



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **12TH DAY OF NOVEMBER, 2014** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz and Novick, 4. Commissioner Fritz left at 1:22 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney; Jim Wood, Sergeant at Arms at 9:30 a.m. and 2:17 p.m.; and Mike Cohen, Sergeant at Arms at 1:00 pm.

On a Y-4 roll call, the Consent Agenda was adopted.

The meeting recessed at 12:20 p.m. and reconvened at 12:38 p.m.
 The meeting recessed at 1:27 p.m. and reconvened at 2:17 p.m.

COMMUNICATIONS		Disposition:
1159	Request of Mary Eng to address Council regarding Portland Police Bureau testimony (Communication)	PLACED ON FILE
1160	Request of Katherine Smith to address Council regarding issues with the Police (Communication)	PLACED ON FILE
1161	Request of Dan Walsh to address Council regarding Roundhouse Collaborative: Supporting Portland Start-ups (Communication)	PLACED ON FILE
1162	Request of Susana Ruiz to address Council regarding sexual assaults on college campuses (Communication)	PLACED ON FILE
TIMES CERTAIN		
1163	TIME CERTAIN: 9:45 AM – Accept the Age-Friendly Cities progress report (Report introduced by Commissioner Fish) 30 minutes requested Motion to accept the report: Moved by Fish and seconded by Novick. (Y-4)	ACCEPTED
1164	TIME CERTAIN: 10:15 AM – Accept the report developed by Stern Consulting, LLC to assess the feasibility of implementing a 311 Information System (Report introduced by Commissioner Novick) 45 minutes requested Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-4)	ACCEPTED

<p>1165</p>	<p>TIME CERTAIN: 11:00 AM – 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 1137; Findings; LU 13-173075 CP ZC) 10 minutes requested for items 1165 and 1166</p> <p>Motion to adopt findings, deny the proposed Comprehensive Plan Map Amendment and also deny the concurrent Zoning Map Amendment: Moved by Fritz and seconded by Novick. (Y-4)</p>	<p>FINDINGS ADOPTED</p>
<p>1166</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 1138; LU 13-173075 CP ZC)</p>	<p>WITHDRAWN FROM CONSIDERATION</p>
<p style="text-align: center;">CONSENT AGENDA – NO DISCUSSION</p> <p style="text-align: center;">Mayor Charlie Hales</p>		
<p>1167</p>	<p>Confirm appointment of Richard Schwarz as Commissioner for the Civil Service Board for a term to expire November 16, 2017 (Report) (Y-4)</p>	<p>CONFIRMED</p>
<p style="text-align: center;">Bureau of Planning & Sustainability</p>		
<p>*1168</p>	<p>Accept and appropriate a grant in the amount of \$35,000 from the Bullitt Foundation to support the Cascadia Urban Sustainability Directors Network (Ordinance) (Y-4)</p>	<p>186876</p>
<p>1169</p>	<p>Update Solid Waste and Recycling Collection Code to clarify the definition of solid waste (Second Reading Agenda 1142; amend Code Section 17.102.020) (Y-4)</p>	<p>186877</p>
<p style="text-align: center;">Office of Management and Finance</p>		
<p>*1170</p>	<p>Pay claim of Johnny Oak in the sum of \$47,500 involving the Portland Police Bureau (Ordinance) (Y-4)</p>	<p>186878</p>
<p>*1171</p>	<p>Ratify a Letter of Agreement between the City on behalf of the Portland Water Bureau and the American Federation of State, County and Municipal Employees Local 189 concerning Water Meter Technician Wages, Seniority and Commercial Driver's License Requirements (Ordinance) (Y-4)</p>	<p>186879</p>
<p>1172</p>	<p>Extend term of Olympic Pipe Line Company franchise to transport petroleum products by pipeline (Second Reading Agenda 1145; amend Ordinance No. 162012) (Y-4)</p>	<p>186880</p>

November 12, 2014

1173	Extend term of AT&T long-distance franchise to build and operate telecommunications facilities in City streets (Second Reading Agenda 1146; amend Ordinance No. 162822) (Y-4)	186881
1174	Extend term of a franchise granted to tw telecom of oregon llc to build and operate telecommunication facilities within City streets (Second Reading Agenda 1147; amend Ordinance No. 171566) (Y-4)	186882
1175	Extend term of franchise granted to Qwest Communications Company, LLC to build and operate telecommunications facilities within City streets (Second Reading Agenda 1148; amend Ordinance No. 171914) (Y-4)	186883
1176	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 (Second Reading Agenda 1149; amend Ordinance No. 173990) (Y-4)	186884
1177	Extend term of a franchise granted to XO Communications Services, Inc. to build and operate telecommunication facilities within City streets (Second Reading Agenda 1150; amend Ordinance No. 175062) (Y-4)	186885
1178	Extend the term of a temporary revocable permit granted to Qwest Corporation to build and operate telecommunications facilities in City streets (Second Reading Agenda 1151; amend Ordinance No. 175757) (Y-4)	186886
1179	Extend term of OnFiber Communications, Inc. franchise to use designated City streets to provide telecommunications services (Second Reading Agenda 1152; amend Ordinance No. 175793) (Y-4)	186887
1180	City Auditor LaVonne Griffin-Valade Approve Council Minutes for January-June 2014 (Report) (Y-4)	APPROVED
REGULAR AGENDA		
1181	Direct Procurement Services, in consultation with the Office of the City Attorney, to conduct contract negotiation with Dr. Dennis Rosenbaum to serve as the independent compliance officer and community liaison for the Department of Justice Settlement Agreement (Resolution introduced by Mayor Hales and Commissioner Fritz) 30 minutes requested (Y-4)	37093
1182	Mt. Tabor Public Meeting Announcement (Presentation introduced by Commissioners Fritz and Fish) 10 minutes requested	PLACED ON FILE
Mayor Charlie Hales City Budget Office		

November 12, 2014

<p>*1183</p>	<p>Adopt the FY 2014-15 Fall Supplemental Budget and make other budget-related changes (Ordinance) 20 minutes requested</p> <p>Motion to approve proposed amendments:</p> <ul style="list-style-type: none"> • Increase General Fund bureau expenses in the Office of Neighborhood Involvement by \$75,000 to fund a limited term Mental Health Specialist position • Increase General Fund bureau expenses in the Office of Neighborhood Involvement by \$25,000 to fund the Livability program and the Community & Neighborhood Involvement Center program • Reduce General Fund bureau expenses in Special Appropriations by \$300,000, reducing the funding for Halperin Fountains • Increase General Fund contingency by \$200,000, balancing the items above • Increase Parks Capital Improvement Program Fund bureau expenses in Portland Parks & Recreation by \$71,680 to fund a bond program coordinator position • Reduce Parks Capital Improvement Program Fund contingency in Portland Parks & Recreation by \$71,680, balancing the item above • Adjust all exhibits to reflect these changes to funding and positions Moved by Fritz and seconded by Fish. (Y-4) <p>Motion to add position for \$65,800 in ONI budget for Recreational Marijuana Staff: Moved by Fish and seconded by Fritz. (Y-4) (Y-4)</p>	<p>186888 AS AMENDED</p>
<p>Office of Management and Finance</p>		<p>37094</p>
<p>1184</p>	<p>Adopt City of Portland Investment Policy (Resolution) 10 minutes requested (Y-3; Fritz absent)</p>	<p>37094</p>
<p>1185</p>	<p>Adopt and amend Accounting Administrative Rule FIN 6.10 Cash (Resolution) (Y-3; Fritz absent)</p>	<p>37095</p>
<p>1186</p>	<p>Authorize revenue bonds in an amount sufficient to provide up to \$3 million for Habitat Restoration Costs (Ordinance)</p>	<p>PASSED TO SECOND READING NOVEMBER 19, 2014 AT 9:30 AM</p>
<p>Commissioner Steve Novick Position No. 4 Bureau of Transportation</p>		<p>PASSED TO SECOND READING NOVEMBER 19, 2014 AT 9:30 AM</p>
<p>1187</p>	<p>Vacate a portion of E Burnside St west of NE Martin Luther King, Jr Blvd subject to certain conditions and reservations (Hearing; Ordinance; VAC-10095)</p>	<p>PASSED TO SECOND READING NOVEMBER 19, 2014 AT 9:30 AM</p>
<p>Commissioner Nick Fish Position No. 2 Water Bureau</p>		

November 12, 2014

1188

Authorize a contract and provide payment for the construction phase of the Union Pacific Railroad East Portland Connection Water System Adjustment Project at an estimated cost of \$660,000 (Ordinance)
10 minutes requested

**PASSED TO
SECOND READING
NOVEMBER 19, 2014
AT 9:30 AM**

At 2:26 p.m., Council adjourned

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

WEDNESDAY, 2:00 PM, NOVEMBER 26, 2014

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

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

November 12, 2014
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 12, 2014 9:30 AM

Hales: Good morning, everyone. Welcome to the November 12th meeting of the Portland City Council. Would you please call the roll?

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

Hales: Welcome, everyone. We have some communications items up front, and then we have a number of time certain items on the calendar this morning, and we'll deal with those in order. We also have a regular agenda that we'll probably scroll in in between some of those time certain items if they don't occupy all the time allotted. If you're here to testify on something before the council today, we typically invite presentations like we will be doing on the age-friendly cities report this morning, but we also encourage you to testify. If you do, you don't have to give us your address, just give us your name. We observe decorum in the chambers, and if you agree with someone and want to demonstrate that, give them a thumbs up or a wave of the hand. But please, let's not vocally demonstrate in favor or against our fellow citizens while they're having their say. If you're a lobbyist and you're here representing an organization, please let us know that. So, let's proceed with communications item 1159.

Item 1159.

Hales: Ms. Eng, come on up. Good morning.

Mary Eng: Good morning, Council. It's a pleasure to see you. I signed up to speak today during the first day of the trial in Judge Immergut's court. Maybe you know Judge Immergut, she formerly held the position of Amanda Marshall. I really liked her. She had a very cheerful spirit and guided us through what was a very extensive two-day trial. And as it all came to pass, I was able to high five Eric Berry at the Independent Police Review, because the Portland police typical evasion of interrogation after a brutality of an incident would be evaded by Benjamin Pickering's persistence in refusing to take a plea deal down to the final hour. The last plea deal was the request for Benjamin to do eight hours of community service in punishment for being beaten by some officers. Ben wasn't having it. I was trained to be a paralegal in Los Angeles City College, but in a lot of ways, Benjamin educated me about persistence and honesty and truthfulness, and if how the Multnomah District Attorney doesn't respect the Americans with Disability Act and wanted to force him into a coerced plea bargain, something about his nature just wasn't having it. So, there we were in this beautiful experience. It wasn't a speedy trial. It took about 15 months to get there. It was September 17th and 18th. Judge Immergut saw us through. Cioeta introduced us. He was the officer who approached Benjamin from his right side, and Karl Klundt is the one who approached from Ben's left blind side. They approached him from behind, they admitted they did. What I found exceptionally unusual is Karl Klundt's admission in his own police report of placing his knee on Benjamin Pickering's head. And as you know, Benjamin Pickering's life was saved by the U.S. Coast Guard and Legacy Emanuel Hospital and Life Flight and the on-site paramedics who just happened to be there to save his life when he was 10 years old. Any neurosurgeon or neurologist or psychiatrist or brain doctor or nurse could tell you not to apply pressure to someone's skull when they've had a very serious, very rare, life-threatening, traumatic brain injury event. Stuart Palmiter came in to save the day. He found Ben the day after he was beaten, moaning in pain, aching, unable to walk, disheveled. Stuart Palmiter said he looked like a frayed knot pulled out of the loop, and that he was complaining of brutality incidences. Stuart Palmiter's response was, get him an ambulance.

November 12, 2014

That guy could be chief of police, in my opinion. That guy was the most honest guy I've ever seen testify. On the other hand, Karl Klundt skipped out -- [beeping] -- day two of his subpoena. He was not held in contempt.

Hales: Mary, I need you to wrap up.

Eng: Thank you for being here. I'm kind of cold from running through the cold. I'm almost hung tight because my body's so frozen and I'm having a hard time speaking, but thank you for listening.

Hales: Thank you very much. Next, please.

Item 1160.

Hales: Good morning, Ms. Smith. Welcome.

Katherine Smith: My name is Katherine Smith. Dear Mayor Hales and Commissioners, here I am again because some Portland police officers including the Police Chief Reese, Commander Day, and Sergeant McCormick won't do a thing to make some Tigard cops stop shooting me 20 to 24 hours a day daily for more than two and a half years with microwave, ultrasound weapons, voice to skull weapons, etc. Some Tigard cops still say they're shooting my son with these weapons when he's sleeping to give him cancer. I met with the Commissioner Amanda Fritz on August 26th to discuss these crimes, gave her a copy of what I read to her, and a copy for her to give to you, Mayor Hales. In that, I ask that you as police commissioner use your authority to make Portland police do their legal duty to protect us people of Portland no matter what kinds of weapons someone is using on us. Those kinds of weapons are easily verifiable on the internet. Even Officer Sean Christian, who was doing an investigation -- he said -- about this, ignored the evidence I sent him, including pictures of the burns and scars some Tigard cops made on me. Some Tigard cops said, his boss -- Sean Christian's boss, Sergeant McCormick told him to ignore that evidence because if they prosecute those Tigard cops, Sean Christian and other Portland cops will have to admit they and other cops have had voice to skull weapons, other microwave and ultrasound weapons for more than 20 years, and they can and are used on people remotely with no accountability. That will be outrageous to the public. I requested to have a meeting with you about these assaults at least four times. Either your meeting request screener gives no reason for the denial, or they give a very simplistic reason or suggestion. Cindy said that because Tigard police is independent of Portland police, I should make my complaint to them. I already did a few years ago, and I told her that until the sergeant and the lieutenant said if I report them again to Tigard police, they'll kill me. Most of the time they shoot me with these weapons remotely, I'm in Portland. Therefore, I can report it here and Portland police are supposed to investigate, arrest, and prosecute if there's enough evidence, and there is. If you ask the Police Chief Reese, Commander Day, or Sergeant McCormick about this and they deny it, as I said before, they are fibbing. You are their boss and they don't want to get in trouble with you. We can't resolve this if the only way I have to communicate with you is a three-minute testifying every few weeks. This is an attempted murder conspiracy cover-up by some Portland police, and it is criminally negligent and facilitation of murder. Sincerely, Katherine Smith.

Hales: Thank you very much. Take care.

Item 1161.

Moore-Love: Mr. Walsh informed us he will be rescheduling.

Hales: OK.

Item 1162.

Hales: Ms. Ruiz, are you here? Apparently not. OK, so let's move to the consent calendar. I don't think we have any requests to pull items from the consent calendar, is that correct? Then a roll call on the consent calendar.

Roll on consent calendar.

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

Hales: Are we ready for the 1163 item, Commissioner Fish? Can we go ahead and start a couple minutes early? OK, then let's read 1163 and proceed.

Item 1163.

November 12, 2014

Hales: Commissioner Fish.

Fish: Thank you, Mayor. I would like to welcome some honored guests to the podium as I make my opening remarks. Dr. Margaret Neal, Director of the Institute on Aging at Portland State University; Leslie Foren, Executive Director of Elders in Action; and Deborah Stein from the city's Bureau of Planning and Sustainability. As the city council liaison to Elders in Action, I am honored to bring forward this first annual report of our action plan for an age-friendly Portland. Last October, Council adopted this action plan, which will help Portland become better prepared as our population ages. With the first wave of retirements of the baby boomer generation upon us, Portland is preparing for the changing needs of our older adults. We want to be a community that supports the needs of everyone, including older adults, and value their contributions to our community. One year into our action plan for an age-friendly Portland, we can see a growing commitment to aging in our policies, community activities, and partnerships. After the report is presented, Council members will have an opportunity to renew our commitment to building an age-friendly Portland by signing a pledge that our friends have brought with us. So, to kick off the presentation, I'm going to turn to Margaret.

Deborah Stein, Bureau of Planning and Sustainability: Actually, I think that I'm going to kick it off --

Fish: To kick off our presentation -- [laughter] -- we'll go to Deborah.

Stein: Good morning. I'm really pleased to be back here a year after presenting this age-friendly action plan to you a year ago. I'm really honored to be working with these amazing colleagues. We've just been having a great year working on the Age-Friendly Portland Advisory Council. I'm just really proud of our city. I've had the opportunity to talk to a number of representatives from other cities that are part of the age-friendly network in the country, and even some international cities. We really are doing some great work. Other cities are looking to us, we're also learning from other cities as well. But in talking to other cities, I have observed a couple things that I think really make Portland stand out and help to propel some of our success in moving towards being an age-friendly city. The first is that we have this amazing partnership with our not-for-profit partners, Metro, Multnomah County, a number of advocacy service providers. But I'd say in particular, Portland State University has been a phenomenal partner with their research capacity but also the way that they've been able to convene the group and keep us going. So, I really want to give credit to this partnership, and I think we're continuing to expand it as we see other people and other contributors who will really make this a successful effort. So, that's the first thing. The second thing is, as you know Portland has a long-standing culture of community engagement, and I think that that's really a big contributor to our success in becoming and continuing to be more of an age-friendly city. The third thing is that while my particular niche is the built environment, I think in our efforts as a city, we're really looking at both the built environment and the social environment and how all of those are important facets of being an age-friendly city. Finally, we have this great opportunity. Because we are updating our city's comprehensive plan right now, we not only have these ideas that are good ideas that can be in a report and sit on a shelf, but we are actually able to embed some of those concepts into a binding document to give our city direction for how we invest and how we grow and how we move into the future. So, I think that that's a really good opportunity to memorialize the concepts and build them into the future. So with that, I will hand it over to Leslie.

Deborah Stein: Thanks, Deborah. Good morning, Mayor Hales. Good morning, Commissioners. My name is Leslie Foren, and I am the executive director of Elders in Action. We are honored to work with our Council liaison, Commissioner Nick Fish, to serve as the federally-mandated advisory council to the city of Portland and Multnomah County. We have been honored to work with the age-friendly cities project since the inception in 2006. We have been so encouraged this year that the city of Portland has embraced the vision and goals of becoming an age-friendly city and has worked closely with the advisory council and the community in this first year of

November 12, 2014

implementation. At this time, I would like to recognize several of the advisory council members and volunteers that are here in the audience who have been a critical part of this initiative. At this time, if you'd please stand.

Fish: Let's give them a round of applause.

