tell you how proud we are that we had a chance to work with you, and I thank you.

**Saltzman:** I'd like to say, I guess I've inherited the mantle of being the housing commissioner, now I have some insights into those quarterly meetings that cropped up on my schedule, too. But I just want to -- and I'll be honoring you tomorrow night too, I'm not sure you're going to be there -- oh you are going to be there, great. Because one thing I was going to notice about Steve Rudman is he's everywhere. There's not a meeting on housing, there's not an event on housing or a community gathering where he doesn't show up. So, I'm glad to hear you're going to make your Spirit of Portland award tomorrow. I just want to take this opportunity to thank you for all your service. You've done some remarkable things in your tenure as the executive director of Home



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Forward and previous to that as director of the Bureau of Housing and Community Development. And also, your commitment to helping those in need and helping to address one of the most pressing concerns we have right now -- as you mentioned -- with the tight rental market, a diminishing supply of affordable housing. It's a challenge for all of us to work together -- the city, the county, Home Forward, City of Gresham to address the needs of those in need. And I'm sure Michael will be an able replacement for you, but I want to recognize the some 35 years of service you've made to helping our citizens, so thank you very much, and I'm very pleased to recognize you today. Thank you.

**Hales:** Other comments?

**Fritz:** Thank you so much for your lifetime of public service. I'm glad you're retiring, because you deserve to have some time to yourself and with your family, and that's a good thing. But I know you'll be not gone and leaving us in the dust. When I think of three words to describe you, they are kind, caring, and compassionate. And those come to mind not only because of all your work with housing, but 20 years ago I was a 36-year-old mother of children aged 6, 8, and 10, and Commissioner Charlie Hales assigned me to be on the task force for neighborhood involvement. Were you actually on that task force or just an observer?

**Hales:** He was at the meeting, that's for sure. [laughter]

**Fritz:** At the meeting. It was four hours twice a month for over a year. It was the worst committee. In fact, my mentor Gretchen Kafoury said, why on earth would you have agreed to do that? And I said when the commissioner-in-charge of parks and planning says jump, you ask, how high? And since, I've really appreciated being on that task force because I learned a lot. The reason I'm bringing that up is because you saw me on the street at some point during that thing, and you took the time to say that you appreciated my participation. And you knew who I was and you knew my name, and you reached out to somebody who was very new to community involvement, and made clear that you thought I was making a difference. And that meant a lot to me, it still does. And so that personal connection which I know you provide to everybody that you serve, everybody that you work with, is truly appreciated. It's truly the Portland way, and thank you very much for your service.

**Rudman:** Thank you, Commissioner.

**Hales:** Thank you. Steve?

**Novick:** Last night's national election results I think made it even more evident that we are living - - probably living through the collapse of our civilization. But even in the course of unavoidable collapses of the civilizations, there are people who live through the collapse, who do things that make it possible for civilization to restart sometime later -- the monks who wrote down important pieces of information during the collapse of the Roman Empire that were rediscovered in the renaissance. And you have had the fortune of working on affordable housing issues during a period when -- as Commissioner Fish constantly notes and as you've noted -- the federal government, which we used to be able to count on as a major partner, has disinvested. But you have managed in the dark period to keep alive the vision of a society that's committed to affordable housing. And in your case, it's not just a matter of vision, it's that in practical terms you have been able to make life better for as many people as possible. So, thank you for playing the role of monk, and also of practical difference-maker.

**Rudman:** Thank you.

**Hales:** Steve, the only thing I might say to close this was that Michael and I had a chance to talk to Mayor Mike Nutter in Philadelphia about a housing issue that concerns us all, and we certainly are going to warn him off that you intend to take some time off -- [laughter] -- and figure out how your service here in Portland might continue. But as far as we're concerned, Philadelphia can't have you back, but we're glad that we imported you from Philadelphia all those years ago. So, remain a fan,

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but remain here. Thank you, Steve. Let's hear it for this man. Thank you. [applause] Alright, let's move to the regular agenda, item 1155.

**Moore-Love:** I think we need to read 1137 and 39.

**Hales:** I'm sorry, did I miss a time certain?

**Moore-Love:** Right, we need to read those.

**Item 1137.**

**Item 1138.**

**Hales:** Those two items are both continued to November 12th at 11:00 a.m. time certain. And then, we do have another time certain item.

**Item 1139.**

**Hales:** My notes show that Council findings and decisions will be distributed Tuesday the 4th, but presumably they were and therefore we can act on these.

**Linly Rees, Deputy City Attorney:** Yes, Council tentatively made a vote to deny the appeal and uphold the decision of the Design Commission. We've prepared findings that have been reviewed by the city attorney. Those should be found in your packets. And it would be appropriate to make a motion to deny the appeal, uphold the decision of the Design Commission, and adopt the findings and conclusion.

**Fritz:** So moved.

**Fish:** Second.

**Hales:** Any discussion? Roll call on adopting the findings, please.

**Motion to deny the appeal and uphold Design Commission's design decision and adopt findings.**

**Novick:** Aye.

**Fritz:** Thank you very much to everybody who participated in this discussion. We all heard the neighborhood concerns about the greenway setback and parking issues, and design issues -- I believe those were taken care of. The main issue was the projection of three foot six inches into the 60 foot right-of-way at the upper stories. In areas of design, it's often a difficult task to find the right balance with the criteria because there is by definition a subjective nature to them. Reasonable people can disagree on whether approval criteria are met or not. So, I agree that all elements of the design were looked at and found to meet the purpose of the regulations before the Design Commission. I do appreciate the discussion that occurred before Council, and the findings which the staff crafted to make sure that it's clear what we're deciding and what not. I particularly thank the Design Commission who are putting in dozens of hours on multiple different projects at this point because so many are coming in, and the Bureau of Development Services staff whose work was absolutely outstanding. Thank you very much. Aye.

**Fish:** Aye.

**Saltzman:** Aye.

**Hales:** Aye. Approved, thank you. Nicely done, staff. I think it was a case where we heard really good arguments from the community and from the applicant. So, good process. Let's move on to the regular agenda, please.

**Item 1155.**

**Hales:** Great. Captain Marshman and Sergeant Stewart, welcome.

**Michael Marshman, Portland Police Bureau:** Good morning, Mayor, Commissioners. Thank you. That was a long sentence -- explanation to essentially to describe what's academically known across the country and western policing as hot spots policing, which -- with Commissioner Novick -- we brought in researcher Cody Telep -- it's from that point forward. So, what the Police Bureau did is we customized a little bit and instead of doing traditional hot spots policing, which is done a little bit differently in cities across the country. We did ours as NILoc, which stands for

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Neighborhood Involvement Locations. And I'll let Sergeant Stewart get into the nuts and bolts if that's needed. We've mapped out the city of Portland in crime locations and had officers respond to those areas. The twist, though, on this is it's been proven academically that if you put officers in these areas, you likely will reduce crime. We have large amounts of data, because we sent officers out in these areas over the course of the summer. What we'd like to do is have researchers come in and finish that analysis. One thing that hasn't been done in the United States -- and I would love for Portland to be the leader in this -- is to test or see what the impact for police legitimacy and procedural justice is with the community. Agencies that have done this and shown to reduce crime -- in my opinion, they haven't gone far enough. What's the outcome of that crime reduction strategy? Did you help or hurt police community relations? I think we've seen in some cities across the country where they have had positive crime reduction outcomes, but to the detriment of police community relations. It would be nice to accept this grant, in my opinion, to measure that and to see the impact on the community. Because my personal thought is I would like to tweak this a little bit differently. Instead of sending officers into these areas to reduce crime and have a tangential positive impact of enhancing police community relations, we flipped it differently. The items that we wanted our officers to focus on -- we said, focus on police community relations with this side benefit of actually reducing crime. I would rather have it that way, and I think -- I don't want to get ahead with some of the analysis -- I think we got that far. But this grant will help us through our researchers contribute to that body of knowledge, and hopefully in a very successful way of showing that by enhancing police community relations, you can reduce crime. Hopefully, I said that succinctly enough for you today.

**Greg Stewart, Portland Police Bureau:** On that note, there's been a lot of academic research into whether hot spot policing is effective. It is effective. The big missing element -- and Dr. Dennis Rosenbaum, who I think many are familiar with, are among the academics who brought this up -- that we might be trading short-term crime reduction for long-term damages to police legitimacy. If you read the initial grant, it was very much focused on a traditional hot spot policing approach. However, there were significant community concerns about that approach and I think those concerns were legitimate. We tried to listen to those community concerns and take the good that we could do in terms of the crime prevention, but really morph it into an approach that's more consistent with the citizens' desires of the police in Portland and our needs as an organization to improve our legitimacy. We had the research backed by Portland State that showed that when officers interacted with the public and the public perceived those interactions as being fair, they tended to rate us more likely than members of the public who had no interaction. And we also knew officers would spend significant time in these areas regardless of whether we instituted this program because the natures of the areas is areas where we had high calls for service and a large amount of crime. So over the course of the summer, we attempted to dispatch about 15,000 of these calls, were success for about 12,000 of them, and were able to get officers into these areas where -- and again, all very preliminary -- it appears they consistently did more positive community type engagement than, say, if they were doing self-initiated activity. And consistently conducted much, much fewer stops in these areas, which was the goal of the program. And we hope we simultaneously reduced crime and have some surveys out to see if the public perceived the police better as a result of this intervention. This grant will largely fund that research that will allow us to know the effects of what we did, and it will be conducted by Portland State, who's an independent research partner, so it won't be the police telling the public, yay, we did a good job. There will actually be some -- there will be academic oversight and peer-reviewed papers, and the federal government will also be overseeing it. So, we'd like this grant to help fund those studies before we go forward with the program in a more widespread manner.