Hales: Thank you. [applause]

Foren: Today, I want to share with you three brief examples just so you can see how the city has engaged and partnered with Elders in Action in building an age-friendly community in this first year. This first year, we created and implemented a program with the Portland Police Bureau elder crimes unit to establish having two volunteer advocates in the unit on a weekly basis to assist older adult victims of crime. We are not only helping combat crimes against older adults, but we're working towards reducing isolation and helping to link individuals to additional services and resources the city has available. We also implemented a service learning project titled, action, passion, talent equals civic engagement. During the five-session series, participants attended and volunteered in a candidates forum, had a City Hall tour and a one-on-one conversation with Commissioner Fish and his staff. At the county, we were also given a tour by Commissioner Loretta Smith, and the series concluded with lunch and conversations with the ONI staff and neighborhood activists. Our intention was to demystify the language in places of civic engagement -- as some had never been to City Hall -- and to help the participants explore how they personally wanted to be involved in their neighborhood and community. Lastly, this past year we worked collaboratively with the Revenue Bureau department staff regarding the art tax and how to effectively reach out to the most vulnerable citizens. In order for Portland to be an age-friendly city with respect to communication and information, it is important to provide information in a range of ways that are easy to find and easy to understand and access. It is also important for the city to utilize existing organizations to help disseminate this important information. It has been a great privilege to partner on this exciting initiative, and I am so proud of the work that we have accomplished together this year. Together, we are building an age-friendly city. I look forward to our continued collaboration with the city and the council on ensuring we all have an opportunity to age with dignity in the city we call home.

Margaret Neal: Thanks, Leslie. My name is Margaret Neal, I'm the director of the Institute on Aging at Portland State University, and I and Dr. Alan DeLaTorre coordinate the Age-Friendly Portland Advisory Council. Thank you, Mayor Hales, Commissioners Fritz and Fish and Novick for this opportunity to report back to you on the progress that we've made related to the Portland age-friendly initiative over this first year since you approved the action plan last October. I want to thank you for your leadership and your support of this work, and also all of our community partners and volunteers who we have worked with over this past year and into the future. I want to take just a few minutes to highlight a few activities that we engaged in over the past year. Our action plan contains 10 domains of action, and we chose as an advisory council to focus on three for our first year. They included first, civic engagement and volunteerism. Older adults are one of the few natural resources that actually are increasing, and they have an important role to play in civic affairs. It's vital that older and younger people together alike be encouraged to work toward improving our community. The second area that we focused on was economic development and employment. Older adults represent an economic resource as employees, entrepreneurs, and consumers. And then the third area that we worked on was housing. Healthy, affordable, accessible, and secure housing is a basic need for people of all ages and abilities. We chose to prioritize those three areas because of cost -- we were not requesting any city funding for that first phase of the work -- and also interest in expertise of our advisory council members. Each of those areas is led by an advisory council member and includes other council members, an IOA researcher, and then a number of other community stakeholders, including older adults. Each of these committees has been very active over the past year. I'll just highlight a couple of the activities that they've been engaged in. As all of you know, in September we held an event called, What are old people for? Building a

November 12, 2014

community for all ages. This was convened by AARP, Elders in Action, and PSU, and it was a kick-off event aimed at increasing community awareness of the skills and the talents and the contributions of older adults and encouraging engagement programs designed to stimulate intergenerational dialogue. And Mayor Hales spoke, Mr. George Hocker spoke for Commissioner Fish, County Commissioner Judy Shiprack spoke, State Treasurer Ted Wheeler, Senator Ron Wyden, and myself, and the keynote speaker was Dr. Bill Thomas, who was the author of this book, *What Are Old People For?* We included a number of presentations by the Geiser gallery, Bonnie Vorenberg's senior resource theatre, performances by Golden Harvest and ComedySportz. Over 400 people registered for the event. It was also live streamed on brand life, it's available to view. We will continue to work in the coming year with our partners on more intergenerational programs and have a culminating event next fall. There's a discussion guide for any group that would like to hold intergenerational dialogues amongst small groups on the Age-Friendly Portland website. Turning to economic development and employment. There were a number of events held by AARP Oregon and Elders in Action. They include -- I'll just read a couple of the titles -- preparing for an aging boom, best practices for employers, finding work at 50 plus, elders in action -- you didn't mention your age-friendly business work that you did in the Lloyd district, which was fabulous work. The economic development and employment committee as a whole has a couple of events planned for this coming spring focused on encore entrepreneurs and also older workers. And then, the housing committee has adopted a multi-faceted approach to advancing age-friendly housing in the Portland region. Educational resources have been developed to inform housing producers, consumers, and policy-makers of the benefits of age-friendly housing and how to develop and design it and locate it. We've been analyzing data to identify housing related trends in the city and in the region and presented those at various conferences. We've been working very actively with Bureau of Planning and Sustainability staff on the revisions to the comprehensive plan, preparing written comments and detailed testimony. We, together with City Club, sponsored a member-led forum at Multnomah County Library on various housing models. *Governing* magazine and AARP International held an event in Portland to highlight the importance of age-friendly and livable communities. That included presentations by a number of our age-friendly Portland partners. And there was recently just at the end of October a housing related forum focused on strategies to facilitate aging in one's community. Finally, I'd like to highlight one of our partners, Bridge Meadows, which is a three generation housing community with homes for adoptive families and apartments for elders 55 and over in which older adults volunteer 100 hours per quarter with one or more of the adoptive families. It is a national model. And just at the end of last month, they received the prestigious national Eisner award for \$100,000. So, that was great news for that partner. We've been working on keep our website up to date so that people can go there and find information about age-friendly related activities. We've also been engaged in a lot of national and international consultation. We've talked with AARP's national office concerning evaluation of age-friendly initiatives and their creation of the AARP livability index. We've been consulting with University of Hawaii and the city of Honolulu on its age-friendly effort, and also the city of Miami. We worked with the American Planning Association on its guide to aging policy. And all of the community partners hosted a two-day site visit by grant makers in the aging community agenda grantees so they've could come and see the various infrastructure improvements that we made to make our city more age friendly here and also the social programs that we have in our city. Just week before last, Multnomah County passed a resolution to adopt the same 10 action areas that are in the age-friendly Portland action plan so that the county can become more age-friendly and also apply to join the World Health Organization's global network of age-friendly cities and communities. There have been a number of advocacy efforts by AARP Oregon and Elders in Action. I will close by saying that Portland is considered a national and international leader not only in urban design and development and sustainability, but also now in the age-friendly communities movement. We have a lot of work still to do. We have launched a number of actions to better

November 12, 2014

engage Portlanders across the generations, to shape age-friendly policies, to begin to involve the business sector, and work towards creating housing that's accessible and innovative. At our October meeting of the advisory council, we selected two additional domains to focus on this coming year. They will include transportation and health services, and we will continue of course our work in the original three domains. I'd also like to point out that we will be asking for funding at some point to help coordinate this work to continue this work. Just so you know, New York City just committed \$400,000 to the New York Academy of Medicine so that they can create 10 age-friendly neighborhoods. So, thank you very much.

Hales: Thank you.

Fish: Mayor, just to give you a sense of the run of the show, we have a chance now to ask some questions. Karla, has anyone signed up to testify?

Moore-Love: Just one person.

Fish: So, we'll have some testimony. There's a formal part where we will be asked to sign a pledge, and we have an original and three copies for the entire Council to sign. And then, I want to make a closing comment about Leslie Foren, and then we will do our closing remarks. Let's maybe start with any questions that Council has.

Hales: I'm ready for that. Questions for this great panel? I've got one. You stressed quite a bit the importance of the comp plan, innovative models for housing. I'm very interested in that discussion. Let me sort of personalize that. I have a friend, her name's Lois. She moved to Portland from rural Virginia. She used to live across a dirt road from my parents. When her husband died, she did not want to live in a single family house anymore. She wanted to live in a house that she could live independently, so she chose Portland and moved all the way from Virginia to here -- which is a brave thing to do, I think -- and moved into Holladay Park Plaza, at which point she became a volunteer at the art museum. And so she lived this lifestyle and continues to live there lifestyle, where even though she can drive, she doesn't have to. And she can walk to shopping, she can walk to the movie theater. She can walk as she frequently does across the great city park to light rail, or to good transit, and get to where she wants to go, including her volunteer work at the art museum. She's an accomplished artist. She appreciates, Commissioner Fritz, the wonderful improvements that have happened in Holladay Park over the last year, as a lot of people in Holladay Park Plaza do -- the great partnership with Cypress Equities and the Parks Bureau that have transformed the social life of that park. So, Lois is living the example of us as a successful city. But that lifestyle is only possible in a small number of city neighborhoods today. We have about half the neighborhoods where it meets a basic test of urban livability, where you can walk on a sidewalk, where there is a neighborhood park, where there is transit within a reasonable distance that can get you somewhere soon. In addition, those great facilities like Holladay Park Plaza and the Mirabella are both expensive and have long waiting lists. So, we have a lot of work today to create models of both scale, affordability, and distribution across the city where people can live the kind of lifestyle that Lois is living in more neighborhoods at different price points than today. So, I just want to encourage -- it's not so much a question as a pep talk -- I want to encourage this work. And I don't think that we have all the answers about what those tools should be, but for example, is it possible to create a small-scale shared housing project on a neighborhood main street at 122nd and Division or 92nd and Stark or lots of places where again, if the rest of the infrastructure is there -- if we have the funds to start building sidewalks and we start building more sidewalks, if TriMet improves services on 122nd as they hope and plan to do -- you know, if everybody does their job and if developers can make a reasonable profit off building a 10-unit senior housing project instead of a 200-unit project -- you see my point. These discussions involve all of us because our bureaus have to step up in order to make this happen and provide infrastructure and services. We also have to be able to do this legally in our zoning code. And my sense is that we're not as creative as we need to be in order for Lois' experience to be possible in a lot more places, quickly.

Stein: I agree -- [speaking simultaneously]

November 12, 2014

Hales: I don't know if you want to comment on that. I threw a lot on the table, sorry. But this is a really big deal for us as a city, I think.

Stein: I'd also like to amplify all the ingredients of what you described as being an ideal set of ingredients of a healthy, connected city are what really benefit all generations.

Hales: Sure, that's right.

Stein: Younger people, also, are craving more places.

Hales: Right, but younger people might also ride their bike on the edge of a street that does not have a bike lane.

Stein: Right. The beauty of an age-friendly city is one that meets the needs of all generations, and there's so many commonalities between what people are looking for.

Neal: And if we can build that place, we'll have a lot of national and international visitors.

Hales: I think a lot of folks in Portland that maybe are today living in different forms of housing, whether it's rental housing or a single family house, would really like to see that model. I think we'll find that just as -- you know, we were not sure if there was a market for mixed use development. We weren't sure -- the Oregonian opined at the time that no one would ride light rail when we were considering the first project. So, you know, we've been wrong about the size of the market for these lifestyles that we've partially created in the city, partially facilitated. Godspeed and keep up the good work, because this comp plan really is our shot, I think, at getting those things in place so that people, nonprofits, for-profit developers, neighborhoods, whoever wants to organize around that work can do so.

Fish: If I could just echo what the mayor said. We'd be interested, I think, through the comp plan, to know -- what are the existing code requirements that might need tightening and what are the incentives that we want to consider? I think our thinking is evolving about what we need to mandate in terms of the accessible housing. We should be building rental housing that's successful for everybody, and that therefore an older adult has the choice. Right now, too many units are not accessible and therefore you're essentially disqualifying older adults from renting that place. I would be interested in -- what's the right mix of legislating requirements? And also, since we're taking a look at all of our incentive programs, what kinds of incentives can we give people? Older adults like garden apartments, they like first floor apartments, the like apartments that are laid out a certain way. And buildings can respond. The market can respond if we're clear about what we're looking for. You have commissioner liaisons from everyone on Council. And I look at this, and it's an all-star lineup. Jackie Dingfelder from the mayor's office, Jasmine Wadsworth from Commissioner Fritz's office, Stacy Brewster from Dan's office, Erika Nebel from Steve's office, and of course, George Hocker from mine. Just a generic question. Are you getting the access you need to each of us, both face time with us and also building relationships with the liaison so that's a meaningful process.

Neal: Yes, we are, although we could do more in that arena. We should probably reach out more frequently to our liaisons and then have one-on-one meetings with each of you, too.

Fish: You know, I encourage you to think about a regular check-in. Our schedules get very crowded, and putting something on the calendar can always be canceled if there's nothing urgent. But working with each office as to what kind of frequency, so we have the chance to have that direct interaction. I see Jay Bloom is here. Now, he stood earlier, but Jay has been here from the beginning on this so let's embarrass Jay and just say, Jay, thanks for your great work, going back to when Ted Wheeler was the county chair leading us through this moment. Mayor, before we dismiss this panel and take testimony, let's maybe come back to the piece I mentioned about Leslie Foren.

Hales: Good. I think Commissioner Novick had a question.

Fish: Oh, excuse me.

Novick: I just wanted to ask, are there other cities that have had particularly successful and innovative strategies to ensure healthy, affordable, accessible, and secure housing for people of all ages? I read this depressing article in the New York Times a couple of months ago talking about

November 12, 2014

housing affordability that said the only major city in the world that has dealt with the affordability problem is Singapore, and what they did was they herded 90% of the population into high-rises 30 years ago, which sounded kind of depressing. I was wondering if you had any more encouraging news from around the world.

Neal: Alan?

Hales: Call for reinforcements.

Neal: Yeah, this is his area [laughs].

Alan DeLaTorre: Alan DeLaTorre of Portland State. There are cities out there that are doing some innovative things. Although, I wouldn't say that it's just on the age-friendly front. I know that on the east coast, there's been really wonderful work that's been going on. I listened to testimony that Eli Spevak gave, and I think that he has some really interesting ideas that kind of merge this small house, new models of thinking. I'd say that if we were looking to cities in particular, that a lot of the work that's been done has been more on the neighborhood level, not the housing-specific new model piece. So we have an opportunity to innovate and get in front of the curve still. The pieces are there. The ingredients are mixed and ready to go into the oven, so I think that we have really are at the forefront and looking for that next kind of opportunity. So, timing's there.

Hales: Good, thank you.

DeLaTorre: I don't have more concrete examples. I could dig some stuff up, as well, if you're interested.

Novick: That'd be great.

DeLaTorre: More of the one-page outline of what's happening innovatively throughout the U.S.

Novick: That would be great, thank you.

Hales: Good. Other questions? OK.

Fish: Just a comment, Mayor. Last week, I attended an elder financial fraud forum at the Q Center. It was co-hosted by the attorney general's office, Elders in Action and other partners. And Leslie was in her customary role as the convener and the host, fielding questions. I will say that what we learned that day was pretty alarming about how pervasive elder financial fraud is and how vulnerable older adults are to these scam artists that have absolutely no shame. Leslie has been at Elders in Action for 14 years, and Commissioner Fritz and I have had the honor of working with her for six years. And for the last two and a half years, she's been the executive director. With very heavy hearts, I learned yesterday that she's leaving Elders in Action. She's taking a leadership position at Terwilliger, which is actually good news for all of us, because that will be our next destination when we leave the council. It will be nice to have a friendly face there. [laughter] But Leslie has just been a superstar at the helm of Elders in Action. I was with my family the other day at a grocery store, and I spotted her. She came around the corner. I gave her a big hug, and she was trailed by her husband who was wondering why some stranger was hugging his wife in a grocery store, and I quickly introduced myself and made it clear that it wasn't a regular feature of her shopping or ritual at the grocery store. But I can't think of many people who have made as much of an impact as Leslie has locally on this cause. And she will be greatly missed. She will continue to be, obviously, active and in a leadership position, but I really frankly can't imagine her -- without her at Elders in Action. So, I want to take this chance to just publicly thank her for her tremendous partnership and her dedication to the cause. And while we're not losing her -- she'll still be local and engaged -- thank her for everything that she has done at Elders and for us and our community.

Hales: Here, here. Thank you, Leslie. [applause]

Novick: Just to add on to that, Leslie, thank you so much for all the work you have done in the transportation funding discussion, helping to try to craft something where the money is spent and raised in a fair and rational way.

Foren: My pleasure.

Hales: Thank you. Well, thank you all. Let's take public testimony and then move onto the documents.

November 12, 2014

Moore-Love: We have two people, Ben Pickering and Charles Johnson.

Benjamin Pickering: Man, the weather blows in, jeez, it's freezing this morning. The elderly that I see out there -- I grew up and my dad says, get up and help your grandma and grandpa do something, and it means you get up and you put their feet up and ask them if they need help getting the newspaper or some coffee. But out here that I've been seeing, there's so much elderly, and not just age, but anybody out there -- you have got this bad weather coming with rain. And then on top of the freeze coming behind the rain, you can only imagine someone's fingertips or toes or a part of the body, itself, being out there freezing. You have got like -- you want to be a standup citizen, a model American, and you go out there -- and the kindness of your heart -- and you live on prayers. You've got people preying on people, warm the people up, and you have people out here -- I have seen the army ants build and go into their thing that they build and they go in and they work as a community. We are all -- you want to build like an empire for the state of Portland, and you've got everyone working together. I mean, you know, I pray like hell every day. But I can't imagine if the weather blows in, the rain, the freezing, the cold, the elderly out there. Man, there's solutions to everything. You make an outreach and a breakthrough when somebody does something good, another person does it. When someone is doing something they like or there's a new thing on the market they want to buy, everybody wants to buy it because they think it's cool. It's like biting and going fishing and fishing for the best. We are bad. We're pretty bad nation here. Everybody, you know, the state of Portland -- common sense -- I mean, why don't you ask the people and bring them up off the street and ask them how they feel and what they're going through. Emotions, I can't even imagine what one person is thinking when they hear about a killing down the road or someone walks up and says, hey, man, you're my savior for feeding me and putting some food on my ribs. But being a savior -- who is their savior when they are out there freezing or someone to call upon when their thinking is to get through the winter, and I have a life to live. I am worth living. It's not a fighting battle. It's not oh, I have got to -- you are not paying people to go out there and learn survival when they are elderly out there. At any age out there. I mean, this is ridiculous. There's enough people in this community working together and everybody all at once working in. I've seen the army ants. There's a lot of humans in the state of Portland to reach out and -- I've seen empty places ongoing that could be helped with and brought to attention and built and brought up and built a structure and something of solid ground to stand on. You can't pop a piston when you have no gratitude or leaning in --

Hales: Mr. Pickering -- Mr. Pickering, thank you. Take care.

Pickering: Gratitude. So, a breakthrough. The kindness of your heart and prayers. Man, I believe in prayers. Thank you.

Hales: You take care. Charles, good morning.

Charles Johnson: Good morning, Mayor. For the record, Charles Johnson. I want to thank Mr. Pickering for that emotional outburst. Because when I first came up I was thinking about talking about 122nd and Stark, where we do have good crosswalk over to the Midland Library. And those upgrades, particularly that intersection because there's an elder care home just across from there. But I think when Mr. Pickering raises the issue of the weather, we do want to take note to see that when people were going into the emergency shelters last night, is there census and survey work? How many people that went into those shelters last night qualify for elder housing? And how well connected are they to the services? The presentation we've had, we know there is outreach through Elders in Action, Loaves and Fishes. But we know from walking through this building when we look around that we see seniors who are highly disconnected who maybe aren't even going over to the Loaves and Fishes a few blocks away to eat. Instead, they're panhandling or they're at the Blanchet House. So, I hope that we're working with the Red Cross to know when we have elder presence in the emergency warming shelters. I also came up to speak because I interface fairly regularly with some diehard people from the Occupy movement. There's still the Occupy Portland elder caucus. Additionally, my connections with the senior community -- besides the conversations

November 12, 2014

I was having at midnight with people born in 1937 -- our knowing residents at the Providence location at 60th and Burnside. And I didn't hear as much as could be done about interfacing with the large primary care providers, Providence. I'm sure that there's probably a plan, there's so much to talk about that they can't cover everything. It would be interesting, though, to know where service is provided. I don't know if the others like Kaiser or Care Oregon also have a housing connected element. But I think that's one place for further conversation. I was definitely pleased to hear the Mayor bring up the challenge of getting development to suit all price points. A few months ago, we were at the county commission -- you mentioned Mirabella and one other, and then we have one on the waterfront that is -- in the past few months, their bonds were refinanced by our county, public assistance financing for a place that has no subsidized or low income requirements within the city of Portland. So, we know that even though we're doing better than some cities for elders, we need to sort of tighten that net. Because basically, that shouldn't happen. If the government is assisting a developer, the developer should be assisting the government in dealing with the neediest people. Thank you.

Hales: Thank you. Thanks very much. [applause] Unless there's further Council questions, let's have a motion to accept the report.

Fish: So moved.

Novick: Second.

Hales: Roll call.

Item 1163 Roll.

Novick: Very much appreciate the report and everybody's efforts. And soon, we'll continue to strive to do better and informed by the best research that we can get. Aye.

Fritz: It's good to have these annual reports so that we're not just adopting policies, but we're reporting back on what we're doing about them. And then, I appreciate the pledge to continue doing so. I'm very happy with the work that I believe was initiated by the Commission on Disability and is now being taken to new heights with Commissioner Fish. Thank you very much all of you, for your partnership, and thank you, Leslie, for your leadership at Elders in Action. Aye.

Fish: I want to thank all of our honored guests today for joining us for this presentation. This age-friendly action plan is a reminder that we do our best work in partnership with the community. And I have a number of thank yous that I would like to offer. First, to my fellow Council members, the mayor and my colleagues for really embracing this work and for supporting it. And yes, we will in the regular budget cycle come back and renew our request for a budget item. We're not going to let New York City take the lead on this one. You put the marker down. I want to thank all of the talented people who have been serving on the Age-Friendly Portland Advisory Council, giving their time and their thoughtful consideration to this work. The list is in the back of the report that my colleagues have, and it's really an all-star list of people in our community that are working on this goal to be the most age-friendly city of any city in America. So, thank you all for your great work. I want to thank my public advocate, George Hocker. George is to me a living reminder of why it's important that we have a fully accessible city. I think this is his fifth or sixth career. And George has a schedule that makes me blush. When George talks about an accessible city, he's talking about a city that's accessible for George and Marcia and for all of us. And that's extremely important. So George, thank you for your work. To Margaret Neal and to Alan and Portland State University Institute on Aging, this is, you know -- we are regularly given reminders of the community benefit of having PSU and a strong academic institution with all these vital programs serving the community. I seem to recall there was something about let knowledge serve the community as part of the logo, and the Institute on Aging is not just an academic center, it's engaged practically in helping move scholarship into legislation and into the web of what we do. So, thank you to you and to Alan for your tireless work. To Bandana Shrestha, who could not join us, and our partners at AARP Oregon. They're just hugely helpful. And finally, to Leslie Foren and her team at Elders in Action. Elders does so much that doesn't get attention, and if they got as much attention in the

November 12, 2014

media as the silly stuff, I think that the public would be really surprised. I learned something last week, Mayor. In the area of combating elder financial fraud -- which has just has exploded -- and we know that because we get emails and phone calls at home regularly, and we call back when someone says, this is the IRS calling and there's a problem. They want to get our social security number and bank information to verify who we are in order then to scam us, and it's happening -- it's exploding. But there over 70 elder advocates through Elders in Action helping vulnerable seniors in our community deal with just this problem. And they've actually been very successful getting restitution. One of the things that we also learned last week is that the banks were a little slow to get the records to the Police Bureau that they need to prosecute these cases. So, the city will take that up and work with our bank partners to speed that up, because no one should have to wait 10 months to get the documentation necessary to prosecute the bad guys. Leslie, thank you. And we'll have another occasion to further embarrass you. I am very proud to be the council liaison to Elders in Action, and I'm equally proud that I'm on a council that believes your work is important. Thank you all. Aye.

Hales: Thank you all for your work, and I want to encourage more of it. Back to Lois's story -- we're good but we're not as good as we need to be. And I think the public sector work that has to take place is important, but so are all the connections that Commissioner Fish mentioned between us and the nonprofit sector, or even the private sector. I want to encourage you to be a little more pushy about the connections that we ought to make to say, hey, if the economy is growing, where are the jobs the folks that want an income after they're retired? Do we have an economic strategy for that? Hey, the shipyards are growing and we need more welders. Where's the mentoring program where we find retired welders and teach young people how to weld? Hey, we see a need for housing in this neighborhood, but, you know, there's almost all the wrong zoning. So, it's calling us to make those connections. I don't think -- even though we have this amazing network of connections between the city and the nonprofit sector in particular, I don't think we make all the connections that we need to make in order for everybody to be effective. So, that requires sometimes you calling those un-made connections to our attention to say, hey, did you think about including an elder strategy here? I can use that, frankly. I think that, again, we do a pretty good job as a city. I think that we have not made all the connections that we can make. And not all of them are changing public policy or spending public money, though those are good things to do, too. Some of them are just making those connections with other partners. So, I'm very interested. We're about to sign a pledge to do more, and part of my pledge to do more is to help make more of those connection. In a rising economy, in a city that's growing in population, growing in our elder population and with a lot of young people who need to learn skills in order to compete in the new economy, it seems like there are all kinds of ways that we ought to work well together. In a city that's one of 11 around the country that's participating in the Black Male Achievement Initiative where we're looking for ways to break the cycle that has plagued young African American men in education and the economy and in the criminal justice system, where are some mentors and some partnerships that could help make that effort real and make real change here in Portland? So, I see a lot of ways where we could make more of those connections, and I want to call on you as leaders in this work. Leslie, you'll be a leader in a different capacity, but you will be a leader and I expect to hear from you. Keep it up, but also keep looking for ways that we can work smarter in those ways, as well. Very good work. Thank you very much. Aye.

Fish: Mayor, we have an original and three copies of the pledge. We're going to ask each of the members of the council to come down and sign and then we're going to take a group picture with all our honored guests. [photo taken] [applause]

Hales: Thank you all. Good work. OK, let's move onto item 1164.

Item 1164.

Hales: Commissioner Novick.

November 12, 2014

Novick: Colleagues, I'm pleased to bring you this report from Stern Consulting, which outlines a plan for implementing 311 here in Portland. 311 is a simple, easy-to-remember telephone number and website that connects people with government services, but it's more than just a phone number. It's a sophisticated software system that tracks where service requests are coming from, and how quickly and how well the city is responding to different types of requests. More than 80 local governments around the country have implemented 311, and many cities report that 311 has made a tremendous difference in the citizen engagement and satisfaction with city government. To get a direct perspective on how 311 works in another place, I talked with Jay Strobel, the deputy city coordinator at the city of Minneapolis. Minneapolis launched a 311 call center eight years ago and has been a leader in gathering information about how [indistinguishable] are using 311. A few points stand out from that conversation. First, Minneapolis emphasizes the huge improvement 311 has had for customer service. The person I spoke with explained that the city initially handled the person -- that they staffed 311 by transferring the personnel from existing bureaus, which was difficult, but they said that ultimately, people were convinced that made sense. He said that the city is realizing significant inefficiencies by having a consolidated customer service center. And this is something that they adopted before the recession, but I thought it was significant that they continue to invest in it in the post-recession era. In fact, they recently expanded their 311 hours to cover weekends, and they expanded their services to cover parks and tourism, which are separate organizations not included in their city government. Minneapolis, at least, has found that 311 works well enough to warrant not just continued but expanded investment. I also had a conversation with the city council in another city that will remain nameless who said that as a city councilor, he found it great because he would ask how many 311 requests came from his district, and he would send follow-up letters to people asking, how did that 311 experience work for you? Of course, none of us would use that system for such crass, political purposes. [laughter] So, where are we here in Portland? In 2012, under Commissioner Fritz's leadership, Council passed a resolution stating the intention to implement 311 and then subsequently allocated resources for the report before us today. The report includes a recommendation on how to city should implement 311, including which bureaus should be included in an initial testing phase and where the call centers should be administratively located within our city government. The report also includes initial cost estimates for the software, personnel, and other elements, as well as a projected return on investment. If the city chooses to proceed with the implementation, actual cost will depend on the choices we make about the sophistication of the software, personnel transfers from existing bureaus to 311, the location of the call center facility, and other fax. The question before us today is whether we should accept this report. The question in next year's budget process may be whether we should allocate the resources needed to begin implementation. With this in mind, I look forward to hearing the presentation from Spencer Stern and Lisa Turley. First, though, I would like to ask Commissioner Fritz to provide any comments that she may have at this point since it was her leadership that has brought us to this point.

Fritz: Thank you, Commissioner Novick. And I'm very pleased with the report and the fact that we're moving forward here. I've been participating in Portland politics and neighborhood activism since 1991, and it was under Commissioner Hales that the 823-4000 system was established, which really changed the way I as a citizen activist was able to interact with the city. And it was not long after that that I discarded my paper directory and didn't bother looking up -- even though I could look up -- who I should be calling directly. I would just call 823-400 and they would connect me. So, I think it's significant that under Mayor Hales' leadership now as mayor, that we are considering an even better process with 311. And truly, it's a legacy project and it's going to help our community get better service. It's going to help our staff provide better service without making it more difficult to do so. In fact, it will make it easier to do so. So, it's a little scary, as are most changes. And I'm very pleased that we've had the consultants working with us on it and looking forward to hearing that and then continuing to move forward.

November 12, 2014

Hales: Good morning, welcome.

Lisa Turley, Director, Bureau of Emergency Communications: Thank you. Good morning. Lisa Turley, Director of the Bureau of Emergency Communications. Mayor and Council, thank you so much for your time this morning. I am pleased to be able to present to Council today the completed 311 assessment project. We have officially been working on this endeavor since July of 2014. I would like to express my thanks to the citizens who participated in our focus groups and to all city employees who gave input on this project. I'd especially like to thank the executive steering committee -- Laura Wolf, the BOEC project manager; Erika Nebel and Katie Shriver from Commissioner Novick's office -- and Commissioners Fritz and Novick for their expertise, leadership, and support. Without further ado, I will turn the presentation over to our consultant, Spencer Stern, who conducted the assessment for us.

Spencer Stern: Thank you, Lisa, and good morning. This is Spencer Stern from Stern Consulting. Thank you for the opportunity to present this morning. I also want to acknowledge, as Lisa did, the great work that Lisa Turley and Laura Wolf had done on this initiative as from a project management perspective. In addition, the support that we received from the city council, as well as the executive steering committee, and in particular, folks from Commissioner Novick's office, who have done an incredible job of helping push this initiative forward. Also, I want to annual my consulting partner who has helped tremendously on this report. With that, I will jump into the PowerPoint. So, one way to think about the CRM and 311 is really, a gateway to city services. Currently, there are -- as Commissioner Fritz had acknowledged -- currently, there are more than 100 plus phone numbers to call in order to get city services, and that's very confusing for citizens. One thing that 311 does is provides a gateway to the city to get information requests, to process service requests, making it much easier for the citizens to get the information and the services that they need in a very timely manner. One thing to emphasize with this type of service is it doesn't matter which department is responsible for filling the service. We shouldn't expect our citizens to understand how city government, how the bureaucracy functions here. When they call the city, they're expecting information, they're expecting action. 311 in conjunction with CRM -- Customer Relationship Management software -- can help to foster that interaction. As Commissioner Novick has identified, there are a number of 311 implementations throughout the United States. Based on the results of these implementations throughout the United States, these are some of the drivers that the city of Portland can expect to achieve should they move forward with the initiative. In all instances, citizen satisfaction has gone up regarding the performance and delivery of city services. The CRM systems are excellent in actually tracking performance, too. Another key thing is staff and operational process efficiency. The city of Portland staff will be able to complete work more quickly, more efficiently, more accurately. In addition, the city will be able to track their performance as well as identify various areas where, across bureaus, information can be shared and service requests can be fulfilled. Another key benefit is the increase in the customer responsiveness and field operations. There are a lot of CRM applications out there that are mobile-enabled. So, field personnel no longer have to go back to the office or have to communicate with the supervisor, etc., in order to get information. Through the mobility aspect of the CRM systems, information is pushed out there to them in the field. They're out there, they act on it, they move forward with it. Data-driven decision-making -- and this is something that Commissioner Novick alluded to -- the reality is that there will be a significant amount of data collected through the CRM system. It's going to let the bureau of directors, the elected officials, management, and staff within the bureaus actually make the decisions based on data as opposed to on gut feelings and instincts. Another thing from a staffing perspective -- and this is something that Commissioner Novick had mentioned in his introduction -- from a staffing perspective, there will be a lot of internal transition. You have a lot of very talented people here within the city. During our assessment work, many had expressed interest in being part of this 311 team. And we believe that from a staffing perspective, your staffing levels remain the same or potentially even decrease because of the efficiencies.

November 12, 2014

Novick: Spencer, a question on that. I think that most bureaus here and in other cities probably recognize that their staff spends a bunch of time dealing with customer service issues, and there's probably a more efficient way to do it. On the other hand, giving up personnel is always hard. So it seems to me that in order to do this in a way that is acceptable to people, you probably have to do a lot of work analyzing how much FTE time you are now using -- which you might not really be tracking -- on customer service requests, in order for people to realize it is justifiable to transfer FTE. So, do you have examples from other cities as to how they've gone about that difficult process?

Stern: Yeah, that's a great question. I can speak to a couple cities that I've recently worked with. What these cities have done is kind of decomposed what the specific individuals who are processing calls right now, processing citizen calls, how much time they're spending doing that, but how much time they're spending doing other tasks that are unrelated to fulfilling the requests. And by looking at how these specific individuals -- much time they are spending on the customer intake and other clerical tasks that do not have anything to do with the customer intake, they're able to identify where they're spending all their time. One of the interesting things is when you talk to people, when you interview them, they feel like they're spending so much time on the phone, so much time processing service requests. But the reality is it's actually significantly less than the amount of time that they feel that they're spending on it. One of the reasons that they feel that they're spending so much time is because there are some inefficiencies going on here because of the tools that are available and the processes may not be optimized. So my experience has been -- when working with other municipalities -- is sometimes these people kind of self-identify and say they're interested in being part of 311, and then if that's the case you have to look at what they're doing in their department and to make sure that all of their tasks are being subsumed by somebody else. So, a lot of times, these people who are interested in being part of the 311 team are doing other work, but primarily, they are spending a lot of time on the phone. So, those phone calls and that work related to that phone call processing comes over with them. And then, it's up to this specific bureau -- if you will -- to identify the tasks that need to stay within the bureau and how those can be reallocated amongst the existing staff. Moving back to the presentation. Another benefit of implementing the 311 system is we project -- and the information is detailed on the white paper -- that the cost, the long-term costs for the city for processing information and service requests will be decreased, we believe. The next slide, I want to focus on the number one here. As part of the analysis, we did benchmarking. Portland. We looked at the seven cities with population right above Portland and the seven with population right below Portland. So a total of 15 cities, including the city of Portland. Portland is the only one, only comparably sized city that does not have a 311 CRM system and or a consolidated online service request processing. So, your peer group has been doing this and they have been getting significant benefits from doing 311. A number of phone numbers. The way that we are proposing this be structured is the city will only need two phone numbers: 911 for emergency, 311 for non-emergency services. The number of CRM platforms that will be required. Currently, there's more than 10 different CRM platforms within the city, and all those CRM platforms are requiring support from the Bureau of Technology Services, which is a significant investment not only from the bureau perspective, but also from the BTS perspective. The other thing that I want to emphasize on this slide is that based on our analysis, the fully loaded cost per minute of customer representative time is one dollar. So, everybody minute a customer service representative is spending on the phone is costing the city of Portland \$1. So, if we can come up with a more efficient approach on how to handle customer service, it's going to save the city a significant amount of money. Just to highlight that a bit. Within the soft launch departments that we identified in the report, the current number of minutes -- these are self-reported numbers -- are about 1.3 million minutes per year. So, just from a customer service perspective, that's \$1.3 million that are being spent. A CRM tool in conjunction with the 311 telephone number put in place is going to significantly reduce the amount of money the city has to spend processing information and service

November 12, 2014

requests. The other number I want to focus on here is less than one dollar. Based on the analysis that we've done, if you look at the cost, the incremental implementation cost will be less than one dollar per year per resident for the city of Portland. So again, this is not a very expensive solution to move forward with. If you look at the total population, less than one dollar per resident per year would be the cost to move forward with this implementation. Other specific costs. We did a return of investment on analysis, and the payback period we identify is 5.5 years from the point of implementation. And that turns out to an annual compounded return on investment analysis of 17%. Real quickly here -- and this is detailed again in the white paper. These are the specific steps that we suggest that the city move forward. And based on the analysis, this should probably -- these five steps that we're listing should take anywhere from 12 to 18 months to complete. The first step is project planning. We put together a detailed project plan. There have been people within the city already that have been identified, and a lot of people have showed interest in being part of this project team. The next step is developing the request for proposal. As Lisa mentioned, there's a lot of very good software vendors out there. This is the opportunity to get them to respond to the city's specific requirements. The city does have a lot of very unique requirements, as we've uncovered in the process. There's a lot of very innovative software programs out there that we believe we'll be able to meet the requirements. The next phase is the vendor evaluation selection. This is where the vendors -- you bring them on-site. You see their on-site demos, you do reference checks, you potentially do more site visits. I know that the commissioners have done some site visits. Lisa and her team have done site visits. This is an important step to make sure that you're making the right decision for the city. Spend the time, do the due diligence, see what works, understand the pros and cons. After you select the vendor, the next step is the actually project implementation. Training, cutover plans, setting up the various different environments, etc. And then, soft launch. And the soft launch is -- we have identified in the white paper -- would be with the Fire and Rescue team, with BOEC, with BES, with PBOT and with the I&R line as part of ONI. Those would be the soft launch candidates. And just to kind of close this presentation, our perspective is 311 takes a lot of vision to do. And this is an old picture of the waterfront here. Back then, it was very functional, served its purpose, but there were several people within the city that said, you know what, we need to be innovative and visionary about this. We need to make this a destination, we need to beautify this. At the time, it was very controversial, but you look at the results. We feel the same way about 311. This is a very visionary type of service that will provide exceptional benefits to the staff, exceptional benefits from a performance perspective, and most importantly, it will have a very, very tangible impact on the citizens and how they interact with the city. And that's one of the reasons that we feel this is so important. To close -- as I mentioned earlier -- in order to contact the city right now, there is 100 plus phone numbers. In the future, two phone numbers, 311 and 911. Thank you very much.