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**Novick:** Greg -- and again, what you were doing is sending officers to specific locations not in response to calls, but as -- I mean, it was sort of treated as a call within the dispatch system, but you were scheduling visits to locations because they were locations associated with high crime, not because you got a particular call.

**Stewart:** Yeah, and you guys have heard -- the community wants police in these areas out of their calls. They want to know the police before the police take police action. At a walking beat in Old Town is where I started my career, and police accountability is wonderful, but there is no bigger police accountability than you walk a walking beat every day and are accountable because of interpersonal relationships to the people in that area. You can't replicate that. And so the idea is if we're going to be going there a lot for crime, if we can go there before there's crime, maybe prevent some crime, maybe know the people in the area so that if we do go there and have to take care of a crime, they're more likely to talk to us. I mean, these are areas that by definition were at high risk for us to visit anyways, so we thought, let's get ahead of the curve and get out there and let's know the people in these areas and in situations where we're not having to take enforcement action. And that's -- we're hopeful it was successful. It was very difficult, and I'm not going -- I don't want to come across and say it was a big Shangri-La and everybody loved it. We dispatched thousands of calls at the busiest time of the year, and a number of them were canceled and a number of officers felt really kind of pushed to the limit, and weren't afraid to tell me of that. But they went there, and it appears when you ask them to do this, they're professionals and they went there. And again, there were thousands of comments left in these calls, and some of them were kind of like, geez, I'm too busy to do this, but a lot of them were, I went to the park and I was handing out stickers, or I visited the school, or I talked to folks from the Somali community about the Portland Timbers. There was a lot of great citizen-police interaction that I think as we move forward if we want time prove our relationships with community, I think it's going to start from programs like this that create that interpersonal connection. And again, I think being able to study it in a rigorous scientific manner -- it's going to increase legitimacy of the program itself, because the public is going to trust researchers more than police. It's our program, we're of course going to say it worked well. But let's work with the academics and find out if it really did work well.

**Hales:** Other questions? Thank you. I appreciate both the presentation and the thoughtfulness in behind it. I think this is the right way to proceed in trying something new here and understanding that we have to do it in a way that having a third party watching how we do it is going to be helpful. So, thanks for helping to spread that message. It's not always an easy message in any organization to hear, that hey, somebody is going to be watching your work. But in this case, it's really positive. Thanks. Thank you both. Has anyone signed up to speak?

**Moore-Love:** We have two people.

**Hales:** OK, come on up.

**Charles Johnson:** Good morning, Commissioners. For the record -- you've improved the microphones in the month that I've been gone. My name is Charles Johnson. It's nice to see almost of a quarter of a million dollars coming from the federal government in the Department of Justice, even as some of our relationships with the federal authorities and federal judges are still a little bit - - we wouldn't say heated, because I think we think this appeal is an academic issue -- but I want to say, if we have almost three quarters of a million dollars to talk about polite and safe policing, we need to also try and connect the dots and come up with another three quarters of a million dollars to talk about improving the police role related to deaths and suicide. When I was first -- I think the last city council before I left for a month was it came up that suicide is the leading cause of death in Portland. And although this particular study is limited to the issue of community policing, I think for this city council to best serve its citizens, when you're interfacing with the police and when we're talking about this, we always need to come back to that issue of if the police are part of

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public safety and public safety is about keeping citizens alive and healthy, we need to look at where the dollars and where police and other civic spending will do most good. And so, I hope that I'm very pleased to see -- I'll still call him Lieutenant Marshman for a while, really, but seeing him move up and take this overall comprehensive approach where it's not just about quality of policing, but that the real purpose of the police is just to be a tool in making this a city where everybody, regardless of race or economic status, feels like a safe and valued participant in our great Portland society. So especially you, Mr. Mayor -- since you have the closest oversight role for the police -- I hope that in your ongoing conversations and when you talk informally with people at Portland State that you'll always keep in mind that even though we're getting this nice \$700,000 for a very specific and what seems to be a well-designed and well-intentioned study, that if we're putting 700,000 into a nice face on the police and we haven't found an equivalent or greater amount of money to talk about how the police are going to be helpful partners with Cascadia and others to keep our citizens alive, then we've really missed this. I do want to make a brief comment about hot spot policing. I don't know what the official policy is -- my closest connection with past hot spot problems is when I'm over in the Lloyd, and I walk past a place where there are bullet scars in brick walls from a place where Keaton Otis died. And also in the Lloyd we had a veteran, a former United States military service person who died via suicide from cop, basically. When you have a shotgun in a parking garage and the political come and shoot you, it's not really the outcome we want to have in Portland for our veterans. And so, I hope some of those concerns will be part of a study. Thank you.

**Hales:** I appreciate that. I just want to second some of your comments. You know, each of us gets to see our bureaus in their day-to-day operation, and because I'm police commissioner, I get these daily documents from the Police Bureau about what they're doing. And as it happens, last night's report that included seven significant incidents -- somebody that had two pounds of methamphetamine, a high-speed pursuit of a murder suspect, and interrupting a fight -- so it was a busy night -- but to really corroborate what you said, one of those was suicidal woman taken in on a police hold, another was a man waving a knife in Pioneer Place, and a third was a woman who attempted to commit suicide by jumping on to Highway 26. Three of the seven events last night were suicides -- or attempted suicides -- fortunately, they were just attempted. But we lost 114 citizens to suicide last calendar year, which was many times the number of murders or even traffic deaths combined. So, it's a significant issue. And it's because the police end up being the first responders to a lot of mental health situations that we're calling on our officers to help assist people at that really critical moment. So, it's a key issue. Hot spot policing is really dealing with another set of crimes, another set of problems, but you're right. With one hand, we've got to be addressing that thoughtfully, and with another hand, we've got to do a better job on the mental health side.

**Johnson:** Thank you for putting that in the record, Mayor. I look forward to coming back with Sara Hobbs and working with other citizens to get a better network so we have a broad community basis of support to get to these issues handled.

**Hales:** Thank you. Mr. Pickering?

**Benjamin H. Pickering:** Benjamin H. Pickering. Walking through this -- yeah, the police and the citizens, things that -- we all live in this community, but it's like when you -- if we had some recreations more toward understanding the minds and the people which is -- I mean, you have to start with something like -- people get addicted to things, and it's just like giving people something to be addicted to, which they're drawn in toward -- the progress is what's going on with the cops and the people -- are the people, are they well managed and have something to look forward to every day in the city? Or are they, you know, grasp ahold of something that is -- that people are reaching out -- it would be cool, I feel that -- I always hear these people come in here, different people, and they speak for certain people. Certain speakers. But it would be cool to hear from the

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people that are actually, you know, want to get it off their chest. Why can't they come and explain it themselves? I don't know. I didn't very much to talk about this morning, other than just, you know, we need a lot more guidance, a lot more leadership and a lot more -- you know, love. A lot more working skills all the way around. Everybody needs working skills. Thank you.

**Hales:** Thank you. Good morning.

**Mary Eng:** Hi, Council. First of all, I like to sit around reading criminal justice --

**Hales:** Put your name into the record --

**Eng:** Mary Eng. I was reading a criminal justice book last winter, and one of the facts that startled me was that officers themselves often face higher rates of divorce and suicide and alcoholism. And I think in some ways, we're talking a lot about the health and well-being of the community. But I think the officers themselves deserve an inclusivity with the community, because they have one of the highest-stress jobs in the world. And I have a lot of respect for that. I wanted to share with you my Professor Caballero down at Los Angeles City College in the administration of justice department taught us patrol procedure, and he was wonderful and fabulous. And I think in some ways, doing cross-cultural analysis can help us work on our weak spots and help with our growth towards -- sort of comparative analysis. And looking at good things that are happening down in Los Angeles, or another city I spent time in was London, where I observed a much more kind of security guard type presence in the city of London. My friend who sort of mentored me helped me understand that because this high finance that occurs in the city of London is so high-profile, the police there had a very strict code of manners and etiquette that while maybe down in different boroughs there might be different kinds of problems with police brutality, that there was -- I was basically observing the police at their finest. And to me, it was a really beautiful experience, because I was really dreadfully afraid of the police brutality that I expected to ensue around the occupy era. So, I kind of skipped out of town. But I think in some ways looking at different modes of police decorum, we could look very much to the Swedish model which has gender integration and gender equality as a mode of achieving peace and tranquility. I love seeing lady officers, and I love sticking up for them. And I know sometimes they could be in very dangerous situations. And I think one thing that men in general or larger size people need to know is often size is a factor. If someone is a foot and a half taller than you, there's an intimidation factor. And even the nicest -- say, like, Stuart Palmiter who testified before Benjamin Pickering -- he's huge. He must be seven feet tall. But he's an example of someone who is approachable, who's honest. His only commandment is honor. He's not sticking up for bad behavior. He does haven't that thin blue line that Gregory Kafoury talked about at the DOJ hearing. His only command is to do what's right in terms of somebody who is suffering. And to me, we need to really spotlight people like him and share that with the community so we can know who we can trust. Thank you.