Hales: Thank you.

Novick: Spencer and Lisa, on the concept of a soft launch. We've talked about this before but I think it's important to go over it before Council and in public. If you're telling the public that there's this new number to call for everything that's not 911, it's 311, but you are doing a soft launch with a limited number of bureaus, how does that work? How does the messaging of there's this one new number work with you're only doing a limited number of bureaus to begin with?

Stern: Sure, that's a great question. So what happens is the bureaus that we identified as part of the soft launch team -- the phone numbers that are currently in those bureaus are automatically re-trunked into the 311 phone center or contact center. So, the citizen will still dial the same phone number. However, the call is getting routed directly into 311. The citizen will receive a different response from the customer service representative. The customer service representative will be using a different set of tools. So, from the citizen's perspective, there's no difference. The hope is that eventually, instead of calling the old 10-digit phone number, that in the future they will call 311. That's something that's going to be emphasized by the customer service representative. So it's

November 12, 2014

very seamless to the citizen initially, because we feel very strongly that doing the soft launch is best for the city because transitioning all the bureaus all at once could be challenging from a resource and financial perspective.

Novick: Lisa, do you have anything to add to that?

Turley: And then eventually, once people use the 311 number -- you publicize it when the city is ready that we're now on 311. And the kind of opposite happens. The call goes into 311, and if it's not a participating bureau, it goes back out to the -- if the customer service rep can't handle it, then they transfer it out to the bureau that hasn't transitioned yet.

Stern: But based on our analysis, the organizations that identified as part of the soft launch are some of the highest call intake bureaus within the city, so we are -- as Lisa said -- some of that stuff will happen, but a large majority of the calls will be successfully addressed by the 311 call center.

Novick: Thank you.

Hales: I might want to get you both to look ahead a bit to the other end of that period. So, we've gone through the soft launch and transition and we're doing this. I'm optimistic and enthusiastic, but I want to raise the perennial worry, which is government invests in efficiency more and doesn't end up being more efficient. We've seen that story. We've heard that allegation. How do we avoid that situation here? Namely, how do we assure that the efficiencies are captured? I actually am looking for advice for the five of us as leaders and chief executives of bureaus. Obviously, we both have the challenge of our form of government where bureaus report to multiple chief executives, and the classic problem which is that when a big organization spends money and creates a new system, it doesn't always make the personnel changes necessary to achieve the efficiencies. How do we make sure we don't create more overhead positions, spend money on new equipment, maybe give our citizens a better customer experience but don't end up being more efficient than we are today?

Stern: Thank you, Mr. Mayor. That's an excellent question. One thing we've done in this analysis is that we've done a very good job of capturing the current state of performance. Call volumes, number of requests coming through other channels such as walk-in or email or web self-service. So, we have a good understanding of where our baseline is today. And how you measure the tangible financial impact is on a post-launch basis, you look at the metrics, six, 12, 18 months out and see how those have changed. One of the key benefits of this type of system is that you can process -- for example, mobile and web self-service requests can be processed more quickly and efficiently and much less expensively than an in-person interaction or even a telephone interaction. Because we have identified these metrics up front, and we can see on a post-six, 12 months out, we can do a comparative analysis and identify what the savings are. In addition, one thing we recommended in our white paper to do a business process re-engineering. Now, we've done a little bit of that up front as part of this assessment. It wasn't part of the scope, but we looked at it a little bit. And we have identified a lot of specific processes within the soft launch bureaus that can be optimized through the use of the CRM system. Another thing we recommended as part of the project planning is to do a current state process mapping and try to identify what the cost of the delivery of the actually services are. Then, on a post-launch basis, six, 12, 18 months out -- whatever metric the city decides to pursue -- go back and look at what those same costs are. By doing the before and after analysis, you'd be able to identify the tangible financial impact on the city.

Hales: OK, good. Thank you. So, we have to watch both that changed management process and remember the baseline numbers we started with.

Stern: That's absolutely correct. That's part of our report. But one of the things that we've identified by having this initiative start in the bureau of emergency management communication, there was a lot of energy there, there's a lot of resources, and there's a lot of talent to be able to drive these types of initiatives as a component of this overall project.

Fritz: Mayor Hales, I want to emphasize that the Office of Neighborhood Involvement under your leadership has been working very closely on this project and will be integrally involved in that.

November 12, 2014

Also, you mentioned the commission form of government and the five executives. Neither of my bureaus are in the first phase, so I suggested to the consultants that we add my office and Jasmine Wadsworth, my constituent services specialist, as part of that trial period or that first launch so that we as the five of us see how it's going to work within the commission form of government.

Hales: That's a good idea.

Fish: A couple of comments. First, this discussion about how you measure success is very important, and we'll have a chance to do that at the front end. I'm reminded that when we made the pitch to move away from private security towards rangers in the Parks Bureau, one of the questions we were asked was, will there be the same volume of arrests made by rangers? Right? The old model. The answer was, I sure hope not. If we're going upstream and intervening without necessity of turning it into a law enforcement thing, we have to redefine what success looks like if, upstream, we're avoiding kinds of confrontations that lead to arrests. We're using persuasion and relationship-building and tools of community engagement, not just the law enforcement. To the mayor's point about efficiencies and costs, we may end up finding that we serve more people because currently, people don't feel that they can be heard. So, a quarter of the eligible people in the community who are eligible for legal services are now being served. If we had our way, we'd bump it to a half but it would cost more money. So we would not be saying we saved money, but we would be saying we're spending more money to address more needs. So, defining those parameters up front and benchmarks is going to be very important. I probably have the only -- I have one of the bureaus that is -- it's harder to define how it fits within this, and that's the Water Bureau. And partly because the Water Bureau has 933,000 customers spread out well beyond the geographic boundaries of Portland. And it has some unique customer service issues. Tomorrow, we're going to get a report from the Blue Ribbon Commission that's going to suggest a new system of oversight for the utilities. If the council ends up embracing those recommendations, we should have fairly soon a new body that we can then present your findings to and get citizen feedback on this question. I kind of feel like we're going to get the benefit of another set of eyes. Let's just very briefly -- on the Water Bureau side, what are the challenges that you would anticipate bringing Water Bureau under the fold in light of the fact that it has over 900,000 customers and has some very particular kinds of issues that come up with the public. What are some of the challenges? I think that I understand the opportunities, but what are some of the red flags that you would identify for us?

Novick: Actually Commissioner Fish, if I can follow up on your question. I mean, a distinctive thing about the Water Bureau is that they actually send people the number to call every three months. People get a bill from the Water Bureau and there's a number on it. So, there's probably less concern about people don't know what number to call as opposed to like with the numerous numbers within PBOT where you only call when you have a problem and you have to figure out what number to call.

Fish: In fact, Steve, we've even pushed the envelope. We now have just list Charlie's cell phone number. We use a picture, his name, and his cell phone number -- [laughter] -- because we are trying to make it as accountable as possible with any concerns people have. Your thoughts?

Hales: That works.

Stern: Mr. Commissioner, that's an excellent question. Our experience is that when municipalities have typically launched 311 call centers, water is typically not one of the initial bureaus or departments, and for several reasons. One is that there is the financial component of it. CRM systems, the way that they're structured, cannot handle the financial processing of transactions.

Fish: You mean, like, issues with bills?

Stern: Correct.

Fish: OK.

Stern: So in the future, there's definitely integrations that can be built between the financial -- the billing process and the CRM system. But one of the things is because water has that component and there are so many questions related specifically to billing and payments, etc., that it would be a

November 12, 2014

much more significant change out of the gate to account for that. The second driver was within the water department, there does seem to be a comfort level using their current systems. They feel that it works well. That was another issue that we looked at when we met with the personnel from the bureaus. We said, you know, is this something that would work for you, something you're excited about, etc.? And with the bureaus that we identified to be part of the soft launch, top to bottom, they said, yeah, give us, we want to be on this, we want to be part of the soft launch, we want to be the guinea pig, if you will. And we didn't hear that from Water, and we think it is because it is a more complex approach to the interaction with the citizen. In addition, there's a lot of institutional knowledge there, so it potentially difficult for people to get their head around what the benefits are of it. With our approach, we felt we wanted the greatest likelihood of success with the soft launch, and Water is just very complicated and was not a fit out of the gate.

Fish: For phase one?

Stern: For phase one, correct.

Fish: I appreciate hearing that, because the bureau currently is embracing change and reforms -- very fundamental. There's probably a point where there's a capacity question. As we are trying to improve our monthly billing capacity, as we're working on the new oversight model, as we're partnering with Commissioner Fritz on the reservoirs, and on and on, there's probably a capacity question. One thing I would be interested in knowing more about later is, what has been the experience of other cities that have 311 and possibly have their own public utilities? Have they successfully integrated the Water bureau into this system, and if so, or if not, what were some of the barriers? That's for another conversation.

Stern: Sure, happy to chat about it now or later. It's your call.

Fish: Let's hold on, since we're not part of this soft opening. Lisa, one other thing. The city currently invests in 211, county invests in 211. In my view, it's been beneficial to have a one-stop place to go and get information about food, shelter, healthcare, and everything else. Is this similar in a fundamental way or different in a fundamental way?

Turley: They are similar in a fundamental way. All three of the 11s that we could be talking about -- 211, 311, and 911 -- are the one-stop shop for a particular kind of business. 211 is for social services and that kind of thing. 311 is for provision of government services, and 911 is public safety response. So, that's the decision point the citizen or caller would need to make. Do I need social service? Do I need to talk to my government? Or do I need a police, fire, or medical response?

Stern: And to piggyback off Ms. Turley's comments, we did interview folks from the State of Oregon 211 agency. And they're very excited about the city considering this initiative, because they are getting a lot of calls related to City of Portland issues, which is outside of their domain expertise and outside of their purview. And sometimes, they don't know where to direct these folks to. They're excited to know that their city is considering this, because it's going to make their job easier, it's going to be able to help them put their constituents in touch with people who can act on their behalf.

Fish: Thank you.

Hales: Great. Other questions for our team here?

Novick: Lisa, could you give your perspective for a couple of minutes about the suggestion from the report that the 311 be located within BOEC?

Turley: Sure. I started pursuing this kind of a project back in 2006 in part because of the non-emergency call volume that BOEC was experiencing, and recognizing that we had issues finding enough staff to do the 911 piece and the expertise and the kind of person that it takes to be a 911 operator, and I needed to offload some of that volume. We continue to have that problem. We've gone from 25% non-emergency call volume to currently about 35%, which is way beyond our capacity. And our 911 service suffers from that. We do understand, my team understands how to provide a major large volume call center service. I think we have the connections with the infrastructure, we understand the technology. I have staff on my org chart who do technology to a

November 12, 2014

point that BTS allows us to do that. I have language line contracts -- language service contracts. I have a training department that could retool to do this kind of major large-scale training. So for me, I've always seen it as another arm. It provides me an opportunity, our bureau an opportunity to have people come in as entry-level employees and learn really excellent customer service. And if they choose to promote up into the 911 ranks and have a career ladder or not. It also provides, I think -- we understand how to do metrics because of our CAD system, and this is just a different kind of computer tracking of service requests. And so, we understand what it takes to make that happen.

Fritz: I think to add to that, the involvement of John Dutt and his team at the Office of Neighborhood Involvement. What the report suggests is to create a new bureau of communications. Clearly there are -- as you just said, Director Turley, 911 operators have a particular expertise and that's in dispatching and getting to the right service provider as quickly as possible. The Office of Neighborhood Involvement has expertise in encouraging people to be engaged and teaching them how to be engaged. And so, it will be a new culture for this new bureau, combining the best of both and making sure that we don't lose either. The advantage of course to doing a combination, as you said, is the leadership is already in place, the support staff in place. It doesn't duplicate, it reduces the overhead costs and still gets the benefits.

Turley: Absolutely, ONI is essential. The I&R group is the core group of customer service that the city has right now. To lose that knowledge base and that expertise would be ridiculous. We need to go forward with them.

Stern: Can I go back, Commissioner Fish, to water for one second? Another factor that we looked in -- something that you brought up -- the water department is undergoing a significant amount of internal change. That was another factor we looked at in making the determination they were not a great fit for the soft launch perspective, from a resource perspective. Because they are going through so much change internally now, adding a CRM system on top of that would strain the resources significantly. In fact, as Commissioner Fritz identified earlier during her opening remarks, we were interested in having the Bureau of Development Services be part of the soft launch. However, they're going through a significant software implementation right now, and based on our conversations with the leadership there, they felt they didn't have the resources to be doing two types of software implementations at once. That is one of the key things with the soft launches. You don't want to have those bureaus in there to be overtaxed from a resource perspective. There's a finite amount of personnel that they have. So that's another driver to push Water out, from a staffing perspective and all the change they're going through.

Fish: I very much appreciate you clarifying that. Because again, my sense of the Water Bureau is they're embracing change and reform. You're pointing out a question of bandwidth and timing, and I think that's an important distinction. So, thank you.

Hales: Good discussion. Any further questions for our bureau director or consultant? Thank you both. Might have questions for you at the end, but let's see if there are others who want to testify on this.

Moore-Love: Yes, we have five people signed up. First three please come on up.

Hales: Come on up. OK, on this item, Mr. Pickering. Go ahead. You can go first while they come up.

Benjamin Pickering: The 511 call -- or is it 311?

Hales: 311.

Pickering: 311 calls. What's the cost on that?

Hales: Well, not completely known yet, but there's estimates of what it will cost to build the system and then operate it. But like you said, it is hopeful that it will save us money --

Pickering: Lovely. Yeah, the -- it gets backed up. I mean, if there's another additional call, whether -- they have the non-emergencies and other phone calls. There's always -- if they have someone who answers calls for like -- I mean, anything that needs -- out of the ordinary, like you can answer questions. I like the fact that they should have more people that sit there and answer

November 12, 2014

calls and like just what needs help with and what's -- you know, if they had a group that went out and provided the finances for a call where they go out on a scene and able to fix things and it's like fraught with kindness and with awesome standards of understanding what people are asking. Not for their needs, but because it is politely to have things prosper -- I mean proper with the -- I mean, I don't want anybody to have a phone call where you can call in and be like, ask them anything other than like 911 calls, yeah, it's a really big emergency. But if you have the 311 call, is that for like -- what kind of calls would that be for like? I mean, what's the --

Hales: Oh, it could be any number of things the city does. A park reservation, a pothole, you name it.

Pickering: So it's like, whatever they're thinking of, hey there is stuff in the city that needs to be worked with. You can call and ask them, hey, you go to one side of the city and you have other people on the other side of the city and you -- you go and everybody meets in the middle and you start with things and then you fix and all in the middle and all of the way back what needs to be fixed. That's just totally kind of -- you can't do things overnight that fast, but like one side of the city of Portland and the other side and back needs to be fixed. Nothing else to argue about. But anyway, OK. I'm good.

Hales: Thank you. Ms. Schwab, good morning.

Mary Ann Schwab: Good morning everyone. You know, I got involved --

Hales: Oh, just give us your full name, Mary Ann.

Mary Ann Schwab: Mary Ann Schwab, Sunnyside resident. And I have been monitoring the 311 need now for quite a while, as has Commissioner Fritz. My concern was when a neighbor called 90 years old fearful of her adult son and wanted a no trespass. Well, I went to east precinct and I got a copy of the document to apply for one of those, and the information was on page like 18, what number to call. 823 -- you went through a spiral, push this button, push that button, nobody answers the phone from 5:01 to 7:51 on Monday morning. And then I called John Dutt, and I said, what can we do to fix this? So a human being is there to answer a phone whether it is an elder in fear or whether it be domestic violence. There's numerous reasons why we need this. I have read your report, the 23 pages. I have looked at the tables. I'm disappointed that I did attend one of those community meetings, and I read in this record 14 people from the general public attended. In my group in north Portland, there were five of us. The people that were there were totally confused as to what 311 would do. So, if we're trying to get this out -- and then I called John Dutt a few weeks ago and said, where is that report? Well, it's still in process, still in process. I was shocked Monday night to get a forward from Andrea [spelling?] she's very good at alerting Southeast Uplift -- 20 neighborhoods -- what's happening on the calendar. Late that afternoon, I learned that you were going to be doing this today. I got a copy of the report. I called John. I said, how could I be blind-sided on this when I signed a roster? So, if we have public involvement, it needs to start here. And Commissioner Novick, I have been on your street fee rosters, I have been on many of them, what happens to that information? We failed the public. You don't have many people here questioning this. So, let's go back to getting people to answer the phones. And why do we need 4800 square feet in southwest Portland when we have all of this equipment right here in ONI? Your staff, your gateway to all of these services are excellent. And we could hire staff 24/7 right here. I would rather see these dollars spent in east Portland on their infrastructure. Let's think twice, let's really study it. Because remember when you call your doctor's office? Your call is important to us, you are number six in the queue, you can leave us your number and we will call you back as soon as we are able. And maybe 24 hours later, maybe 48 hours later you get a return call. Let's really study this. Does this really meet the needs of Portland? Thank you.

Hales: Thank you. Others signed up, Karla?

Moore-Love: The last two are Joe Walsh and Charles Johnson.

Hales: Come on up. You first, Mr. Walsh.

November 12, 2014

Joe Walsh: My name is Joe Walsh, I represent individuals for justice. The other day, I called social security and they have a similar system that you're thinking about putting in. And the word came back that they would call me back in an hour and a half. Just think about this. You're offering a solution to a problem that doesn't exist. Right now, the city -- as far as I know -- is very responsive. When I call the city -- and I often do -- if I want something from the Auditor's Office or from the city council or from staff, they're very responsible of calling back, even if they're busy or they're not at their desk. So, it seems to me that you're offering a solution to a problem that doesn't exist. And here's another problem that you're going to have. You're going to have the bottleneck at your 311 as the phone calls come in. Because if you have operators -- and my understanding is that you're thinking about 16 operators that would handle this kind of stuff -- and funnel the information to the right person, but you're also suggesting that you're going to be replacing hundreds of phone call numbers, so therefore it's not 16 operators that can handle this kind of stuff. You're going to have phone calls coming in at a much faster rate than the 16 operators can handle it. So, what do you do with that? Do you bounce it back and say, like the social security, well I'll call you back in an hour and a half. I don't think so. I don't think on the local level you're going to get away with that. This is an expenditure on top of a system that is working. So that doesn't make any sense to this Brooklyn kid. You know, we're very fundamental. If it's working, leave it alone. And you have a system right now, if I call the water department, I get through. Or I talk to somebody. Or somebody calls me back. How are you going to increase the efficiency of that? If I call Commissioner Fritz's Office, they will call me back or I get through to somebody. You have a good system going right now. Why would you mess with that? And I think Ben's question is a good question. How much is this going to cost? 16 operators -- if you pay them reasonable amounts of money -- is not chump change. You're getting into expensive stuff here and you're creating another problem. The other problem that you may run into is if you look at the phone the way they're set up, the one, two, three, four, five, six, seven, eight, nine, the three and nine are not that far away. So are people going to dial 911 instead of 311? Are you going to have that problem with 211? It's in the middle. But three is right on top of the nine. So people are going to be dialing 911 and waiting for a response from somebody to answer the phone and somebody is going to come on the phone from 311, I'll call you back in an hour and a half, tell the burglar I'm trying to call the police.

Novick: Mr. Walsh?

Walsh: Yes, sir?

Novick: I just want to let you know that if you went back to Brooklyn, you would find 311 is already there, because 311 is New York City's main source of government information and non-emergency services.

Hales: Thanks, Joe.

Walsh: We have 600,000 people here, New York has 8 million.

Hales: Yeah, you've raised some good points. The one we can probably figure out the quickest is -- as the consultant said -- 14 cities about Portland-size that they compared all have 311. So, the dial pads work the same in Dallas as they do here.

Walsh: Out of how many cities, Mayor?

Hales: I don't know.

Walsh: How many cities are there in the United States?

Hales: My point is that we can look at what their experience has been with misdialing because they've already tried that out.

Walsh: Our point is very simple. You are creating a solution to a problem that doesn't exist.

Hales: Hear you on that, thank you. Charles, welcome.

Charles Johnson: Hello, Commissioners. Again, for the record, my name is Charles Johnson. And the guy from Stern Consulting might see that the technology I bring to the desk is a little old. But I was actually surprised that we didn't get broader conversation about platform as a service and some of the buzz words, and also talking about some more concrete things. I haven't maybe looked as

November 12, 2014

closely at the 23 pages as Ms. Mary Ann Schwab has, but I'm always disappointed when we have these presentations and we don't get very many concrete numbers. And I hope you will encourage presenters to say things like, the city currently pays Century Link x-amount of dollars, and are we getting value for that service? Some of these are value-added services that you possibly should be getting for money that you're already spending. If you were trying a little harder. Another issue that comes up is although the scale is smaller since it's only servicing the city of Portland and not the state -- but the state put out a -- somehow it came out -- a request for proposal -- a couple of years ago, and tens of millions of dollars went down a hole to build a Cover Oregon system. While I trust you a little more than I trust the mechanisms that Governor Kitzhaber put into position, when you listen to what Mr. Walsh is saying and talking about providing services in a way that maybe isn't even expected by the citizens, that's an issue you will have to look closely at once the RFPs come in. I do appreciate this is on the agenda, that we have a consultant's report and we are able to come in and have citizens bring up this issue before the RFP goes out so that we can help influence you into critical things that -- I know sometimes you are worried some of the presenters might come up and physically slap you, and sometimes, you know, maybe they should if you do something like when you call your doctor and you hear the message, if this is a medical emergency, hang up and then dial 911. If you build a 311 system that does that, I may have to consider slapping you. What you need to have it do is -- the thing needs to say, if this is an emergency and you meant to dial 911, press one now. Not hang up and dial 911. That needs to be actually put into the RFP so that you won't get asinine things like when you call the doctor, and they say, if it is an emergency, hang up and push three buttons instead of push one button. So, thank you for bringing this forward at the level of not being looking at an RFP. Still I -- as you can see, citizens have concerns and we'll be in contact with your offices after we snoop around and find out how this compares to what you are paying for Century Link and how it ties into other infrastructure services being developed here like Google Fiber. At the risk of having this in the cloud versus the advantages of having it distributed to multiple infrastructure that the city owns. Thank you.

Hales: Thank you very much. Anyone else?

Schwab: One more final point.

Hales: Alright.

Schwab: What I heard is if 211 gets lost and doesn't know where to put the person, they should too have a number one going to 823-4000. The fact that this is part of our system and they don't know who to call -- let's think about this 311. Let's really, really take it apart with a pickle fork. I don't trust consultants at this point. Thank you.

Hales: Thank you. OK. Any questions? Any further questions for staff or our consultant? Then, let's take a roll call on the report.

Moore-Love: A motion?

Fish: Move to adopt the report.

Fritz: Second

Hales: Roll call please.

Item 1164 Roll.

Novick: Thank you, Mr. Stern and Lisa for the presentation. Thanks to my colleagues for their engagement, and thanks to the people who commented. This is something that would not be easy to do. I think the most difficult and essential part is it's not cost effective unless you actually do staff 311 with existing personnel, at least for the most part. And that means going through the difficult process of bureaus identifying how much personnel time they currently spend dealing with customer service requests and making the call that yes, actually it is worth it to us to shift over some FTE in order to deal with these calls in a more efficient way. I'm very encouraged by the experience that other cities have had with it. I think that they've generally found that the citizens really, really appreciate it. As I said, Minneapolis has even expanded their hours and their services recently. But I think that the -- in addition to coming up with money for the software, which is money we would be

November 12, 2014

out of pocket and that of course competes against all sorts of other requests, the toughest thing is going to be having conversations with our bureaus and figuring out how much FTE really should be reallocated. And that's a discussion I look forward to having with my bureaus and obviously it's essential for all of us to do that in order to figure out how to make this work in a cost-effective way. I do want to follow-up on the thought that -- I mean, some people who might be most positively affected by having 311 would be the constituent services people in our own offices. If we do go ahead and do this, I think that they would be very engaged participants in the 311 process. Aye.

Fritz: Today, we're simply voting on accepting the report, and I do so enthusiastically. I'm very pleased with the work that's been done with partnership with Commissioner Novick and his staff. Soon, the council will decide in the budget process whether to move forward with the next steps in actually implementing the system and it will take the political will of Council, participation of our labor partners, and cooperation of every bureau leader to make it successful. I believe this is long overdue. It's crucial to the future success of the city. We're falling behind other comparable municipalities. Over 80 cities throughout the United States have successfully implemented a 311 system. My former colleague Commissioner Randy Leonard said when we passed the resolution back in October of 2012 that 911 faced significant resistance when it was being proposed, but can you imagine not having a 911 system? I believe in a few years, we will have the same reaction to thinking back to the days before 311. To address those who are concerned and who say the current system works well, as I said, it's a tribute to former Commissioner Mayor Hales and the staff in the Office of Neighborhood Involvement that 823-4000 works so well. And indeed, Commissioner Novick, the constituent services staff in each of our offices. It's not really good use of a commissioner's time to be telling folks where they can get their permit for x, y, z. And that happens a lot in my email box. So, we need to help our citizens who don't know who to ask how to get services in a much more equitable and efficient manner. And indeed, as Director Turley said, we need to provide translation services. We need to provide services between 8 o'clock in the morning and 5 o'clock in the evening, as Mary Ann Schwab said. And the 311 system will enable us to do that. Thank you to Commissioner Novick and his staff, especially Katie Shriver and Erika Nebel. Lisa Turley and Laura Wolf in the Bureau of Emergency Communications have been amazing. John Dutt in the Office of Neighborhood Involvement, and the entire team on the Information and Referral specialists who continue to amaze me with how excellent they are. I will say, though, in terms of their best efforts, my record as a community activist was six different phone calls -- after they sent me to the first person, there were six hops of people saying, no, you need to talk to so and so and so and so and so and so. There were six hops before I eventually realized that I was going down a completely wrong path. Called 823-400 back and was sent down a different path which got to the right answer almost immediately. So that's an example. Most people don't have time to call six different people to know to call back to 823-4000. The advantage to the 311 system? The information, the request gets entered into the system on the computer. So if it ends up at the wrong person's box, they then forward it to right person's box and it continues to be tracked so that the city staff know that it's gotten held up somewhere. So, there's much more accountability to this system and it really reacts. It's a 21st century system rather than cobbling together great people who work really hard to get citizens their answers. And we can do better. Thank you to Stern Consulting for their excellent report, and to staff from the city who served on the steering committee, including Tim Crail from my office. Aye.

Novick: Commissioner, as you were thanking a list of people, it occurred to me that another group of people I neglected to thank were the 123 city employees who filled out surveys, and the 73 people who sat through interviews as part of this process. So, I thank them as well.

Hales: That's great.

Fish: I want to thank Commissioner Fritz and Novick for their leadership in exploring this innovative idea. I want to thank Steve's office and Lisa for the briefing that I got recently, which

November 12, 2014

was comprehensive. I'm pleased to accept this report and begin to take this concept and turn it into reality. Aye.

Hales: Thank you, colleagues, for the good work on this. We have, as you said Commissioner Fritz, cobbled together good work out of the system we have now, thanks mainly to the people involved. So, it's a management question, and that's why I raised that classic issue with Lisa and with Mr. Stern. And that is, you can do this in a way that makes it better or not, and that's the challenge. One of the things I will do in terms of following up on this assessment -- I know some of the mayors of some of the other 14 cities and I haven't had that conversation with, say, the mayor from Dallas, but they're on the list. So, how did that work for them? What were some of the perils and opportunities as they went through this transition? This is an excellent assessment, but that's what it is. It's not an appropriation, it's not an irrevocable decision, it's an assessment that says here's where we are, here's what we need to do, here's a good estimate of what it will cost. So, I think it's very useful information. It does give us the navigation to make a big turn. Gotta make it the right way. So far, so good. Thank you for your good work. Aye. OK. We are a little behind schedule and I know we have folks waiting for 1181, which we're going to move to in a moment. But we have adopting findings on a land use case which I think will take seconds, if not minutes, if they are indeed ready to adopt, right? As far as you know, they are. City attorney, yes, I think they are. Let's take, please, 1165 and 1166 because we simply have to adopt findings. Is that right, Commissioner, we're ready to go on those? Let's get those done and then we'll move on to 1181.

Item 1165.

Item 1166.

Hales: Commissioner Fritz, do you have a motion?

Fritz: The city attorney will correct me if I'm wrong -- I believe we're moving to adopting the findings, denying the request, and returning 1166 to the office.

Hales: You are correct. Is there a second?

Novick: Second.

Hales: Any further discussion on adopting the findings? Roll call.

Roll on motion to adopt findings, deny the proposed Comprehensive Plan Map Amendment and also deny the concurrent Zoning Map Amendment.

Novick: Aye.

Fritz: This was a very useful discussion at the council on this land use proposal. Thanks very much to Kathleen Stokes in the Bureau of Development Services who did an excellent job both in the course of the process and at the hearing. I'm very pleased that the council is looking at the comprehensive plan in context and being very reluctant to change the comprehensive plan outside of the context of the overall project that Mayor Hales is leading. And also, we're recognizing that the bar needs to be higher than it has in the past, otherwise we are not going to create those livable neighborhoods that protect the rights of current residents as well as welcoming in new ones. There were many issues with demolition, height, design, parking, and access, which could perhaps have been addressed through conditions, but I think the underlying zoning is the main way that residents are protected. I do particularly want to thank all of the neighborhood residents to came to testify, including those nearby neighbors who were astonishingly astute in addressing the approval criteria on their first time at Council. Thanks to my colleagues. Aye.

Fish: Aye.

Hales: I want to support all of those comments from Commissioner Fritz. I think this was an opportunity for us to reassert that principle that there's a very high bar for changing the comp plan. The burden of proof is on someone who wants to change it, not on a neighborhood who is relying on it. So, I think we were clear in that case. Thanks, Kathleen, for your good work on this particular proposal. Aye. OK, let's move on to item 1181, please.

Item 1181.

November 12, 2014

Hales: Let me call up Ellen Osoinach from our City Attorney's Office, and Justice Paul De Muniz, who is here as part of the team that we are recommending for selection. Just some context points first of all -- and I know others on the council, particularly Commissioner Fritz, may have some as well. First of all, our settlement agreement with the U.S. Department of Justice is unique because it's a collaborative approach. We are willingly and diligently implementing the agreement. And as I'll say more about later, we don't regard the agreement as the only set of objectives that we have to reach in these issues. The role of the Compliance Officer Community Liaison is large and complicated. It involves auditing, surveying, and analysis. It involves oversight, surveying community members, and surveying the performance of the bureau. And then there's a community engagement piece, which is equally important, which is supporting the Community Oversight Advisory Board, assisting with the design and the evaluation of the community engagement and outreach plan, and constantly seeking community input and review of policy, procedures, and practices. There's a very important dual role here, and in the opinion of those of us who brought this particular proposal forward, we believe that this team of people is well-equipped to carry out that dual role in a complex set of responsibilities outlined in the agreement. Commissioner Fritz, do have any other opening comments before we start?

Fritz: Thank you, Mayor Hales. It's important to note there was a presentation of the three candidate teams to the public on September 29th, and a selection advisory committee gave input to the council on whether or not all three teams should be forwarded for public consideration for the 30-day comment period. That hearing, as I said, was on September 29th. And I watched it from home, because it was five days after the crash that killed my husband. I came in to talk with the candidate teams, having heard the advice of the advisory committee that they had concerns about all three of the teams -- and in particular, the team that we are proposing to select -- that there wasn't a strong, local presence that was being proposed for the process for the community advisory board. The council interviewed all three of the candidate teams. I was fortunate to be paired with Commissioner Fish in my interviews, and we dug deep into some of the questions that each of the council members had had about each of the teams. And as part of that conversation, it became clear that Justice De Muniz had not able to be present for the public presentations, but would be willing to come and talk to Council afterwards. We did take community input over 30 days. The council also did significant work in background checking, in looking at the strengths and challenges that each of the teams, and it was frankly meeting with Justice De Muniz that convinced me that the challenges that the selection advisory committee had identified were in fact going to be addressed through his participation. I just want to frame this public hearing about the proposed selection with that background information, because the public saw the presentations -- which were available online -- gave input, had been the input, but weren't as aware of those personnel action interviews that the council engaged in.

Hales: Thank you. Ellen, would you like to lead off?

Ellen Osoinach, City Attorney's Office: Ellen Osoinach from your City Attorney's Office. I have here with me deputy city attorney Judy Prosper. I want to frame the resolution before you today, which is to authorize procurement services to enter into contract negotiations with the Rosenbaum team. And Judy Prosper will be leading those negotiations. I wanted to introduce her to you and the public. We're ready to assist Council, and look forward to working with the team.

Hales: Thank you both. Welcome, Justice De Muniz. I know you have a statement from the leader of your team, and probably some comments of your own as well.

Paul De Muniz: Mr. Mayor, members of the council, my name is Paul De Muniz. I do have a brief statement to read. I don't want to get the cart before the horse here, so I hope this is alright. I have a brief statement from Dr. Rosenbaum, Dr. Watson, and Mr. Christoff. I also have some personal comments that I would like to make to address this matter. Let me start first with the statement from Dr. Rosenbaum and the other members of his team. Dear Mayor, Council members, and residents of Portland, we are honored to have this opportunity to help improve police services in the city of

November 12, 2014

Portland. We will bring integrity, independence, transparency, knowledge of policing, and expertise in mental health crisis to the position of Compliance Officer and Community Liaison. We will fully engage the public and provide diverse opportunities for community stakeholders to be heard and understood. We will work closely with the Portland Police Bureau, the city of Portland, other agencies, and community members as we oversee the implementation and evaluation of police reforms. We intend to draw upon the latest scientific knowledge and best practices in the field of policing when recommending change and recommendations that are tailored to the unique concerns of the Portland community. We're confident that our expertise in police management and training, community policing, use of force, mediation, and police responses to mental health crises can be used to encourage fair, respectful, compassionate, and effective policing in Portland. We are eager to devote our time and energy to help city of Portland move in this direction and thus strengthen the public's trust and confidence in the Portland Police Bureau. That's from Dr. Rosenbaum. I would like to offer my own comments, if this is an appropriate time to do so.

Hales: Please.

De Muniz: To share with you that when I was contacted by Dr. Rosenbaum, and his team, I expressed some reservations at the very beginning about the fact that they did not have a Portland presence, if you will. But they assured me that I needed to do my own research. And I did. I fully vetted them. I concluded that this team, particularly Dr. Watson, is one of the foremost authority in mental health crises with regard to the interactions between people suffering a mental health crisis and police. I impressed upon these individuals that before I would agree to join their group, they had to understand that Oregon is a different place, that Portland is a different place, that we do things in Oregon our own way, our Oregon way, which is complete access to government and complete transparency in government. And you can tell by their statement -- which is in there -- reflects that commitment. I also said that in my opinion, and one of the reasons I agreed to join this, is I think that the COCL and in particular the Community Liaison position is one of the most crucial and integral parts to the successful implementation of this agreement. I think it's absolutely vital and this is a chance for Portland. I think it's absolutely vital that community voices be heard in this process, and not only that they be heard, but that they be understood. I also in my own personal life know the value of a community voice. In my own private life, I am a community voice and an advocate for reform of the child welfare policies in this state. I'm an advocate for justice reinvestment in the use of programs with regard to re-entering prisoners. I have been involved in doing those things in our community. So, I believe in the voice of the community. And so, I'm going to dedicate myself in this process to making sure that the community voices are heard. That they're understood, and that they are an integral part of the implementation of this agreement. I think there needs to be a physical presence here for the Liaison Officer, and I am encouraging them that I want to have access to office space here. I want to start right away as soon as the negotiations -- or whenever I can -- to start reaching out to the communities that are affected by this group and starting that dialogue. I also want to prepare a master plan of how we're going to conduct these meetings, how we would record what we're doing, and how the public would have access to all of that information that comes out in the various meetings and things that we're conducting. So, I want to assure the citizens of Portland and assure you that I am completely committed to performing my role here which I see primarily as part of the COCL, as the community liaison officer, and I'm completely committed to spend as much time as necessary. In my own private life, my wife spends three days a week in Portland and she's overjoyed that I can spend three days a week at minimum working on this project. She takes care of her disabled sister here in Portland. And when I said I finally agreed to do this, she said, great, you will be here three days a week at least. So, I'm looking forward to that.