**Hales:** Thank you. Thanks very much. Anyone else?

**Moore:** That's all who signed up.

**Hales:** Then we need to take a roll call on this item, because it's an emergency ordinance.

**Item 1155 Roll.**

**Novick:** I'm really excited about what the bureau is doing here, both aspects of it, because it's absolutely true that research indicates crime is spectacularly location-specific, and proactively having officers in 15-minute increments at random times at locations that have been shown to be high-crime locations does make a difference in preventing crime. But as we heard, there's a concern about, are you going to be -- you want to be sure that by focusing on these locations, you're not alienating the people that live in those locations. So the bureau's emphasis on community relations and that being a primary not a secondary part of the effort is extremely welcome. And obviously, having the research to show whether it's working on both sides is critically important. So, congratulations to the bureau on what it's doing, really appreciate it. Aye.

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**Fritz:** Thank you. Aye.

**Fish:** Aye.

**Saltzman:** Well, this is a great grant, and I look forward to the research. I want to thank Captain Marshman and Sergeant Stewart. I know Sergeant Stewart is always brings the utmost rigor to anything that is undertaken in the Police Bureau and making sure -- and I appreciate the candor of your remarks, too -- making sure this works. And that's what this grant is all about, is really trying to see whether predictive policing has also a positive impact on our police community relations, too. That's very -- of utmost importance these days. Thank you all, and I'm pleased to accept this grant. Aye.

**Hales:** Yeah, this is good work being done very thoughtfully. Thank you. Aye.

**Item 1156.**

**Hales:** Good morning, Sergeant Sessions and team. Who's on first?

**Mike Fort, Portland Police Bureau:** I'll start. Good morning, Mayor and Commissioners. I'm Lieutenant Mike Fort, and I work in the youth services division that houses our crisis response team as well. We are here to ask Council to accept a grant from the Oregon Department of Justice VOCA, and that is the Victims of Crime Act. This grant of \$42,390 will fund the senior administrative specialist that we have funded for the past seven years. And this is necessary in order to keep all of our data and all of our volunteers, and to help serve the community we serve. I'll back up one second to say that the idea of this crisis response team was born in about 1993, with a police officer working with the community of northeast Portland in a way to address the needs of victims of violent crime. In 2004, Portland Police Bureau then partnered with the northeast community and formed a crisis response team. That was entirely successful -- so much so that in 1995, Portland Police Bureau created an Asian Pacific Islander crisis response team and followed in 1996 with a Hispanic response team, and then also in 1996, a sexual minorities crisis response team. Since that time, we have served over a thousand victims of crime, and over 1700 family members. The crisis response team is made up specifically of Officer Marci Jackson and of our senior administrative specialist, Deborah Monk. And also, we have varied at times -- we currently have 20 or so community volunteers. We have had up to 30. And those volunteers are all coordinated by our senior administrative specialist and by Officer Jackson. And this grant helps us to continue paying .62 percent of our non-sworn salary, and the Police Bureau picks up the other part of that. This is an extension of the grant that we currently have to carry us through the end of the fiscal year 2015. And that is about all I have, I think. If there are questions specifically about the program --

**Hales:** Yeah, tell us a little bit more about the role of the volunteers, what you're looking for in volunteers for this work. It's one of a number of areas where we solicit people to volunteer to work with us, whether it's in trying to give kids alternatives to gang involvement or in this case, victims of crime. What are you looking for and how should we seek more help for the work through volunteers?

**Marci Jackson, Portland Police Bureau:** I'm Marci Jackson, and I coordinate the teams. Basically, we're looking for people of communities who can go to a traumatic incident and offer resources from the community to that family that's in need at that time. So, if it's language, if it's knowing where your synagogue or mosque or church or those things, or other resources specific to your community -- those are the people that we ask or that we invite to come with us.

**Hales:** OK, thank you. Other questions, comments? Thank you all, appreciate it. Thanks. Anyone signed up for this item?

**Moore-Love:** Yes, we have three people.

**Hales:** OK. Go ahead, Mary.

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**Mary Eng:** Hi Council, I apologize for always forgetting my name. It doesn't seem that important to me because it's sort of a transpersonal reality and universal human experience I hope to convey. Or egoless. But the whole thing with the crisis response team -- I think the whole thing we need to make sure is really clear on future leadership as we take the helm is to be sure that James Chasse's killers are off the mental health response unit, as well as Kyle Nice, who has a very traumatizing effect. And perhaps, some inquiry into Birkinbine's role into the shooting of Aaron Campbell should be reopened. He testified at Pickering's trial and I found it very interesting to have him on the stand and see how he coordinates investigations of alleged brutality incidents. But with the crisis response, I'm very interested in how we can actually provide better victim advocacy, because what I think we need more than monetary damages or the continued drain of settlements to people who feel they've been done wrong by the police -- we need kind of like a proactive victim advocacy that takes impact statements of victims, and an enhancement of their sense and feeling of justice and recourse. And I think with crisis response, this is under development and I hope that we can have a multicultural understanding of what crisis is. In the western model of mental illness, we really leave out alternative modalities. And I think Oregon is especially well-situated for a more comprehensive, integrative approach to various religious practices or various medical modalities that do not see the Cartesian mind/body dualism to indicate that mental illness is something that can be cured. And I think things arising from the Freudian model are often very Eurocentric in their nature, and if we start to realize that cultural expressions of dress or linguistic expression are very lively parts of our diversity, we can stop having such a dualistic understanding of what crisis is. And then also, we remind ourselves that this is a right to die state and the Oregon right to die is a very important part. Maybe some of us coming from a Judeo-Christian background may have a prohibitive nature on the right to die. But we maybe should reevaluate our response to the availability of the right to die and not immediately assume that someone who chooses suicide is choosing a sinful thing or something like that.

**Hales:** Thanks, Charles, I think you're next.

**Steven Entwistle:** Actually, he's passing it over to me. Steven Entwistle. Yeah, this sounds like a great program to have response teams that have connections with communities so that the people know that the police can use resources from the community to help out the folks that are in need or in crisis situations. I think that's a great idea compared to the alternative. And the different groups that you mentioned, how many groups were there? But anyway, there was like the Somali group -- anyway, on down the list. I was wondering, is there a houseless response team, And can we make a houseless response team from community members that are familiar with houseless folks, and possibly even know some of the houseless folks and have relationships with them to pull them in to help out with some crisis situations there. I know that the alternative is not a pretty one because we see the alternative is very damaging and violent, and we need not to have that continue. We would like to change that and have more of a response that has to do with intelligence and resolve rather than violent endings. Because we don't need to punish people into submission over some small domestic issues of whatnot. I think a response team for the houseless folks would be advantageous for the entire community, and it probably prevent suicide, also. Thank you.

**Hales:** Thank you, good idea. Charles?

**Charles Johnson:** Good morning again, Commissioners. For the record, my name is Charles Johnson. I think my greatest concern here is scale. We just talked about a \$700,000 program that covers the whole over scope of policing. Now, when we're talking about victims, what's available from the federal government is only about \$42,000. But that may illuminate one of the problems with he have with policing nationwide in that much of police time and budget is consumed on victimless crimes. And I hope, Mayor, that -- of course, the voters have made this a little simpler for you starting in July, there will be no criminal marijuana except maybe for people trying to get



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around the business regulations of the business. But I hope, Mr. Mayor, that you will work with -- even though some victimless crimes are related to quality of life, certainly, the highest goal for the police department is to be able to see that people who are victimized by crime, that that experience is -- the trauma is minimized and those people are able to stay healthfully connected with society. I hope that you'll encourage the police force to be focused on dealing with what some people would say is real crime -- situations where actual human beings have been harmed or deprived of their property by another human being, and that we don't ever get into the delusion of broken windows policing, where too much of an already-oversized police budget is involved in business that's not really making the quality of life improve in the city. It's based on the mistaken theory. As Captain Marshman talked about, sometimes policing activity -- the presence of the police -- even though it may affect crime, it doesn't really relate to how those people in their community perceive the quality of life. I was very pleased to hear you ask about the nature of the volunteers because I hope all of you on this commission -- and we'll reach out across the river to the county commission, because there's so much overlap -- to find people from the communities -- the Asian community, other minorities -- so that when people are victimized by crime, they don't just have some people with guns coming in and saying, how are we going to manage this but they get be connected to people who feel they can help that person get through whatever the situation is. Thank you.

**Hales:** Thank you. Anyone else? Let's take roll call on that item, please.

**Item 1156 Roll.**

**Novick:** Aye. **Fritz:** Aye. **Fish:** Aye. **Hales:** Aye.

**Hales:** Thank you very much.

**Item 1157.**

**Hales:** Sergeant Unsworth, welcome.

**Michael Unsworth, Portland Police Bureau:** Good morning, sir, Commissioners. I'm here on behalf of the Portland Police Bureau, specifically the explosives disposal unit, the metro explosive team -- what you would commonly refer to as the bomb squad. For the last four years, we have been a sub-grantee of a regional grant out of Lane County. About four or five years ago, all of the bomb squads in the state -- of which there are four -- got together to standardize our equipment, standardize our training, and the result of that is we have applied for in the last four years this grant. Now, we're on the fourth cycle of that. Specifically here, we're asking that you accept this. It takes training and specific equipment that we've identified as a gap in our capabilities. Pretty short and sweet, sir.