Hales: Thank you. Questions for either our city attorney staff, or Justice De Muniz?

November 12, 2014

Novick: This isn't really a question, but Justice De Muniz, I have to say, I always enjoyed arguing ballot title challenges in front of you, so I look forward to working with you in a different capacity. And thank you very, very much for your work on justice reinvestment.

De Muniz: Thank you. Commissioner Novick, what was going through my mind when I was watching you was, I bet he'd like to ask me a few questions.

Hales: Turn-about is fair play.

Fritz: Justice De Muniz, I understand that you were selected to be part of the mediation in the settlement agreement.

De Muniz: I did, yes.

Fritz: Could you talk a little about that, please?

De Muniz: I think what happened there was when the Portland police officers association and Albina Ministerial Alliance sought intervention in federal court into the litigation that was going on between the Department of Justice and the City of Portland, making it a much more robust litigation experience, Judge Simon was very interested in having the parties work through a mediator. And I did work with them for probably eight months -- if you will -- working with all of those groups in that process. But one thing that was never in controversy and never a part was the COCL. It was never an issue in any of this. Always in complete agreement about how that would be.

Hales: Commissioner Fish, I think you had a question.

Fish: Justice De Muniz, first, was Commissioner Novick always sufficiently respectful of the court when he made his argument?

De Muniz: I have to say, he was one of the most brilliant advocates we had --

Fish: Please don't say that -- [laughter]

De Muniz: -- and we miss it [laughter] -- that's why I was afraid of those questions coming.

Fish: For people that don't know you perhaps the same way lawyers who have appeared before you, judicial community, and your community know you, I think it is a fair question to ask you -- when you were chief justice, you made a personal commitment to improve access to justice. That's been a recurring theme in your career prior to and during your chief justice tenure. Why is that a cause you care about? And what do you consider the most important piece of reform that you had something to do with during your leadership tenure?

De Muniz: Thank you, councilman Fish. I think all of us or products of our background. As many of you know, I was raised poor in northeast Portland. Enlisted in the service right after graduating from high school. No one in my family had ever been to college. I saw the justice system as a young person in a certain way. And so, that's affected me obviously my whole life. As a young lawyer, I was very much involved in work involving making sure that the system operated fairly. And in particular, one case affected me greatly, and that happened to be someone who did not speak English in a murder trial. And I was eventually was able to get that person exonerated and the work that we did in that case actually transformed the system around the country for providing interpreter services in all different levels of things. So, access to justice to me is that the public can access the courts also. We have done a lot to make sure that the public sees the justice system up close and personal. One example would be when I became chief justice, I developed a plan to take the Supreme Court throughout the state of Oregon, and we heard cases throughout the state of Oregon during my seven-year tenure. I'm pleased to say that my successor has continued that process. We traveled to Prineville, Bend, Pendleton, Ontario, Vale, Enterprise, Lakeview, Klamath Falls, all conducting town meetings after our real cases were heard and argued so that people would have a feeling of how justice worked and how to access them. On a slightly more impersonal level, though, one of my projects was what we call e-court, which we now have an electronic court system in this state that's been implemented in just over 10 counties. It's been implemented successfully here in Multnomah County. One of the goals there was to make sure that people have access to the courts 24/7, if you will, by building literally a virtual courthouse. Those are some of the things that I have been involved in. I have been a strong proponent of pro bono services and Legal Aid. I was

November 12, 2014

fortunate enough to be honored by the Campaign for Equal Justice for my leadership in access to justice in providing access and justice for people who could otherwise not afford that. So, my goal has been to make sure that the system operates fairly and can be accessed by all citizens. If I take that back to what we're doing here, I think the most crucial thing here is that there is a voice for the community here. That is -- there's probably very few people that know this agreement better than I did. I read it hundreds of times during the mediation process. And I came to the conclusion that this is one of the most crucial pieces in providing the community voice.

Fish: Thank you, sir.

Hales: Thanks very much. Any other questions? We may have more at the end, but thank you all. And then let's take public testimony if we have folks signed up.

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

Hales: And I see the U.S. Department of Justice is here. I don't know if they've signed up, but they might want to speak.

Pickering: So we're speaking on the settlement still? This is the DOJ? So, when I was younger, my family would give me allowances after I got my chores done during the week so I was allowed to get things that I like to get, so I'd save up. But like what if we did this one thing -- \$26 million. You can throw it out there on anything you are trying to work at. But what if they achieve their goals and then gave that money to the people who achieved it. I mean, everybody has got their voice, their opinion. And we're on a time schedule. I mean, let's take this all of the people that talk about and everything that we brought to the attention in the DOJ. I mean hands down, we have a concept. What a predicament. I just gather up what I go to. I think I went to the \$26 million settlement for the DOJ. I gave testimony for, you know, some -- a lot of people have a better hand of cards, when the cards of dealt that way. But it's like we have two sides of like what is to come and what everything and if it is just throwing money at it. I mean anybody can throw money at something. I mean, what if people just like got the work -- the concept of what they're trying to achieve -- what if things had happened and then it was paid for. Paying it forward. I believe in paying it forward. What I see -- we are taking steps back when I want to move forward. There's a ton of solutions out there and there's ideas. I don't mind giving my voice, my opinion. I love to hear this stuff. I can hear this stuff all day long. We sent a ship to the moon just to stick an American flag in the soil. This is America. People can come up with this stuff all day long. The things that I believe is, you know, the best thing -- I would like to see this go to trial and let the judge see what he has to say about it and take it all of the way. I mean, what's it going to hurt to hear the sides and what is it -- when it comes down to brass taxes, I mean, that's a big sum of money to be able to throw out there. For what it is worth. What is it worth to you guys?

Hales: Thanks very much. Go ahead.

Mary Eng: Hi, Council. This matter of Rosenbaum's Chicago team being nominated with the assistance of our honorable Judge -- is it Muniz?

Hales: De Muniz.

Eng: De Muniz. It's a pleasure to hear him speak. I appreciate his addition to the team. I researched Rosenbaum a bit and send him an email, just kind of like, hey, are you going to be a part of the problem? Are you going to be complicit in evidence destruction, for instance? Say, Amanda Marshall came in around 2012, got this rolling. By 2013, when Benjamin over here was being beaten up, the police took the time and trouble to go back to the bar where they beat him up, approached him by his blind eye, took his traumatic brain injury, ground it into the ground, and they had the evidence destroyed. And then they brought Birkinbine to investigate Benjamin's allegations of brutality. You guys have put this on my family. I want you to know that my mom is elderly. She just lost her spouse. And this is a lot of pressure on her. She is a 50-year nursing veteran. But to put this much suffering into our family has been very, very difficult for us. So, when it comes to things like evidence destruction, nobody has offered to help me get Ben to all of his appointments, to get the medical investigation. Nobody from the city or county. I get a lot of sympathetic faces. I had a

November 12, 2014

30 minute talk with Ms. Fritz a year ago on the phone. I tried to get an appointment with the mayor. But I think nothing can negate the suffering of the people who are dead or who were almost killed, or the suffering of the families and the anxiety it gives them to feel that our voices aren't being heard. We don't feel like we've had access to justice. I can't tell you how many lawyers I've talked to. Coming from Los Angeles as a friend of Keith Fink, one of the toughest guys I know, I was startled by the lack of guts in the legal community. And I'm only trained as a paralegal here. But I like tough lawyers. I want someone who is going to hold the cops on the line and say, yeah, we love you, Daryl Turner, way to stand up against the Nazi. But this kind of behavior cannot go on. This kind of obstruction of justice. But Preet Bharara -- is that how you say his name -- that guy is cool. Why can't we have an approach like that? Like, cut to the chase, get down to the corruption, don't worry about offending people, because lives are at stake. We are trampling on the graves of the dead. The James Chasses, Kendra -- all of the people who have died at the hands of the police. And there are officers who've died and we do respect that they've put the lives on the line. But when they approach somebody with federal disabilities that have been recognized for 20 years and brutally assault him, grind his face into the ground, take a surgically re-centered eye that has been pulled over by a very delicate surgeon and then scrub it on the ground to the point that it's oozing out blood -- where are you guys? I hope that guy is interested in our story, because I need some help.

Hales: Thank you. Mr. Walsh?

Joe Walsh: My name is Joe Walsh, I represent individuals for justice. So far, as an activist, I'm not really interested in good words. The chief justice's good words impressed me, but they're words. That's all they are. Words. What you've done so far is you've appealed an honorable judge in the federal sector -- that's going to bring shame on this city. You've completely ignored the profiling that goes on in this city. We don't trust the police department. We do not have an independent review board that has any independence. We do not have a Human Rights Commission that does anything in the name of human rights. And now, you've done a national search of 300 million people in the United States, and you came up with a white guy. He may be the best thing since sliced bread, but he's a white guy picked by four white guys and one white woman in a city that is near explosion with your people that are crying out for justice and can't get it. This position is advisory. That's what people have to understand. He's got no power. It's advisory. The chief of police and the mayor can override him. That's not independence. Take that word independence out because it's offensive. When you say independent, you mean someone that can stand there on equal terms with other people and make decisions. He can recommend, that's it. You're going to spend \$20 million on this stuff in the next five years and all we get is recommendations. That's what we get. And the mayor is totally disconnected with the police department, and we are begging you as activists to do something, Mayor. And what do you do? You select the next chief of police without consulting anybody that's really effective. You put your people that you know are going to rubberstamp what you do. And you have the chief justice come here and speak to us with wonderful words, and he's got the record to prove it. He is a good man. And so is the doctor, is a good man. So what? When are we going to get justice? That's what we ask. And you're not doing it. You have three things to do, and you screwed up all three of them. [beeping]

Hales: Thanks very much. Next, please.

Moore-Love: The next three are Charles Johnson, Crystal Elinski, and Dan Handelman.

Charles Johnson: I'd like to defer to Mr. Handelman to go first if he's ready.

Hales: OK, go ahead.

Dan Handelman: Good morning, Mayor and City Council. I'm Dan Handelman with Portland Copwatch, and I sent comments from our group yesterday. I hope you had a chance to read those. I'm not going to read them all into the record, but the gist of it was I was here on October 29 when you were taking the final public input on the three candidates and didn't testify that day because you had just the week before filed the appeal on Judge Simon's order, and I felt that the fact only three

November 12, 2014

people turned out for that -- whereas 21 people turned out the week before -- was sending a large message to you. That people lost faith in the entire process because you decided to file this appeal. I don't think that distrust has gone away. As Joe Walsh just mentioned, it's very nice that chief De Muniz was here today and was able to say these things. But we didn't hear those things until after the public comment period was over. These were things that happened behind closed doors, and this is the problem we're trying to overcome, decision-making behind closed doors. The reason we have a public process for the COCL was so that we would not have the city council making decisions on information that this community didn't have. And instead, we find out that he's committing to three days a week -- I said one day in my written testimony -- after the decision has been made. And you know, the constitution original said that slaves were three-fifths of a person. Well, we're going to have three-fifths of the COCL here in Portland but the rest of the team's going to be somewhere else. We need to have someone here watching the day-to-day things. Portland police use force that generates a complaint one time every nine days. They use force once a day on average, and we need somebody who will be here every day. And if Justice De Muniz is not available, I haven't heard you talk of other staff being hired by the Chicago team to take his place if he's not available. Again, I go back to the public process and the committee that was hand-picked to make sure that there were voices of the mental health community helping decide who's going to be the COCL. And they all said, please don't pick the people from Chicago. And then you said, we're going to pick the people from Chicago. I see the DOJ is here today, I'm hoping they're going to weigh in since they are part of the arbiters of what's going to finally happen with this. As Commissioner Fritz said previously, the community should have the final voice. But apparently the committee that said not to pick this team from Chicago is not part of that community voice. I also would like to point out that the other two candidates attended local meetings, the community police relations committee and citizen review committee in the lead up to the final process here, whereas I didn't see anybody from the Chicago team trying to go out in the community here and meet people and see what was going on at the other meetings. I also know the Albina Ministerial Alliance coalition center a letter to you, and the Human Rights Commission sent a letter to you. And on Monday evening, I heard some people on the Multnomah youth commission expressing their concerns about the decisions being made. So, we're not saying this by ourselves, we are hearing this from other people in the community.

[beeping]

Hales: Thanks very much. Mr. Johnson?

Johnson: For the record, my name is Charles Johnson. And as we've remarked, there is a presence from the Department of Justice and probably from United States Attorney Amanda Marshall's office here, and I'm deeply concerned that they're just going to hop on board with praise of this non-local selection, even though the selection has been approved by the honorable former chief justice's participation in the process. And I don't know where the community is going to break through to you about the public perception process. We know that one of the members of the Human Rights Commission resigned completely because you chose to go with the advice of the city attorney on a limited technical appeal. The city attorney seems to be becoming just a scapegoat for unpopular decisions. We have the communication process with the city attorney blamed for giving \$5000 to a cop who is now rehabilitated from his Nazi fetishism. And these are issues that are burning in the community's mind, but they seem to not be on your mind anymore, not to mention the deaths since James Chasse. I hope that something will happen through former Chief Justice De Muniz or this doctorate person from Chicago who will -- in addition to doing oversight of these complicated technical legal documents -- help you realize that many people in the community don't really have faith in this process. People who maybe feel themselves most at risk. It's hard to say about people with mental health situations, because the more extreme the mental health concerns are, the harder it is to get to the way they feel about policing and transitioning from independence to interfacing with services more. But I just really want to encourage you to have your ears open to every suggestion and inferred suggestion. Especially that might come from the work of the

November 12, 2014

honorable former Judge De Muniz, because we don't really have anything to go by on this Chicago team. As Dan pointed out, other groups, more local groups showed the kind of community connection that we hope the Chicago team will also now implement now that they seem to be in the bag. But with this repeated process of the city council or the mayor's office saying, well, it has to do with the city attorney's office, and then people getting unpopular political decisions of this limited technical appeal and \$5000 and a complete white-washing of his disciplinary record for now Captain Kruger, who had a Nazi fetishism that we're sure is rehabilitated. You know, I hope that 2015 will bring us a better level of trust and engagement between the citizens and the people on this council. Thank you.

Fish: Charles, since there has been a reference made for the existing U.S. Attorney for the southern district of New York, I think we should acknowledge that Amanda Marshall, the U.S. Attorney for the district of Oregon, is actually here. It's not just her chair or her office, she is here personally.

Johnson: And I hope that since she's an Oregonian now, she might even send somebody from her staff or personally come up and say that she feels that Mr. -- I think it is Rosenbaum -- is totally competent but there might have been a better interfacing with the community if a more local firm was chosen. Thank you.

Hales: Thank you. Is there anyone else signed up to speak?

Moore-Love: Yes. Mr. Lightning would like to speak.

Hales: Department of Justice is free to communicate with us now or any other time as they see fit as we've seen. Welcome, Lightning, good morning.

Lightning: Good morning. My name is Lightning with Lightning Humanitarian Lab. I guess one of the questions I have -- since we have the U.S. Attorney Amanda Marshall here -- is that possibly she could give her opinion on the appeal that the city wants to try to move forward against Judge Simon. In my opinion, I think we had great oversight by leaving the settlement agreement alone. And at this point, I think that's going to jeopardize the whole settlement agreement. So, I kind of would like to have possibly her opinion on that, if she could possibly do that. Thank you.

Hales: Thank you. Anyone else? OK. Ms. Marshall, come on up. Good morning.

Amanda Marshall: Good morning. Thank you. I wasn't going to make any remarks today actually, but, you know, since Preet Bharara was referenced, I will have to text him and tell him how popular he is in my district. But I did have to just come up here and just generally say, you know, we're very glad that the city has moved forward on this process. We think that the addition of Chief Justice De Muniz is going to be a great addition to the ability of COCL to communicate and be open with the community. Also, as referenced in this discussion and private discussions, the creation of the COAB that's going to help inform the COCL, which will bring in those community voices to the center of any follow-up that goes on in terms of holding police officers accountable and moving us forward in this process -- I think that's going to be really address a lot of the concerns that were mentioned today. And I just want to commit to this Council, to the mayor, and to citizens of Portland and the community our continued commitment to be there at the forefront as the Department of Justice monitoring this process every step of the way. Joining in partnership to make sure that the oversight that the citizens have asked for repeatedly throughout this process is there, not just from the COCL and the COAB, and the other institutional things that the city is doing to address the reforms that have been agreed in the settlement agreement, but also on behalf of the Department of Justice in our monitoring role, which is written into the agreement as well. As we have throughout this process, we will continue to be present and available, accessible, and transparent to community members upon request, and also on our own as we seek you out to keep you informed, we will be there at the helm to make sure that this settlement agreement is successful for city of Portland. Thank you.

Hales: Thank you very much. OK. Is there anyone else signed up to speak? If not, we'll take a roll call on the resolution.

Item 1181 Roll.

November 12, 2014

Novick: One thing I wanted to say is that a large part of the job of the COCL will be gathering data and writing reports. And that's not just administrative exercise. I expect that there might be times when the COCL is going to have some back and forth with the Police Bureau about if they are collecting the right data and presenting the right data in the right ways. And the fact that this team has a lot of experience analyzing data and drafting reports of this type was one of the things most impressive to me, in addition to their addition of Justice De Muniz to the team. I also wanted to say, I really appreciate U.S. Attorney Marshall for being here today and for pointing out that the Justice Department will be accessible to members of the community. There has been some discussion over the last several weeks suggesting that people feel like they're just going to have to trust the city to do the right thing. And although I'd hope that people can trust the city to do the right thing, it's important to note that this case is -- this was an agreement between the United States Justice Department and the City of Portland, and the Justice Department will be monitoring our compliance and community members should know that they can go to the Justice Department -- not just to the presiding judge -- with any concerns that they might have. Aye.

Fritz: Thanks to the U.S. Attorney Amanda Marshall for being here, along with two of your staff. That's evidence to the community of Portland that you are indeed continuing to watch, continuing to be involved, and continuing to hold the city council accountable. And let's be clear, the council is accountable to the community for the implementation of this settlement. We get advice from the city attorney. We're making the choices, and we're making them in a manner that is very uncomfortable for all of us. These are difficult discussions. These are difficult issues. And any time that anyone dies as a result of government actions or inactions, that's tragic and it needs to be corrected to the extent that it can be corrected. And I am committed to that. The three teams that were finalists for this position -- each of them had strengths and weaknesses, and the council has been working very diligently in the six weeks following the presentations to the public to see how we could best address their weaknesses of each of the teams. I think with the addition of Chief Justice De Muniz, the Chicago team -- as has been characterized -- are far and away the strongest of the three finalists. That the expertise of the academic Dr. Rosenbaum combined with Dr. Amy Watson's expertise in mental health care, and their interactions with the people experiencing mental illness with the police are outstanding. They are beyond any other team that we know of, whether they applied or not. So we've heard a lot from the community about doing nationwide searches for bureau leaders. And that's what we did in this process, we had a nationwide search to find the best COCL. There is the concern that Justice De Muniz mentioned that we do things differently in Portland, we do things differently in Oregon, and there has to be a strong local presence. Justice De Muniz is experience with all of the months of mediation makes him an ideal candidate. Indeed, he was a candidate identified by some of our advocates in the mental health communities. Attorney Marshall, we are going to be coming to the DOJ later today even with a proposal from a community group that the mayor's staff and I talked with on Monday for an alternative process for selecting the at-large members of the Community Oversight Advisory Board to make sure that the community is not just a selection advisory committee -- which is what the group was doing on September 29th, advising the council. Our proposal for moving forward with selecting the at-large members of the advisory board is that the selection committee, with enhanced membership as advised by DOJ attorneys and staff, would make the selection of those at-large members. So, we'll be forwarding that proposal and having a discussion with you. We didn't get quite to consensus, but we got very close to consensus in that discussion. I appreciate everybody who's engaging in these difficult conversations. The settlement is about addressing the disparities for people experiencing mental illnesses, and we are all very much aware that there are racial disparities in Portland that we still need to address. So, it's complicated and it's vital. It's the most important thing that this council is dealing with and will be for the next several years. And so, I will continue to participate and to work on it and sometimes in partnership with community members, sometimes in adversary with community members because we're not going to always agree. And I think had either of the other

November 12, 2014

two teams or an unknown fourth team or fifth team been selected, those people would not have been the perfect match, either. So, I believe that the team that we have identified is very qualified and will do a good job. Aye.

Fish: There was some testimony today that distinguished between words and deeds, and I agree with that distinction. Today, we are selecting a COCL, but we will be judged not on just the action we take today but on whether the COCL successfully engages the community, secures community trust, and helps us implement this ambitious settlement agreement. So, we have no illusions about that and the true benchmark of our success will not be today but will be in the years to come. Commissioner Fritz and I tag-teamed -- because only two commissioners can meet in these processes -- and met with all of the candidates and had a chance to have some very candid conversations about commitment to this process, personal values. And I learned a lot from her. She asked the chief justice some very uncomfortable questions -- everyone -- very direct questions. I'm confident based on all of the information presented to me that today we're selecting the strongest team. And that's taking nothing away from the strengths of the other candidates. A couple of things really impressed me. One is Dr. Watson's personal experience, her personal life experience. We bring many things to the table in these kinds of exercises.

*****: [indistinguishable]

Hales: No, he is making a statement.

Fish: And I found her own life experience very compelling and relevant to the confidence that we would have in her approach to this work. Justice De Muniz is someone of complete integrity. And I say that even though I never appeared before him as a lawyer, unlike my friend and colleague, Steve Novick. But I knew when he was the head of our court system, he enjoyed universal acclaim for his work. And he has -- as he testified -- made this idea of access to justice the cornerstone of his service, from the first time he practiced law as a public defender right through to being the chief justice of our highest state court. I think he brings a unique set of life experiences and professional qualifications which, as Commissioner Fritz noted, only strengthens the team. So, I believe this is the strongest team, but I also acknowledge that in selecting this team, we're beginning a process and that we will ultimately be judged down the road on how successful they are in engaging the community, earning trust, implementing the terms of the agreement. I want to thank all my colleagues for what I think has been an unusually thoughtful and transparent process. Aye.

Hales: There's been a lot of talk about the DOJ agreement here today and at other times. I would recommend that people periodically do what I do and that is, read it. This is my dog-eared copy. And there's also been a lot of talk in this room and in the community over the last two weeks about process. And the agreement is actually about both process and about results, and they're both important, but we have really focused a lot on process. I want to remind people that the results matter, too. And that our success in the changes we need to make in the Police Bureau includes but is not limited to what's called for in this document. There are other things we need to do to have the Police Bureau be truly responsive to and understanding of people that it serves. I'm committed to all of that work, including all of the provisions of this agreement. But there are things in this agreement that are very specific that we need to get done, and I want the community to let us know through the COAB and the COCL -- sorry, the Community Oversight Advisory Board and the Compliance Officer and Community Liaison -- try to avoid using acronyms -- and let them know whether we're in compliance with section 68-E that says, one standard ECW cycle, the officer shall re-evaluate the situation to determine that after one cycle, subsequent cycles are necessary, including waiting for a reasonable amount of time to allow the subject comply with a warning. F, officers shall make every reasonable effort to attempt handcuffing during and between each ECW cycle.

Fritz: What's ECW?

Hales: Electronic control weapons, i.e., a Taser. Thank you, acronyms again. ECWs shall not be used on handcuffed or otherwise restrained persons unless doing so is necessary to prevent them from causing serious physical injury to themselves or others. There are very detailed things that we

November 12, 2014

have to do differently in this agreement. Make sure that we're doing them differently. Come to the officer recruitment swearing in in January. Take a look at the officers we're recruiting. Let us know if you think we are doing things differently in terms of who we hire, how we train them, what the rules are for what they do every day, whether they're actually doing those things or not, and what response is carried out by the city if they fail to live up to these expectations. Then there are things in here that are fairly general that will require interpretation. Item number 88. The United States expects the City's partners to help remedy the lack of community-based addiction and mental health services to Medicaid clients in uninsured area residents. That's a fairly general but achievable objective. Make sure that we're doing that. And again, not just the city of Portland. Let's make sure that we as a community are providing the mental health facilities that this agreement calls for, even if it is not binding on other parties like it's binding legally on the City of Portland. So, I am very interested in the process. And I think this has been a successful one. But you know my bias. I'm always more interested in tangible, real things. Are we hiring the right people? Do they have the right values? Are they out of their cars and on the streets talking to people? Are they deescalating mental health situations again and again and again? Are they doing that better than they used to? So, I hope we hear from the community 10 times as much in the next year about those substantive changes -- that this agreement requires us to make -- as we have heard about the process issues that have seemed to take up so much of the air in this room. Not ours alone. So, good agreement if it's carried out. We have competent people at the U.S. Department of Justice to make sure that we carry it out. We have competent citizens to watch and make sure as well. And I look forward to Justice De Muniz and his role, as well to the rest of the team in making sure that this is real in peoples' lives on the streets every day. That's what matters. Aye. I would recommend we take a 10 minute break, and then resume because we have a budget item and a couple of others. Let's take a break until 12:30, please. Thank you.

At 12:20 p.m. Council recessed.

At 12:38 p.m. Council reconvened.

Hales: Let's resume and take up 1182, please.

Item 1182.

Hales: Commissioner Fritz.

Fritz: Thank you very much, Mayor Hales. Yes, I got it right, even though I'm flustered here. Two years in, we're good -- [laughter]

Hales: If we keep Fritz and Fish straight, we'll be doing fine.

Fritz: I know, I know. So, the purpose is just a presentation. We just want the public to know about public meetings that Portland Parks and Recreation and the Water Bureau are partnering with, as promised, on November 18th and December 10th to discuss the future of the Mount Tabor reservoirs. And if I might ask Parks staff to please come forward. This is an informational item for both Council and those watching at home so that everybody knows the opportunity for a more thorough presentation and for public input is first at these two public meetings, and then Commissioner Fish and I will bring back an action item before Council to suggest what might happen to the reservoirs after they are no longer used for potable water.

Brett Horner, Portland Parks and Recreation: Good afternoon. I'm Brett Horner, I'm the planning manager at Portland Parks. Happy to provide this information today. As Commissioner Fritz announced, we will engage the public next week on some options at Mount Tabor with the future of the reservoirs. Before you, what you see are some graphic images of some options. We have outlined three options that we want public input on. One would be this first option here, which would be pretty much keeping the reservoirs the way they look today. So, we would be keeping water within the reservoirs. They would look very similar to what they do today although they would not be performing water function. The second option would be what we feel may be a lower

November 12, 2014

cost option than operating them with water, and that would be to just drain the reservoirs and they would remain empty. That's concept number two. There are certain ongoing costs even involved with keeping them in that state. Then option three would be, let's think about something else for the future. What we're showing here is something that resulted out of a process in 2003, which was what goes on top and that was when the Tabor reservoirs were going to be covered and there was an opportunity to look at what would go on top of those covered reservoirs. This is the Gustafson Guthrie Nichol design, which was the result of a design competition. You can see through the small images on the screen what that may look like. You'll see through the small images on the screen what that may look like. You'll see that water was a basic function of each of the three reservoirs at Mount Tabor, but they were experiences for people to actually walk through some of the reservoirs in certain ways, and to experience them in more of a park-like setting. Subsequent to this design process, the reservoirs were designated as historic. So, what you see here in front of you today would obviously need to go through Landmarks Commission if it was something the community and the city would like to pursue. It would need to go through a process, a new design process, and also find available funding to implement it. So, those are the three options we'll be presenting. It's not to say that this is the only third option. There could be other ideas for reuse of the reservoirs, and those would be taken at the public meetings that we're scheduling. I'm going to pull up the image of what we've sent out and advertised to the public. And again, the meeting is on the 18th. It will be at Warner Pacific College at 6:30 p.m. Staff from Water and from Parks will be there as well as I believe our two commissioners. Are there any questions?

Fish: I have just a question. On each of the slides you have, on the bottom right it has an estimated cost. Actually a comment. We'll have a chance to talk about that at the forum, but just so that people are clear, there is a cost that you've associated with each of those options, but Council has not even begun the conversation about who would pay what. So, these are estimates of what the cost would be, but it would ultimately be the council who decides where we find the money to pay for it, out of which pot, etc. It's self-evident, but I wanted to -- we're not committing Parks or Water or anyone else. That would ultimately be a Council decision.

Fritz: Thank you for pointing that out, Commissioner Fish. We know we have to stop using the reservoirs for drinking water by the federal mandate, and that's the process that Water Bureau has been leading, to go through the land use review to do the routing around of the piping so that we comply with the federal mandate. That process, that construction is included in the forecast for the water rates. There is no funding, other than the funding for this public process, which Commissioner Fish and I put in both last year and this year's budget to make sure we could have a robust community discussion about the potential future of the reservoirs. There's no identified funding for how they would be managed. The first step is to find out what the community wants to see there, and that's what we're doing in this process. Depending what the outcome is -- that's why we're doing it in November and December -- Commissioner Fish and or I would be putting in a request in the city's budget as to whether Water Bureau, Parks Bureau, whomever might be responsible for any costs. But the very first step is to find out what the community wants to see there.

Fish: I really appreciate your statement of it, because it's much more eloquent and comprehensive than mine. So, I appreciate that. The other thing, Commissioner Fritz -- just so the community understands -- these two forums are scheduled to talk about the future of the reservoirs. This is not actually the time to come to object to compliance with the rules. This is exclusively to hear the public about what they want us to do with the reservoirs once they are formally disconnected. I think it's important people know that so that they don't come under false pretenses.

Fritz: Right. And as your staff in the Water Bureau have elegantly set it up, should the federal government change their mandate as a result of the Environmental Protection Agency's review of the rules in 2016, the Water Bureau has set it up so the disconnection process could be reversed. So, that's another reason why discussing underlying issue of whether we should disconnect the

November 12, 2014

reservoirs or not is not on the table at these public meetings. Of course, people will say whatever they want about whatever they want to talk about, but the focus is, let's all talk about what we want to see at Mount Tabor Park as the future of the reservoirs.

Fish: At the Water Bureau, we really appreciate the chance to partner with you on this. And this will not be the first time we've gone to the community to talk about this issue, and we look forward to getting community feedback on what the future of these reservoirs would be. Brett, we appreciate your good work as well.

Hales: Thanks, Brett. Thank you for taking this out to the community. Look forward to hearing back.

Fritz: If anyone wants any more information or to look in detail at what was shown on the slides, it is posted on the Parks Bureau's website.

Hornor: We also have an FAQ that we're going to be posting, because we know folks are going to have a lot of questions.

Hales: Thanks very much. OK, let's move on to our next action item, which is 1183.

Item 1183.

Hales: Mr. Scott.

Andrew Scott, Director, City Budget Office: Good afternoon. Andrew Scott, City Budget Director. Today, what you have before you is an ordinance to adopt the Fall Budget Monitoring process which we affectionately called the fall BMP. What I will walk through very briefly is just a few of the changes. We did have a work session on this last week where I think we covered things pretty thoroughly, so I won't spend a lot of time on those details, but I wanted to talk about a few of the changes between the work session and what was filed, and then I believe there may be some amendments today as well. And you should have your packet and again, we covered this last week. Just to talk about things that changed between the work session and what we talked about last Tuesday and today, there were changes in the capital section, the PBOT -- two of the projects for bridges and structures and signals and street lights were reduced slightly, \$110,000 each. The Parks walker HVAC control project for \$490,925 was added to the BMP for funding. There was also an engineer position for unreinforced masonry structures, and that was added in the Bureau of Development Services, total cost there of \$217,816. Finally, \$50,000 added to the Office of Equity and Human Rights for translation and interpretation services. So again, a total of about \$538,000 added to the BMP after that work session. And then, I believe there are some amendments that Council might be interested in today and we'll talk about those and then I'll talk briefly about the BMP as a whole.

Fritz: Just to clarify -- the funding for the Development Services engineer to work on the unreinforced masonry, the offsetting reduction in the Bureau of Transportation's capital projects is also included in these amendments.

Scott: Yes. Those reductions in the capital projects.

Fish: And Andrew, all the changes you just described separate from the amendments were incorporated in the final BMP submission by the mayor last week?

Scott: That's right.

Fish: That's before us right now?

Scott: That's right. That's what you have in your packets that was filed for today. Correct.

Hales: Questions about where we stood at that point and then again, there's a set of amendments in front of us that we ought to put on the table that I think capture further discussions since the work session. Commissioner Fritz, do you want to dive into those?

Fritz: Right, so there are several adjustments. The first is to increase the general fund bureau expenses in the Office of Neighborhood Involvement by \$75,000 to fund a limited term mental health specialist position. Didn't talk about that in the previous hearing we just had on the Department of Justice implementation. The intent is to have a full-time person with expertise in working with people with mental health challenges that will be located in the crime prevention

November 12, 2014

section of the Office of Neighborhood Involvement partly to help with the COAB process, the Community Oversight Advisory Process for people experiencing mental illnesses to have appropriate accommodations. Also to work with the Office of Equity and Human Rights and the Commission on Disability on educating city staff in general about how to help people experiencing mental illnesses engage appropriately in our city government process and get services that they need.

Fish: Commissioner Fritz, quick question, because I support this fully. Is it your expectation then in the regular budget to come back and make this ongoing?

Fritz: Yes, sir.

Fish: This is bridge funding that gets it launched?

Fritz: Yes, it gets it launched right away because the need is urgent. Actually, I think there are several items that will be coming into the regular budget including -- the mayor mentioned the Equity translation services at \$50,000. If it works out well for the remaining seven months of the year, then I am anticipating that the mayor would be bringing a request for that in the budget.

Fish: Thank you.

Hales: OK, is there a second to that motion?

Fish: Do you want to do it as a package, Mayor?

Hales: We can do that and then if anyone wants to pull one out to talk about, we can.

Fritz: The second is to -- well this one is not correct. The second is to increase the --

Hales: You have to increase the general fund because it's contrary to budget policy to carry that over.

Fritz: OK. So, the second is to increase the general fund budget expenses in the Office of Neighborhood Involvement by \$25,000 to fund the livability program in the community of neighborhood involvement center program. And that's one from the Mayor.

Hales: Right. The reason it's a new expenditure is that, again, it was originally proposed by the bureau as a carry-over but that would be contrary to budget policy. So we're going to try not to be contrary to budget policy.

Fritz: There is another aspect missing off of here that you and I had talked about, Mayor, and that is for an additional position. Again, bridge funding and then you'll be requesting it in the regular budget for \$65,800 for the Office of Neighborhood Involvement to fund a manager position in the livability program. This is in recognition of the recreational marijuana program having passed and at least -- they're going to need more staff gearing up for that program. It could subsequently be funded through marijuana tax revenue, but we need it now in order to be able to set up the structure for how recreational marijuana is going to be --

Hales: Let's come back to that one, since it's not on the list.

Fritz: Yeah, I'm not sure why it's not on the list. The fourth is then to reduce general fund bureau expenses in special appropriations by \$30,000 for --

Hales: 300.

Fritz: \$300,000 for funding of the Halprin Fountains. There was an error in the allocation last week because the Halprin Fountains have already received \$300,000 in major maintenance funds from Parks and Recreation. So, the difference is 200,000 there. That would then go back into the general fund. So we would be increasing the general fund contingency by 200,000 in relation to the first three expenditures. Because there's 100,000 in the Office of Neighborhood Involvement and 200,000 coming back from -- 100,000 going out to Neighborhood Involvement, 300,000 coming back from Parks, resulting in a net balance of 200,000 going back to contingency.

Hales: There are two more in Parks there. Three, actually.

Fritz: The Parks one is to request -- since the bond measure passed the day of the work session -- asking for \$71,680 to fund a bond program coordinator position in Portland Parks and Recreation funded by Parks bond revenues.

November 12, 2014

Hales: Yeah. And the final one is just again an accounting question of reducing the CIP contingency to pay for the position you just described.

Fritz: Right. Then to adjust the exhibits to represent these changes to funding positions.

Hales: So, that's a bond measure program that will eventually be paid for by the bond measure.

Fritz: Correct.

Fish: Did we get that right?

Scott: Yes.

Hales: Second on that package and then we can take it up for questions around the edges.

Fish: I'll second it.

Hales: OK.

Fish: So, there's been a little miscommunication, and I understand some technology glitches, so let me just -- I will support the amendments, but let me just make a plea -- because I think this has been an exemplary BMP process -- collaborative and transparent. I would ask in the future BMPs is that to the extent practical, Council gets copies of amendments before the day we vote on them.

Hales: Yeah, if we had had a working computer on Monday that would have been possible.