**Hales:** Yeah, thank you. Last month was a reminder that this isn't academic training, because we had a bomb go off in the city. And fortunately, no one was injured but it's nice if we can get to them before they go off. Questions? Thanks very much. Anyone signed up to speak?

**Moore-Love:** Yes, we have four people.

**Hales:** OK, come on up. Lightning, I think you should get to go first.

**Lightning:** Good morning. My name is Lightning, I'm the founder of Lightning Humanitarian Lab. On this subject, I definitely agree with the grant. I have no issues on that at all. On some of the training aspects, what I'd like to see a little more training on is that -- I've spoken on a subject numerous times pertaining to levee and pertaining also to homeland security. And what I want to have is an understanding when we're giving these types of grants that studies are being done on understanding how to prevent any of these type of bombings that possibly could occur. Why I say that is that as a private individual, do I have a right to buy land near a bridge or under a bridge? Plain and simple. I do not. Why would somebody have the ability to buy land on the levee as a private owner? I want homeland security to look at this very close, because I think that this needs to be studied. I think what has happened in the past of having private ownership of a levee by private individuals is a national security threat near the airport. These are the types of programs and

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grants that I think really need to take a close look at this on why that has every happened. The Port should have never given up control on these properties from the levee to the river itself. And I would like to see, again, a study done on this, that basically these private individuals that own this property and have access to the levee at any time they want, anything to do with their property -- which by the way, is the levee, they own part of the levee. That should have never happened in the past. That's a national security -- to take look at -- homeland security needs to take a look at that. FEMA needs to take a look at that. Airport security needs to take a look at that. Port of Portland needs to take a look at that. They need to make the change now and correct that situation because this is a very serious concern to me. There should be no private property owners that control the levee. I want to see this taken care of and possibly looked at. Again, I do agree with the grant, I think that's good. In fact, I think they ought to increase the amount given to them for future studies in those areas. Thank you.

**Hales:** Thank you. Who's next? Mary, go ahead.

**Mary Eng:** Hi, I wanted to point out two major things. They are Oslo and Angela. The Oslo bomber, you may be aware of him. I'm part Norwegian -- Eng is a Norwegian name, meaning meadow. Basically, U.S. intelligence assessment had warned Norway, you must be aware of your neo-Nazi extremism, it is a terrorist element embedded within your society that poses an extreme danger to your community. Norway, meanwhile basically is kind of oh, we're tolerant, la, la, la, we'll just ignore it and accept this diversity of opinion. Whether or not you think he's a madman or not, when Breivik bombed Oslo, the police were dreadfully unprepared. I watched a great documentary about it. I suggest you look at this as potential learning experience for us and what we need to be aware of in our community. Extremism is not just, like, ISIL or something. And on with Angela. The problem with Angela is that Angela is amazing. She's the first who hooked me up with the DOJ guy Jonas Geisler. Angela was assaulted by a homeland security officer, had her knee shattered and destroyed. She had surgery, she has a huge scar, she has chronic mobility problems arising from this. And I'm not sure how we deal with misconduct in the homeland security arena. And all of this is new to us in the post 9/11 marketplace, but I think we need to -- as we support a security agenda, we need to be very aware of how to do so in a kind and decent and humane manner. I think the assault she experienced was -- she was pretty much railroaded by the Dam, which I have learned is a sort of typical experience for brutality victims. And when the brutality is arising from a federal aspect, I'm not sure why -- maybe the new DA supervisor will jump in and try to help moderate wrongful convictions of brutality convictions. Especially women who are assaulted by men. Because if you wipe away the nametag on the badge a woman was brutally assaulted by a man. And I think with our homeland security agenda, we need to find a way to allocate resources towards quality control, but with a firm and comprehensive look at our national security agenda. I'm presuming there will be no fake bombs administered with the Oregon state police supervision and the FBI. I hope we're moving beyond that in terms of our potential for understanding, and having a respectable DOJ -- which I understand your skepticism.

**Hales:** Thanks very much. Charles?

**Charles Johnson:** Good morning again, for the record my name is Charles Johnson. I think the most unfortunate thing is we're talking about emergency preparedness, but it's not nearly enough money for Commissioner Novick to do what he needs to do to get an emergency center finished here on the west side. It's always illuminating coming to these meetings and find out there even is an Oregon military department and emergency management, I hope all state emergency management functions are not under the Oregon military department. I hope we don't have a Portland military department to mirror the state structure. But of course, as I have mentioned, whenever we get money from the federal government, I'm always in favor regardless of my remarks is. We must take the money from Washington and stop sending so much money back

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there, especially now that it's under enemy control. [laughs] Next time I'll try and get on the agenda to talk about tax resistance. But the bomb squad and other -- you know, these are the issues where it goes back to what I said before about real policing. None of us want to deal with even a fake bomb threat on our own. And I mean, citizens who get emotionally distressed and may talk about having explosives when they don't. I don't want to talk about situations with the Mohamed Mohamud case where the FBI thinks it's great to build stories about bombs. But I look forward to our bomb squad working through Lane County, to help keep citizens safe in these situations.

Thanks.

**Hales:** OK, anyone else? Then, roll call.

**Moore-Love:** We need Commissioner Fish.

**Hales:** Alright. Let's set that over for a few minutes until he returns and take up item 1144 that was pulled.

**Item 1144.**

**Hales:** Does somebody want to speak on this item? I guess we have staff here. Just stand by and we'll let Mr. Walsh speak. Then we'll get staff to answer questions.

**Joe Walsh:** This has been one of two items that are classified as emergencies and we almost automatically object to the emergency ordinances. We think staff should either do a better job or you do a better job. These things should not go under emergencies. 1144. Our big concern on this one is, as far as we can figure out from the documents that we read very quickly, you're going to do random testing -- random drug testing -- and that seems to be the acceptable way of doing it. We would ask for more. Any time an officer fires his gun or draws his gun that he be tested immediately. Now, we're not asking the officer to go on the record and make a statement. We know that's a contractual problem that you have. But drug testing for steroids is extremely important to find out if the officer was in his right mind when he fired his gun. I think we all would like to know that. If you wait three days or you do random testing, there's no way to know that. If we're wrong on this, we apologize. But it looks like it's random testing. And random testing -- I used to work for the federal government, some of you know that. We had random drug testing and we knew when it was coming. So, it's really not random, because we knew that shop 03 would be drug tested May 4th. And on May 4th, we had random drug testing on schedule, 9 o'clock. So, random drug testing has its own set of problems. We would suggest that the officer not be forced to make statements, just do the drug test. Find out if there's any steroids in the person's system, just like if somebody is involved in a crash, and he's staggering, you might want to do a drug test on that person that's driving the car. The same concept. Thank you.

**Hales:** Thanks.

**Fritz:** Mr. Walsh, my understanding is -- and you will appreciate this as a former union organizer -- that this is a subject of mandatory bargaining, and that's why we have the regulations that we have as far as when and where and who gets tested. So, it would have to be subject to the next bargaining. Is that correct?

**Walsh:** Yeah, I got that. I used to be a chief union steward, so, I know about that.

**Hales:** I think that's the case. This is indeed random testing, it's right there on item number one, and that's what we're permitted to do that under the bargaining agreement. Right?

**Maureen Weber, Bureau of Human Resources:** Correct.

**Hales:** And we're not necessarily permitted to do any more than that at the moment.

**Weber:** No, we would have to bargain that.

**Fritz:** I believe we tried to. That was on the bargaining table at the last -- because I think we share some of your concerns.

**Walsh:** You can open up the contract and bargain.

**Hales:** Thank you. Any other questions for Maureen?

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**Moore-Love:** We have a request from Mary to speak on this.

**Mary Eng:** Hi, guys, it's Mary Eng again. I just wanted to say that find this very concerning and I applaud [indistinguishable] for his curiosity regarding the issue of officer drug use. I think for me -- maybe I'm kind of like a naive person or like straight-edger. I was kind of a vegan punk rocker, I lived a straight life in a lot of regards. And I just assume officers aren't on drugs. But I don't know if that's a safe way to go about it. Same with the national health industry, there's a lot of human growth hormone and things that are not precisely regulated. But there might be things we need to check out in finding out what's legal -- I mean, even some herbal medications can have adverse side effects of psychosis and violence. If we have maybe more research involving drug, alcohol, and steroids, we maybe wouldn't be so disillusioned with our outcomes in terms of the fiscal outlie for the shootings and brutality incidents. Maybe this would be a great avenue to investigate. I understand we're in America, and everybody likes their privacy and their personal bodily integrity, but I think at a certain regard when you offer yourself up for public service, we have a certain expectation that there will be ethicality and responsibility towards the safety of our citizens. And if in any way officer drug use is imperiling our safety or imperiling the safety of our city, perhaps we can find a different way to evaluate this with bio med testing for some kind of -- I don't know -- verification of integrity. Say, for instance, if you wanted to drug test me now, you'd get a completely clean urine sample. And I'd be happy to provide that to you so you know I'm not on drugs. In the Oregonian, I was accused of a meth head because maybe I talk fast or I maybe I was wearing that atrocious pink outfit. But I'm not. And I live in a meth neighborhood and I don't like watching all the meth deals at one in the morning. And I want to help. And I had to live next door to a meth dealer, and he's a nice guy and so is his spouse, but when I found out he was one of our most wanted, I felt really creeped out about that. When our officers are picking -- maybe just not all officers are necessarily straight. Maybe they're dealing. Or we got the feeling on the coast that maybe some of the officers were involved in the drug industry or protecting the dealers or were afraid of the dealers. And it would just be nice to know that we're all on the same page, health and wellness-wise. I would highly encourage officers to eat a really clean diet and drink a lot of water.

**Hales:** OK, thank you. Let's take a roll call on 1144 and then we'll come back to 1157.

**Item 1144 Roll.**

**Novick:** Aye.

**Fritz:** Mary, I've been known to wear an atrocious pink outfit, also, and I likewise am not a meth addict. Aye.

**Fish:** Aye.

**Hales:** Aye.

**Item 1157 Roll.**

**Novick:** Aye.

**Fritz:** Aye.

**Fish:** Aye.

**Hales:** It's important to note that most of this grant -- all but \$16,000 of the 136 -- is to purchase a robot and a spectroscope -- equipment to keep officers and citizens safe. The remaining \$16,000 is for training. Aye. And we're recessed until tomorrow at 2:00 p.m.

At 11:28 a.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.

**NOVEMBER 6, 2014            2:00 PM**

**Hales:** Council, please come to order. Would you call the roll, please, Karla?

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

**Hales:** We have a single item this afternoon, item 1158.

**Item 1158.**

**Hales:** Very happy to have this report here today. Dante James, I think, will lead off the presentation. Come on up, and I'm looking forward to hearing about our progress.

**Dante James, Director, Office of Equity and Human Rights:** Good afternoon, Mr. Mayor and Council. I guess we're the only thing on the agenda because it's so important.

**Hales:** It is important. We cleared our calendar for you. [laughter]

**Dante:** Thank you. I'm just going to do a quick introduction and allow Danielle introduce our contractors and our guests here today. As you know, the Title II and Title VI program came over to the Office of Equity and Human Rights just this past fiscal year. With it came the culmination of the completion of the transition plan. In what I would describe as the wisdom of Council in moving the program over to the Office, I want to thank Fred Miller, Bryant Enge, Tracy Reeve, Anna Kanwit and the mayor for their support in trying to consolidate or at least put kind of a one-stop shop, if you will -- in some sense of a civil rights office, which we're not yet -- but putting everything in one particular place for the ease of people to be able to access issues related to certainly Title II and Title VI. And the Portland Commission on Disability has been a phenomenal supporter of the transition plan and the move and everything else. And its chair, Joe VanderVeer, has been extremely supportive and engaged, and just important in this process beyond expression. So, I truly want to thank them as well. The transition plan, as I said, had been ongoing before it came into my office. I certainly can take no credit for this. Danielle has been shepherding this as it came over, and before her, Shoshanah out of OMF and Bryant Enge's shop. So, we have reached the point of completion of the document, now it's time for implementation, which will be part of the conversation today. I also ask that you get a sense of not just the nuts and bolts, but what makes this plan unique in terms of the city, what makes it unique in terms of the size of this undertaking, and how it can best be done. I think that's what you'll hear. It's not just going to be just kind of some dry information hopefully, but we'll provide you with something to really engage in. With that, I will turn this over to Danielle Brooks.

**Hales:** Great, thank you.

**Danielle Brooks, Office of Equity and Human Rights:** Thank you very much. Good afternoon. I'll be doing the dry portion of this presentation. My name is Danielle Brooks, and I'm the city's Civil Rights Title VI and ADA Title II program manager, now in the Office of Equity and Human Rights. I wanted to thank you again for taking the time to listen to this presentation and consideration to accept the ADA Title II transition plan report. I'm going to provide you with a brief overview and context. I was fortunate to be around when these programs first started back in 2008 in OMF. First, ADA responsibilities, and then the civil rights portion added after. Both programs are intended to identify and eliminate barriers and discrimination, while simultaneously promoting social justice and equity; civil rights covering race, color, and national origin; ADA

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covering persons with disabilities. Social justice is a proactive reinforcement of policies, practices, attitudes, and actions that produce equitable power, access, opportunities, treatment, impacts, and outcomes for all. To do this work, we have to look beyond individual acts and challenge discrimination that has evolved over time into a subtle embedded form of institutional discrimination and systemic biases and barriers characterized oftentimes by unintended disparate impacts. As we take a broad scope to civil rights, our work requires us to be proactive in approach by identifying these inequities and barriers, as well as opportunities in developing or redeveloping institutionalizing policies and strategies, operations, and capacity change that applies and translates equity lens into cohesive strategies and into our day-to-day work at the city. This transforms structural barriers to opportunities, and ensures that we share benefits and burdens of impacts. We do this both with the civil rights and with the ADA. The ADA, or Americans with Disabilities Act, is comprehensive federal civil rights law that provides protections to individuals with disability in different various areas. Title II specifically of the ADA prohibits state and local governments from discriminating on the basis of disability. Moreover, the goal of this and mandate of the ADA is to promote equal access and full participation. The city works to eliminate barriers, and ensure that every program, service, activity, facility operated and funded by the city is accessible to people with disabilities. Thus, the initial responsibility of the ADA Title II program -- way back in 2008 when it started -- was to revisit the transition plan. We had initially developed the transition plan in about 1993, when the ADA mandates first started with the city. Unfortunately, over time, as buildings changed, facilities and elements changed, and some of the information became out of date, we were unable to track really the progress that the transition plan made. So, it became necessary for us to update that information. We spent a really long time gathering information, building understanding, capacity and buy-in within our city. And we definitely tried our own forms of internal pilots, with a transition plan and surveying it in the city. This all led up to the project that you see today. After a great bit of organizing and a lot of help, we ended up securing funding in I believe the 2010 fiscal year. We spent the last few years working with our consultants, MIG, and internal and external stakeholders to develop a plan that includes surveying or identifying barriers based on compliance with the 2010 ADA standards, categorizing these identified barriers, basically understanding which barrier would provide the greatest access to a facility, and scheduling the removal of these barriers based on different variables. It sounds pretty standard, but there are remarkable things about this project, and most of that has to do with the stakeholder involvement. We have a number of subject matter experts and representatives from the persons with disabilities community, particularly from the Commission on Disability and its predecessor, the citywide Portland Disability Advisory Committee. They basically really helped us at every stage. They helped organize political will. They were involved very thoroughly in project design, in the implementation, surveying, contract selection, prioritizing and scheduling. We have representatives from outside involved in every stage. Similarly, we had bureau representatives involved at every stage of this project. We wanted it to be something that could be applicable to all of the bureaus and to their work. They put in significant time and ownership into this and really developed an implementation plan that merges with their own operations. So, it makes this ownership citywide in the best sense of the word. In the end, the city's ADA contractor and partners surveyed 342 unique facilities and identified over 25,000 individual barriers and have scheduled them for removal. We've compiled these barriers into a database that can be used to track removal, and this work is underway in many of the bureaus. Again, this is part of a larger equity framework. We have identified the barriers -- in this case, physical barriers -- and developed an organized and institutionalized strategy to approach barrier removal. This living document will evolve as our institution does, and ensure that we maintain our work and encourage and track our progress. Please bear with me for a moment, because I need to extend some very critical thank yous

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to a lot of people who were involved. Again, there were a number of people involved. I will not list them all but I want to call out a couple of people. First to our director, Dante James. He inherited the project, but has taken an active and thoughtful role in terms of finalization and then in the tracking procedure. To Bob Kieta, Bryant Enge, Jeff Baer, all of Facilities division in OMF. Again, the project was housed with them for most of the length, and it wouldn't have happened without their management and oversight. Of course, thanks to all of the bureaus, representatives, and to our community representatives -- in particular, Joe VanderVeer and Sue Stahl, who are from the Commission on Disability and they're here to speak today on behalf of the project. Their knowledge, advice, input, expertise really drove the project and also crafted it in a way that made it Portland-specific but still with a universal design intent. A thank you to Shoshannah Oppenheim. She was the interim program manager and really managed this project through the details and through to completion. It was through her work and management skills that this project is what it is today. To the Mayor's Office and to Commissioner Fritz, who really spearheaded this work. You listened to and responded to community wants and needs, and really helped us from taking it to an idea to securing funding and offering continual support. So, we really appreciate that. And then finally, I want to thank our consultants, MIG specifically, Tim Gilbert and Heather Buczek. They've been a real pleasure to work with and helped us craft something that we think will go beyond a report into something that is usable and sustainable. So, we're sincerely grateful. I would like to pass it over to our principal consultant, Tim Gilbert.

**Tim Gilbert:** Thank you so much, Danielle and Dante. As a consultant, I just want to say it's been a pleasure working with your staff, with you, and with the people of the city of Portland. It's been a substantially unique project, and I'd like to point out a few points that I think make it so -- and I think Danielle touched on many of them. The goals for the project were, of course, to comply with the requirements of a federal mandate, the ADA Title II requirements for transition plan. But from the beginning, it was very clear that stakeholder engagement in developing a really implementable and effective project with planning tools that would live beyond the development of a simple barrier list was the goal of this project. So, I think that really represents a substantial benefit to the community here. And I've been the author of maybe 100 or maybe more ADA self-evaluation and transition plans in my 20, 30 years of work, and I have to say I think this has been the most comprehensive and the most community value-based project that I have worked on to date. So, I want to applaud you and your community for really the rigor that it took to get this project done. And it took a lot. I appreciate the opportunity to be here and present it to you and have you acknowledge your staff and the community who worked so hard on this. As Danielle mentioned, the city has taken -- the staff has taken a very hands-on role in this project. A liaison from each city bureau worked very closely with us from the very beginning, from developing criteria for prioritizing facilities, for identifying those facilities and working all of the way through the Portland Commission on Disability right from the beginning. Very active participants in the entire process with the staff. So, these were meetings we held in concert with the community and staff and very productive, and everybody listened to each other, and we had some good discussions about what should happen and what should happen first, second, and third. But I think they resulted in a consensus and the plan that you have before you. So, that's a very substantial benefit. And the facility reports -- which you don't have at your desk. If you have a copy of the plan, it looks a little bit thin. But I have to tell you, if you looked at the entire document list that comprises the ADA transition plan, you would see a lot of paper, a lot of work. I mean, as Danielle mentioned, 342 facilities with thousands of barriers identified. And the reports are very exhaustive and comprehensive. They have a conceptual solution for each barrier, they have a cost estimate, there are code reference numbers from both the federal and the state of Oregon codes that we were referring to, categorization. These are going to be valuable resources for staff in the coming years

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for both maintenance activities -- basically, a pick list for some of the simple things that continue to happen. And frankly, many of the things listed in the reports have already been done because the staff has been proactive. We would meet with the staff and say, well we've already done that. So, this is important. We will talk a little bit more about the recordkeeping and how the challenges of the recordkeeping in a large organization like the city of Portland with the bureaus -- but there's a strategy for that, too. And developing criteria. We're using many of the criteria that were established by the ADA, which kind of represent the logic of access. In other words, let's get into these facilities first. Make sure that people can have basic access to the facility or the park. Then, let's make sure that the areas where programs and services and activities are provided are on that list, and that's really the second priority. In fact, Title II of the ADA focuses on the programs offered in city facilities more than frankly the facilities. It's really the programmatic access that is the goal of Title II of the ADA. And then, access to amenities. Then, we identified features that may not be required to be modified because there might be duplicate areas or some other opportunities for providing programmatic access are available. An example of that would be the Kenton Firehouse. We did a comprehensive physical survey of that historic building. We identified there is a second floor without an accessible elevator in it, and we worked with the Office of Neighborhood Involvement to determine that public meetings could be held on the first floor and the second floor could be used as a staff-only area. That's a programmatic solution. That's your staff working creatively to make programmatic access without immediately going to the solution of, fix the building. This is an important aspect of the ADA and a legitimate and appropriate way to provide access to the public without making extensive physical modifications. The other criteria that were used -- and this set of criteria that were developed early on in the process with both staff and the stakeholders -- were the level of use by the public, the number of people who might use a facility. Geographic distribution. Program uniqueness. If there's only one of something, then that should be a target for improvements. But if there's multiple opportunities to provide a program, then we need to make sure that those programs, when viewed in their entirety -- and that's words from the ADA -- are accessible. So, that's a bit of a community value, because how many basketball courts should be available? And where should they be? How should the distribution be managed across city geography? So, those were some of the criteria that were used. One of the criteria unique to the city of Portland was that facilities that were identified as those being critical to people with disabilities and that are on public transit lines be considered for a priority. I think that was a good example of a unique and Portland-specific criteria that was applied to creating the timeline and ultimately, the plan of action. Because this all does need to be translated into a plan of action. In fact, that plan of action is translated into a timeline. And I have to say that this is a target timeline. These budgets are not in place. But using the rationale and the community value-based planning effort and working closely with the bureaus, I think that's an important element. This strategic plan was carefully reviewed by each bureau. We've developed a target framework for a timeline. Many communities -- all communities have to develop a timeframe. And many communities that I've worked with over the years develop a very simple matrix. They basically list the name of the building, the location of the building, and a range of years that accessibility improvements will be made in that facility. The city of Portland took this to a much more advanced and rigorous step, really communicating to me and I think to the world that implementation is the goal of this process. All of the elements of the ADA reports and the planning effort are contained in a database that's managed by the city, by Dave Galat here -- and he'll talk about this in a minute -- in order to produce annual reports and kind of monitor improvements. Next steps in order to produce a compliant ADA self-evaluation and transition plan, which is required by the ADA, is to conduct an evaluation of city policies and programs. That was not in the scope of this particular aspect of the project, but that is certainly something that needs to be done. In addition, conducting



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an accessibility evaluation of pedestrian rights-of-way -- sidewalks, curb ramps, signalized crossings -- as part of the requirement for Title II under the ADA. And then, to continue to implement the ADA transition plan which I think is in good hands now. As I said from the beginning, I'm very impressed with the implementation orientation of your city staff and the community that supports it. I want to say thank you so much to you, Mayor and Commissioners, for supporting this project; and the community and bureau staff who made it possible. As a consultant, it has been a joyful project and a lot of work, but I'm glad to be here to help present this project. I would like to turn it over to Dave Galat who will talk about implementation.

**Hales:** Great.

**David Galat, Office of Equity and Human Rights:** My name is David Galat, I'm the Title II Access Coordinator with OEHR, and I've been involved since February. I just wanted to talk about some of the things that are continuing to go on in moving forward with the transition plan. One of those components is that Parks is still working on their categorization. I think as you know, they got an extension for their component of the transition plan. They are categorizing and scheduling their barrier removal, and that's in large part to the large volume. They're 75% of the facilities and almost 80% of the barriers identified in the plan. And they also have a unique position, or hold a unique position in that the services they offer are offered throughout the city. I think Tim kind of mentioned -- you know, you have several basketball courts throughout the park system. Which ones are you going to actually want to make -- which ones make the best sense to really focus on? So, they waited until everything was assessed and surveyed before they started their categorization and their scheduling. And once that's done, they'll reach out to do some public engagement and get comments, and then there'll be a final addendum of their portion to this transition plan. And also, we are working on the self-evaluation portion of the transition plan, which really is looking at all of the programs offered by the city. All of the bureaus offer various program and services to the public. The plan right now is just the physical, the architectural barriers that were identified, and we've kind of tried to look at best practices of similar cities and sizes -- Seattle, San Francisco -- who have done self-evaluations to give us some idea of how we're going to go ahead and go forward. Some of the challenges are identifying all of those programs that are offered to the public and then coming up with a comprehensive survey that the bureaus can look at and take to give us an idea of where gaps are in their services to people with disabilities in our community. Also, another component of the transition plan that needs to be completed is the public right-of-way, assessing the public right-of-way. Currently, PBOT is developing a plan. I think they're just finalizing the request for proposal to hire a consultant to develop a strategic plan on how they're going to go ahead and move forward with surveying or developing their plan to survey the public right-of-way and make that component of the transition plan complete. And lastly, and maybe most importantly, is tracking and managing our progress as we go forward. As was mentioned, currently, we have a database that includes all of the individual barriers that were identified, and we're able to sort through those and say which facilities are scheduled for this particular year by which bureaus. Our model is going to be to have a liaison at each bureau, preferably, the one that has been working with us up until this point, who knows the transition plan and is also familiar with this tracking tool. And we'll keep in communication with them on what's coming up for them, what's been done, what's scheduled for minor maintenance in that particular year, what Capital Improvement Projects are coming up, if there's anything that got pushed back or rescheduled. I'll be giving a quarterly report of what was scheduled, and they'll be responding back with where they're at. And there's some redundancy on keeping track of our barrier removal. And hopefully, I would like to say already with the Parks bond passing, hopefully we'll get some funds for parks to get some of the barriers resolved. And I'd like to now invite Joe and Sue up from --

**Hales:** OK, maybe --

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**Galat:** Oh, questions from staff?

**Fritz:** So, that does bring up a good point. I'm very grateful to the voters of Portland for approving the parks bond, and there's up to \$5 million in the bond for removing ADA barriers. We know even though the parks component isn't going to be finished until next year, we know there's at least \$17 million worth of improvements that need to be done in parks. So, for the other bureaus, is funding secured within the bureaus for the 14-15 and 15-16 improvements? We don't have a dollar figure. And the fiscal analysis for this council agenda item says that bureaus will be required to find it within their budgets. I can tell you that Parks cannot find \$17 million within its budget. What's been the discussion as far as -- I very much appreciate the categorization and identification of what the barriers are. The council, presumably, needs to have a discussion about how we are going to pay for it and how that relates to the plan's proposal for how this is going to happen in 14-15 and how this is going to happen in 15-16.

**Galat:** When things were scheduled, the bureaus were looking at what they could do in years one to three, one to five --

**Fritz:** Without additional funding?

**Galat:** Without additional funding. Currently, the barrier removal will come from the funds that they have from the budgets that they have, and they'll have to work that in with either maintenance, or if they get funding for a capital improvement or a renovation. But there are no specific funds that are allocated for bureau ADA barrier removal at this point.

**Brooks:** Part of the intention of this of course is to work with existing projects and inform existing projects. So, if there are Capital Improvement Projects that are existing for those years, they were probably scheduled into that, so that this information would be part of that so that things wouldn't be missed. Additionally, in terms of general maintenance. For example, we talk often about the doorways. Oftentimes, maintenance staff will already be going through and checking on those things and they can adjust doorways if necessary, for example, in part of the normal maintenance routine. So, these things have been built into already-existing structures that usually happen on an annual basis or within some timeline as well. But yes, there is no allocated amount necessarily within each bureau to do this work. It is a target, and it's a goal. And the barriers exist either way. So, the idea, of course, is to try to address them and for bureaus to think about prioritizing this in their future planning.

**Hales:** So, I have a question about the scope of the update. When we say city facilities and the list, we mean facilities that are owned by the city. We didn't review or we didn't include in this update facilities that we lease or where we're tenants of. For example, for ONI, the only one that's listed the Kenton Firehouse. I thought we owned the east Portland neighborhood office building, too. But in most cases --

**Fritz:** Water Bureau does.

**Hales:** Oh, the Water Bureau does, that's right. In most cases, neighborhood district coalitions own the building or we're a tenant in those buildings. And the same thing is true in the case of -- I guess it's listed under police -- east precinct or southeast precinct, where the neighborhood -- ONI has a number of staff there. In other words, we haven't included in the scope of this review facilities where we're a tenant, rather than we are an owner, right? We the city.

**Galat:** Well, any facility that the city owns or operates, leases, or manages that provides public service to -- so, like an office building that's leased that's only staff occupied won't be covered in the transition plan.

**James:** For example, our office is not --

**Hales:** Right.

**James:** We lease the space. We lease from housing or leases it from the -- and that floor was evaluated, and adjustments and changes were made to come into compliance. The Water Bureau's

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building that is not a public access on its floor downtown wasn't surveyed. So, it just depends on the public access aspect of the building itself. Some have no public access or public engagement, necessarily, and others do.

**Brooks:** In terms of the commonwealth that is not necessarily owned by the city but our city areas were, in fact, scoped. And usually, depending on who's responsible for making the changes is dependent on the lease agreement between the entities.

**Hales:** Yeah. Well, one reason that I focused particularly on ONI was I was trying to remember who owned that building in east Portland. But the other was that those are quasi-public. We have a lot of citizens coming to those facilities, not just employees. So they're maybe a little bit of a special case. Whereas -- you're right -- if it's a facility where we're leasing office space for the Revenue Bureau, there are staff, you know, we understand how to meet our own staff's needs or we make accommodations. Anyway, maybe for future reference, we might want to give some special weight to those ONI facilities or district coalition facilities where it's sort of an arm's length transaction. We fund the district coalition, they rent office space, the public comes there. The color of money is still public, but the management of the building isn't.

**Gilbert:** If I can reinforce staff's statements -- that's absolutely correct. The city may also own a property that is leased to another organization. If that's a private organization, you're not providing programs, so therefore, it does not belong on the city's ADA transition plan. It's only about the programs and services that are offered. If you have a program operating in another agency, like, for instance, a school -- a lot of recreation programs happen in school properties -- the school has an ADA Title II responsibility for their plan. So, many times these are negotiated elements in lease agreements.

**Hales:** Yeah, OK. Thank you for that clarification. Other questions, concerns at this point?

**Saltzman:** So, the transition plan just deals with access of the public?

**Brooks:** Yes.

**Saltzman:** Not the access of our employees to our facilities, is that correct?

**Gilbert:** Correct. You are covered as an employee under Title I of the ADA. If you become disabled, or hiring a person with a disability -- that is where Title I of the ADA comes into effect.

**Hales:** Yeah, and we need to make accommodations for employees under that title.

**Saltzman:** I mean just using the example of the Kenton fire station, where you mentioned employees moved upstairs and put the meeting room downstairs.

**James:** So, your question is if there is an employee with a disability who has no access. There would have to be accommodations made so that that employee could either have special space downstairs or have to be an accommodation so that the employee could function in that location.

**Hales:** Yeah. And the same thing is true in the buildings that we lease, right? For the Revenue Bureau down the street here. And in fact, they do have employees who are disabled and they do need access, so the building is at least ADA compliant enough that our staff can get to work. So, we are responsible under Title I. I had forgotten the reference to make the accommodation for our own employees. Other questions? Great work. Thank you. Let's hear from the next panelists.

**James:** Joe VanderVeer and Sue Stahl from the Commission on Disability wanted to offer some thoughts on this work.

**Hales:** Great, thank you. Good afternoon, Joe. Welcome.

**Joe VanderVeer:** Thank you. Greetings, Mayor and Commissioners. My name is Joe VanderVeer, as you know, and I'm the chair of the Commission on Disability. Our commission really supports this transition plan. We commend Council for allocating the resources necessary to bring this assessment phase of the plan to completion. This is no small accomplishment, and it should be recognized as a significant step toward our city becoming more inclusive of all people with disabilities. We would like to extend our appreciation to staff involved in getting us to this point we

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are at today with the transition plan. In particular, we would like to recognize the work of Shoshanah Oppenheim and David Galat for getting the actual integration of the transition plan into the bureau's planning processes started on solid footing. We also acknowledge that the dedicated work of the bureau staff, such as Randy Webster in the Parks Bureau, and others too numerous to name, for their exemplary efforts thus far in laying out a timeline for the actual barrier removal work. MIG, the firm hired to do the actual transition plan should also be commended for the excellent job they've done in assessing the extraordinary volume of facilities that make up our city. As Council is already aware, the Commission on Disability has been actively involved throughout the initial assessment phase of the transition plan. We are committed to continuing that involvement as the plan moves into the implementation phase and the actual barrier removal work progresses. We strongly encourage Council and the bureaus to ensure that necessary funds are budgeted and appropriated to complete the barrier removal work and in as short a time frame as possible. A substantial amount of resources and effort have gone into producing this comprehensive assessment so far, but that investment will only have real value going forward if the barriers identified are actually removed. We would like to take the opportunity to also encourage Council to go beyond this physical assessment phase of the transition plan and authorize the next equally important phase of this self-assessment, the programmatic accessibility analysis. Additionally, we would recommend that Council also consider authorizing a public right-of-way evaluation to be done as part of the overall comprehensive transition plan work. In closing, we want to thank Council for your ongoing attention to the needs for people with disabilities and for taking steps, such as this transition plan work, that are truly essential to achieving meaningful inclusion for Portlanders with disabilities in the civic and social life of our community.

**Hales:** Thank you, Joe. Good afternoon, welcome.

**Sue Stahl:** Hi, my name is Sue Stahl. I'm the chair of the accessibility in the built environment subcommittee, which is housed under the Portland Commission on Disability. I appreciate the time that you're taking to listen to us on this very important topic. Access to civic life by people with disabilities is the fundamental goal of the Americans with Disabilities Act. To ensure the goal is met, Title II of the ADA requires state and local governments to make their programs and services available to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events, but also policy changes governmental entities must make to ensure that all people with disabilities can take part in and benefit from the programs and services of state and local governments. This seems pretty simple, right? Common sense. The ADA transition plan will go far to ensure that those with disabilities have the ability to participate in civic life. The plan fits in with the city's goals stated in the Portland plan and the comprehensive plan. So, how can someone not vote in favor for this? The question got me thinking of what would happen if this plan did not pass. What would it mean for individuals such as me with mobility issues? An oppressive feeling came over me. Words such as, can't, unable, sorry, unwelcome, entered my mind. I came up with a list of activities that I and other individuals with disabilities would not be able to do if the ADA transition plan was not passed. We would not be able to use bathrooms in many centers, such as the Belmont learning center, some Portland Fire and Rescue facilities, and Police Bureau facilities because the stalls are too small or don't have grab bars. We would not open doors -- exterior or interior -- by ourselves in many buildings, such as the water pollution control lab and Fire and Rescue facilities. These have doors that are heavy to push open and they close abruptly, either on us or very close behind us. We would not feel safe using a Smart Park garage because we would be stepping in puddles and have walker wheels and wheelchair wheels get caught in the grates. We would not feel safe using pathways and sidewalks to the Moda Center and the Memorial Coliseum because they are too steep. Friends of mine who are blind could not distinguish a bathroom, conference room, waiting room, or exit, and such facilities at the

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Portland Police Bureau and Fire and Rescue facilities because of the lack of braille signs. We cannot visit open areas such as Dodge Park because tables and grills -- the grilling apparatuses -- are inaccessible and accessible camp sites do not exist. We could not participate in boating activities, because the boat ramps are too steep and there are no places to lock up our wheelchairs or walkers on the shore, such as the case on the Swan Island boat ramps. We would not have close and accessible parking in facilities such as the Fire and Rescue buildings, simply because there are no reserved spaces. The list goes on and on describing what we cannot do now and what we would not be able to do in the future if this plan is not accepted. I'm asking each of you to eliminate this world of cannots, would nots, sorrys, and unwelcomes by voting in favor of the ADA transition plan and make Portland a truly accessible city for all. Thank you.

**Hales:** Thank you. Well done. Yeah, I think the scenario, "what if" -- just not go there.

**Stahl:** Yeah exactly.

**Fritz:** Thank you, that was really helpful in terms of listing some of the challenges that some of us don't have to think about all the time. You will be pleased to know I just had my first briefing from the Parks department leaders after the bond measure passed on Tuesday, and the very first item was the ADA accessibility issues. They are going to be coming to your subcommittee as soon as possible to get your advice on what to do first.

**Stahl:** Right.

**Fritz:** That is one of the joys of that bond measure having passed, that we will have some funding and we will get those projects started.

**Stahl:** I'm very, very happy that it passed. I voted for it. [laughter]

**Fritz:** So did a lot of other people, and we certainly appreciate that.

**Hales:** It worked. Thank you. Thanks very much.

**James:** Well, Mr. Mayor, Commissioners, that concludes our presentation. Thank you very much for your consideration of this. As you heard, this truly is about ensuring that all of the residents of the city of Portland can engage in all of the activities that the city can provide. And this transition plan is just the floor, it's not the ceiling, and it's just the beginning. It's a living document. We will continue to do what we need to do to remove any and all barriers for all of the residents of our city. I would ask your affirmative vote in acceptance of this document.

**Hales:** Thank you very much. Any questions for this panel? Thank you both. And do we have any folks signed up to speak on this item?

**Moore-Love:** Yes, we have two people. Mary Eng and Benjamin Pickering.

**Hales:** Come on up. Good afternoon.

**Mary Eng:** Good morning -- or good afternoon, City Council. My name is Mary Eng. I want to thank you so much for this beautiful presentation and for the beautiful company. I'm very excited, particularly about the sign language, and I hope that we can have as much signing at as many community gatherings and public meetings as possible in the future. I think it is a great source of jobs and increases the accessibility for all persons, and I want to thank you also for the closed captioning that is there. I find it very, very helpful. And I want to thank all of the hard work that's coming from Dante's team, and it's so good to hear all of you speaking. I wanted to speak specifically about invisible disabilities, because I think they're one of the hardest challenges out there. Specifically, I wanted to share with you a very painful thing about a man who ripped my glasses off my face, crushed them in his hands, threw them down, and knocked me down, and proceeded to stomp on my skull. So, I'm living with brain injury and I don't talk about it very much. And I've had other things such as an extreme instance of strangulation that I think may have given rise to chronic neck pain and tenseness in my neck and jaw, which are difficult at times. I found some domestic violence literature about how women who suffer strangulation can sometimes have chronic problems with their necks, with the vertebra. I just wanted to throw that out there

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because I think you may think of me as a normal person, but there's a lot going on there, including possibly chronic depression, and I really self-identify with Post Traumatic Stress Disorder and what I've read about it is triggering situations can spike a cortisol response, where cortisol is accompanying what is known as PTSD and that'll lead to listlessness and apathy and tiredness and a feeling of chronic fatigue. But the second something is traumatizing and triggering, it can lead to an unnatural spike in the cortisol. It's pretty hard to manage those kinds of symptoms. One other thing I wanted to share what ACLU is doing around sign language, and sometimes in policing. If a person who signs as their primary mode of communication is being apprehended by police, signing can be misinterpreted as resisting arrest or some kind of attempt to injure the officer. And so, I think as much education we can give our Police Bureau around disability needs and issues and invisible disabilities will help all of us feel less barriers to access to access and to access state services, especially when we do become victims of crimes. Thank you so much.

**Hales:** Thank you. Good afternoon, Benjamin.

**Benjamin Pickering:** Good afternoon. I love and give gratitude to everybody here today giving their speeches. Thank you. And you are great listeners, that's awesome. I came to speak on -- they should have a bureau for disability lawyers because there's a lot of disability out there that being pushed around. I mean, I've lived with a brain injury. I got blind-sided. But I can't go on and tell you, it could take days to tell you of what I've lived through that I cannot believe. The way people get respected -- I always believe that you treat someone the way you want to be treated. I had a few things in my life where I struggled with, and it's hard to have someone reach out and deal -- or have someone help me to be the ADA-friendly with me and understand what I'm going through and what I need help with. I came here to Portland because I was getting away from my attacker, and when I reached out in my hometown, there was nobody there fighting for disability. There was nobody there that I could even lean on except my family and my loved ones. And they were living their family life, taking care of their kids and doing what they're doing. And once in a while, my older sister would go out of her way -- and she takes care of four little baby dolls, baby girls -- and she would help me out when she could. When I went through being attacked, I came to Portland and I was jumped and sexually harassed and held at knifepoint and all of my money was taken. To the state of Oregon -- I was asking for help and the cops came up to write a statement. And all they said was, get off of this road. I'm telling them I'm hungry, I'm under distress, I had nothing to where it was led to an Ace Tavern -- I was beaten, brutalized by officers because I asked for help at a bar and they slid my face across the ground. And not only that but when I went to court, they laughed about it, grinding my face in the ground. And I've been disabilities. I don't go around -- I'm not a murderer or a criminal. I wasn't doing no criminal act other than just going in that bar and asking for help. And I just think that there should be disability lawyers out there. I don't know why people deserve to get away with stuff like that. It's not nice. It's hard to be in a disability, and I go through a lot of struggling. So being courteous out there, and I give everybody gratitude for fighting for disability and how hard they do fight for them. Thank you.

**Hales:** Thank you, thank you both. Anyone else?

**Moore-Love:** That's all.

**Hales:** Thanks very much everyone. I would like a motion, please, to adopt the report.

**Fritz:** So moved.

**Saltzman:** Second.

**Hales:** Any further discussion? Then, let's please take a roll call on that.

**Item 1158 Roll.**

**Novick:** Thank you very much for the report. Just sort of an aside, as an illustration of the many barriers that we have yet overcome in the city -- there are 21,000 corners on our streets that lack ADA ramps. So, we've got lot of work to do. Aye.

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**Fritz:** Thank you, and thanks to everybody who's been involved with this -- to the staff of the Office of Management and Finance and now the Office of Equity and Human Rights. It's very good to see this plan coming forward. It represents a lot of work in a lot of bureaus, and I do appreciate your mention of Randy Webster in Portland Parks and Recreation. He is indeed stellar. All of our staff and all of our bureaus need to recognize and act. And I'm very happy that since I've been on the council, we now do have accessible bathrooms, accessible doors to the council chambers. We'll keep working on some of the other improvements that are necessary. And what this plan is talking about is barrier removal. There are many enhancements, such as the cochlear loops and other mechanisms that we can do to make things easier for everyone to participate in what we do. There is a big challenge with the funding, some of these things can be done as part of minor maintenance and as we go. There's some pretty major projects. Although I am grateful to the taxpayers of Portland paying up to \$5 million for improvements as part of the bond measure, that doesn't go nearly far enough. And we are going to need to make some tough choices to -- we know when there's 20% of our community who have a disability of one kind or another, there are a lot of people who need these accommodations and we cannot wait, we have to prioritize them. I will in my bureaus, and I very much appreciate the partnership of the mayor and others to make sure that we do implement this plan as well as accept it. Aye.

**Saltzman:** Thank you for this very thorough report. To our consultants and to the Office of Equity and Human Rights, and to the Portland Commission on Disability for your input as well. Certainly, on many levels it can sound like a daunting challenge -- and it certainly is -- and it will take dollars to make these improvements, but these improvements need to be made and we will get to them as soon as we can. It's going to take some time, though. So, I appreciate the report and its thoroughness. Aye.

**Hales:** Thank you. Good work all to our professional staff, to our consultants, to our amazing volunteers to put in so many hours and care so much about this city. Thank you all for this work. One thing that was mentioned in passing that I would like to highlight -- sometimes as a big city with lots of departments, we don't always work well together. We sometimes don't communicate well, we sometimes don't coordinate well. And my sense of this work that I heard here in this report today was that this was a case in which we really had been comprehensive, and where all of the bureaus really did put a lot of effort into the game and were fully involved in the work. And I appreciate that very much. We are one city. And in fact, one thing that I suspect is true for anyone dealing with a disability -- I'm fortunate in that I'm fully mobile -- but I suspect no one really cares whose department it is that left the barrier in the way. The excuse that it's not my department is unhelpful to the disabled person who can't quite make it to that bus stop or who can't quite participate at the class at the Parks Bureau but who would love to be more active in the community but is blocked -- literally -- blocked by those barriers. The fact that in this case we got past that bureaucratic silo mentality that sometimes plagues our efforts, in this case, that wasn't the case. I'm very happy to hear that. That's actually an expectation that we all have as leaders of those bureaus, even though they're individually assigned to us. We expect that on a responsibility like this that all of our bureaus work together, and I'm happy to hear that that was indeed the case, and those of you who led this effort created that expectation and supported that good work done across the board and city. So, a fine piece of work. A great map for -- as my colleagues have said -- a lot of work ahead, a lot of dollars to spend, a lot of barriers to address, a lot of curb corners. This would be thicker if we listed them all. But we at least now know that they're all here. Thank you very much. Well done. Aye. And we're adjourned for this week. Thank you all.

At 2:58 p.m., Council adjourned.