Fish: I understand there were some technology issues on that, but that would be my preference. I know that's the Budget Office's preference. I would ask that we adhere to that unless there's some other emergency. Mayor, all of these have been worked out between you and Commissioner Fritz. Do they have your support?

Hales: Yes, they do have my support.

Fritz: Should we vote on those?

Hales: Unless there's anyone want to speak on those amendments to the budget?

*****: [inaudible]

Hales: On these amendments to the budget. Not about the budget over all, about these particular amendments.

Moore-Love: We'll do the testimony you signed up for later. These are just the amendments.

Hales: OK, come on up, Lightning.

Lightning: My name is Lightning, I represent Lightning Humanitarian Lab. A couple of the amendments -- number one, I commend Commissioner Fritz on the mental health position that you're basically paying for. I had discussions in the past on that and it didn't come through yet, so again, one of the things I wanted to just bring up today is I would like to see this individual in this position to possibly work in an area where they can do outreach services, meaning, walk outside, if somebody wants to have a discussion with them, just an ongoing discussion, possibly they can do that. Again, what I want to see is more outreach to where people have the ability to talk to somebody who is a trained professional in the mental health industry. There's a lot of good hearted people out there who think they have the ability to give somebody advice. They're not properly trained to do that. That's what I want to make sure -- is that when people are trying to improve their health, they're listening to people that have the proper qualifications to be able to do that assessment and to also help them. And anybody that does not have the proper qualifications needs to be a little bit hesitant on trying to improve their mental health. That's why this position I think will be very advantageous within the city where they can go in and talk to a person such as this individual. Now, another thing I'm going to disagree with Commissioner Fritz on is the Parks bond position that you want to do on the bond -- another position. In my opinion, you have excess amount of money through SDCs right now --

Fritz: I can't use that on the bond.

Lightning: OK, you made that very clear to me. Thank you.

Benjamin Pickering: When he was talking about -- the first thing -- yeah, I don't know -- what it takes to get certified to be in the field of -- I mean, people need to be like with a lot of compassion and love. A lot of these people have a lot of right decisions and they are unstable because they have lived that way. What he was saying about pulling someone aside, having someone they can deal

November 12, 2014

with those kinds of things -- they have to be on the same kind of level of understanding because a lot of these people don't know where anyone is coming from because they have never experienced anything that had -- they never experienced things where people want to be involved. I mean, rationale and do things like someone could misinterpret half of the people this is for what he was talking about, where they might misinterpret something because they are being overly nice or -- there's got to be someone that is in the field and understands where it meets because not everybody understands and takes it in. It has to be set down gently. Understanding. Who was it you said was talking about -- how much was that? How much was that? That cost?

Fritz: It will be about \$75,000 is what's in the budget.

Pickering: For -- you guys find somebody that's just going to lead this into the --

Fritz: Mayor Hales and I will be working together and we will be involving the community in making this hiring. It's a new position.

Pickering: Oh, nice. We're going to try this out and you're going to follow along with them step by step. That's awesome. So, how do you feel about this? This is exciting, right?

Hales: We hope so. Thank you.

Pickering: Hope exciting things come from this and everybody meets their goals. Thank you.

Hales: Thanks very much. Anyone else? Then, let's take a roll call on putting the amendments into the ordinance.

Roll on motion to approve proposed amendments.

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

Hales: OK. And then, the other position you mentioned regarding marijuana -- I want to try to get Josh Alpert down here but I'm not sure if he is.

Fritz: Josh was there when we discussed it in my office last week.

Hales: That one I don't recall.

Scott: I can do a quick recap of where we are in the BMP, and then maybe Josh will make it down. So, just to cover the other things just to recap, we talked about these at the work session so I won't go into detail, but happy to answer any specific questions. The BMP as it stands now will allocate \$4.2 million for capital investments, and that exceeds the 25% minimum by city financial policy. It will add FTE, about 48.5 regular FTE, and about 57.5 in total, including limited term positions. And those are spread throughout the bureaus, including non-general fund bureaus as well. There are some key changes in terms of next year, the fiscal year 15-16 current appropriation level targets. As we discussed at the work session briefly, due to reallocation of how the enterprise business systems division in the city will allocate costs, there's about a \$1.2 million cost to general fund bureau, so we'll be adjusting their CAL targets to deal with that. This BMP also approves fuel station replacement and addition. So again, making progress on the five fuel stations we have that are in dire need of replacement as well as adding a new fuel station at the Sears Center and also on the eastside. This ordinance authorizes the debt -- well, the debt will need to come back for that, but it authorizes the OMF to move forward with a plan and also target adjustments to deal with the increased cost for general fund bureaus for the increased cost of fuel. Finally, a small adjustment to the public safety systems revitalization program reducing the CAL target by \$332,000 as those projects begin to wind down and those funds are no longer needed. In the end, general fund contingency will stand at \$1.3 million given the changes in the BMP currently.

Hales: Good. Thank you. So, Josh is here. There was a question about this position with respect to preparing what's been our liquor license staff now to deal with the question of marijuana dealers.

Fritz: The challenge is that the one staff person, Theresa Marchetti, as mentioned at the work session, is already overwhelmed with liquor issues. It's just not reasonable to expect her to manage the gearing up for the recreational marijuana program. As we discussed in my office last week, adding a position for \$65,800 for a manager in the livability program that would then be expected to be funded with tax proceeds or in some other way. It will go into the budget next year.

November 12, 2014

Josh Alpert, Office of Mayor Charlie Hales: That was the conversation I had with the ONI director as well, that regardless of the gearing up for marijuana, there is a backlog. Theresa does great work, but is one person. I think there's ongoing backlog of licensing that they continue to struggle with. Then when you add on the regulation of marijuana in whatever shape it will come to, that will just further the backlog. There seems to be a need for a new position, whether it comes now in this BMP or in the spring BMP. It is up to you. I think doing it now as a limited term probably does make sense because as we're having conversations with the legislature on how we as a city handle what's coming forward over the next year, making sure that we have the staffing in place to deal with that will be helpful. There already are going to be more and more conversations with OLCC over the next several months as they're trying to wrestle with how regulations will move forward and having the ability here, bandwidth to have people on staff attending those meetings in and of itself will be somewhat of a challenge.

Fish: Mayor, so, if that was the discussion and it's supported by your policy director, I would just move that as part of the amendment package so we can do it as a block and just add that as an amendment to the package we have.

Hales: And once again, these are one-time dollars so it has to be a limited term position in this budget.

Fish: Until we come back in the regular budget.

Alpert: I also do believe, Mayor, that we'll know potentially a little bit more by the time of a vote on the budget next year around what our regulation authority will be around marijuana. So by doing it now, it affords us the ability to be part of those discussions in a more meaningful way and then we may not have that need come next year. We may.

Hales: Is there a second?

Fritz: Second.

Hales: Further discussion on that amendment? Then let's take a roll call on that amendment.

Roll on motion to add position for \$65,800 in ONI budget for Recreational Marijuana Staff.

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

Hales: OK, so that will change the bottom line total, obviously. Unless there are any other amendments that anyone wants to propose, we have the ordinance ready to move. Now, the question is when we act on it. I think again with a combination of not having much information in time for today --

Fish: What's your preference, Mayor?

Hales: I'm fairly agnostic. I think we could act on it today with the emergency clause still on it and I would be content with that, but I'm not interested in railroading anyone.

Fish: Commissioner Fritz?

Fritz: I have multiple positions in the Bureau of Development Services that have been anxiously awaiting this BMP. I now have the additional position in the Parks Bureau to get going on the bond projects, which we want to deliver as quickly as possible, start seeing the construction happening in Portland's neighborhoods now that the voters have allocated the money. So, unless there's a particular reason for us to delay until next week, I would appreciate the vote today.

Fish: Well, whatever internal communication issues, Mayor, it is on the agenda and marked an emergency and I'm prepared to proceed to a vote.

Hales: OK. Steve, are you comfortable with that?

Novick: Since Commissioner Fritz seems to be the only person with a strong feeling about it, and her feeling is we should go ahead, then I think we should go ahead.

Hales: OK, so unless there's direction from staff --

Scott: I'm reminded that we do need to take testimony on the entire overall package.

Hales: OK, so we've got that full package in front of us. If there's anyone else that wants to testified on the now amended ordinance --

Moore-Love: We have four people signed up. Ben Pickering, Lightning, and Charles Johnson.

November 12, 2014

Hales: Those that have already spoken I assume don't need to speak again.

Moore-Love: They were speaking on the amendments.

Hales: OK, go ahead.

Pickering: The budget here we're talking about the money issue. We did come up with a solution. Everybody's solutions are -- it's always good to hear everything. All sides. But I mean taking into consideration -- I mean I can only know from experience of being out there and it's one of the big things -- I mean, you know, if we could throw some money, if you guys would take the budget and throw some money -- I mean, there's tons of things you can come up with solutions all day long, but throwing money toward like they always -- buildings and what not, but for a piece of the land or like a motel kind of a thing going on where it could be built up like two stories with several rooms, and people brought in in recovery from the streets and save their life. I mean, this winter is going to be so rough. This is really coming down to brass tacks. I have a few people that's wind in the war in my family and I have heard tales about things. Never leave a fallen man behind, but we can't just sit back and mark it off someone got sickness or passed away. It helps to take a lot of viruses or sicknesses off the streets because people can walk around incredibly cold and they get -- their noses start running and they sneeze or something or an office person grabs a door, they grab the door, in and out buildings, this and that. People out there that are struggling, it causes inside and out. People get sicknesses. That's one of the things that had brought it up over at the council over there is about the sicknesses. It's going to be rough this year with heavy rains we got coming in, freezes and different things, but we can't just sit here and mark off everybody who passes away because we can do something now. I mean, the budget -- it sounds like -- I mean it saves in the end you're saving a tremendous of money and lives and loved ones, and it shows, puts a big dent on survival and caring for our city of Portland and people. We all came from somewhere. But anyway -- just compassion and love and gratitude and being leadership. That's giving someone leadership.

Hales: Thanks. Lightning?

Lightning: My name is Lightning, I represent Lightning Humanitarian Lab. As usual, I think Andrew has done an exceptional job on this. Basically, one of the things I'd like to maybe see more fund going to would be the city economist. We have a very good group as far as on the city economist and his team players, and I want to see their services utilized more than possibly Portland State University. I'd like to look closer at different type of projects that they can actually have funding geared toward them to do some of the studies that we see a lot of. When I look at the city economist, I just praise them for their work and their abilities. At PSU, I do not. We have some of the great, the best economists at the city of Portland in my mind. That's my opinion. I would like to see them have more funding go to certain projects, because they are more than capable. They can have consultants come from outside locations to assist them, and I don't normally see a lot of additional funding going in that direction. So that is a concern to me. I would like to see that to start happening. Another thing I want to watch real close on this is that I want to make sure on the overall budget -- and of course the urban renewal and different subsidies and PDC -- that we pay close attention to Jordan Schnitzer in Centennial Mills. I want to see his project happen. I want to see him get the subsidies he's asking for. I want to see a development agreement put into place before the end of the year with the current subsidies already being offered. But I also want to make sure that that project isn't put on the back burner. That project is pushed through, and the subsidies, whether it's a certain amount in the next year, and then possibly some the year after, that those subsidies that he's asking for at this time are put in his direction. Jordan Schnitzer is a very good developer. He knows what he's doing. And somebody up here -- I believe it was Charles -- said that when the developers get subsidies, they also need to give back to the most vulnerable people in the community, and Jordan Schnitzer has time and time again. So again, I want to make sure that these subsidies are looked at very close, and to make sure that his transaction, development agreement, is put into place and Centennial Mills will happen. Thank you.

Hales: Charles?

November 12, 2014

Charles Johnson: Good morning, Commissioners. Again, for the record and Karla typing over there, my name is Charles Johnson. I'm actually mostly -- I just want to encourage. This has gone fairly smoothly, although I think citizens would have benefited from giving some exposure and clarity to the kind of summary in exhibit six talking about the different departments where things have gone up and down. I am pleased, though, to hear that you made it through this process without having to talk about police overtime. So, there's signs of success.

Hales: Thank you. Anyone else?

Moore-Love: Barry Sutton.

Hales: Hello, Barry.

Barry Sutton: Hello. Barry Sutton and I'm here again. You've seen me a number of times sitting in the back. I can't seem to get here to talk to you about something that's very important to me.

Hales: You need to talk about this budget.

Sutton: Well, yes. I'll start with that. An issue of Willamette Week when you first became mayor, and you said you wanted to spend as little as need be on stuff. You wanted to stretch the money, do well economically. The Bud Clark Commons is a really good idea for people that are coming off the street and are really in a bad way, but it costs several million dollars. And that's for 100 people. The three city blocks in back of the old Washington High School could take on hundreds of people. I saw it work one time. I went to St. Patrick's Church for a long time. Before I get there, before I come in for the service, I would talk to the homeless people around there. That worked out very well for them. The father put forth I guess \$40,000 for garbage, water, the pumping devices for sinks, for the outhouses and all that stuff. That worked very well and it worked for quite a long time -- would have worked for quite a long time. There was one variable, though. It's pretty much the same situation, yet, the department of transportation owned that area and what they wanted to do -- they wanted to move back on there. They wanted a place for their rakes and hoes, roadblocks, hoses, all their equipment. They put the people off of there. This was the first Dignity Village. So, in this situation, the Park Bureau owns the land in back of the old Washington High School. To have that land and have people on the streets, on the sidewalks, build shelters and then the police come along and tell them, hey, you have to get out of here, they don't have nowhere to go. It just doesn't make sense. I want to know why. I would like to talk with all of the -- all of you, four of you here now -- why you feel that that isn't right or that couldn't be. And even talk after City Council.

Hales: OK, thank you.

Sutton: Yet, I did get a letter from Commissioner Fritz and thank you very much for that. I appreciate about why this couldn't be. And then Commissioner Fish introduced me to Ms. Erickson in Portland Housing. They had assessed the neighborhood. The neighborhood didn't like it so zoning could not be. Commissioner Saltzman isn't here. I brought that up to him about emergency zoning. It certainly is emergency zoning when people are living on the sidewalk and they have no other place to go. Please, right here and now, any comments about?

Hales: Not now, we have to move on. But thanks very much.

Sutton: But I need them to talk with you personally about this.

Hales: Thanks. We'll try to do that. Thank you very much. We have to move on.

Sutton: Thank you, sir.

Hales: I think we're ready for roll call on the ordinance as amended.

Item 1183 Roll.

Novick: Aye.

Fritz: Thank you, Mayor Hales, for your partnership in identifying priorities both in paying off debt so we can then fund the gas tanks, which is crucial, and looking at the crucial positions within the city budget that we need to go forward. I do appreciate Mr. Sutton's testimony. It reminds me that Doreen Binder is in my office, patiently waiting for me to get to a meeting. She asked me to let folks know on camera that the Bud Clark Commons emergency warming shelter will be open

November 12, 2014

tonight. We are expecting more severe weather. So, I appreciate Commissioner Fish and Saltzman and also the mayor looking out for folks outside in this miserable weather. Thank you for the budget. Aye.

Fish: Mayor, this was a collegial and collaborative process, so I want to thank you for that. To the independent Budget Office, we just take for granted they do a superb job. One of the things that the public doesn't see as much is Andrew and his ambassador role, touching base with the offices to keep current on people's wish list, priorities, concerns, and then sharing that with the mayor at the appropriate time. That role is extremely important. And it is the fact that you're an independent office that it has even more credibility. So thanks to you, Andrew, and your team for a great job. This is an unusual BMP for us, Mayor, because through most of my service on this council, we had to cut budgets, and now we're reinvesting. I have to say that I'm pleased we're investing in infrastructure, and exceeding the cap we normally have at these moments. I'm pleased that we're investing in people. And buried in the details here are a couple of things near and dear to my heart. Because of this BMP, we'll be adding a second ranger patrolling the Bull Run watershed, which is absolutely essential. I thank my colleagues for that. We'll be invested in eastside businesses, we'll be investing in hunger through east Portland through Zenger, we'll be looking at additional resources for the arts, and we got a preview of an exciting new partnership that involves Concordia, Faubion, and the community. I deeply appreciate you putting \$100,000 down. I think this partnership will be as compelling to us as a Council as the one we supported in David Douglas. By giving them an initial investment, I think it gives them further momentum as they go forward to build out something which will be transformational for low-income kids in east Portland. Thank you, Mayor. Thank my colleagues, thank the Budget Office and all those who participated in this process. This BMP, I'm pleased to vote aye.

Hales: Thank you. Just a few broad strokes that echo the word you used over and over, and that's investment. I think we're making investments here in things that people would want us to spend one-time money on, which is making our city safer for the next emergency, investing in infrastructure, investing in better services for our citizens as changes occur, investing in our parks, and also systematically and carefully looking at ways that we can start working our way back from some of the cuts that we've made in the past to the now overtaxed bureaus. I'm pleased with this package. I think they are prudent investments, they're investments that make sense. I think we're all able to look our constituents in the face and say, once again, this Council has paid down debt, paid for basic infrastructure as our first impulse for what we do with new money as the economy improves. And I hope we're always be able to say that. Thank you, Andrew, and your team for the great work and to all who worked on this budget in our own offices, including our own staffs. I think this is a good package, well-crafted, well done. Aye.

Fritz: Mayor, I apologize to you and my colleagues. I have a group of folks waiting for me in the office. I don't believe you need a fourth for any of the remaining items.

Hales: I don't think so. I also have a group waiting but I don't think it will take very long for us to finish up.

Fish: Commissioner Fritz, in case I'm a vote short on any of this, do I have your proxy?

Fritz: You know where I am. [laughter]

Hales: 1184, please.

Item 1184.

Hales: Do we have -- yes, we do. Our treasurer is here.

Jennifer Cooperman, City Treasurer: I'm here. Good afternoon. Jennifer Cooperman, City Treasurer. The city's investment policy establishes the framework in which the city invests its cash assets. The policy is a set of conservative parameters written in accordance with ORS and is brought before Council for adoption each year. We have three objectives in the policy. The first is to preserve principal, the second to ensure liquidity for the city's operations, and the third is to earn a market return. All investment earnings that are net of an admin fee to recover treasury's operating

November 12, 2014

costs are distributed back to city funds. This year, we're recommending the following policy changes be made to the current investment policy. The first change adds a reference to the do not buy list of corporate securities as those lists may be approved by Council. Last year, Council did approve a do not buy resolution and the reference in the investment policy will link the policy to that resolution going forward. The second change would allow purchases of bonds that are issued by supranational organizations. These are institutions like the World Bank that are not solely owned and operated by the United States. Such investments are allowed by ORS. Since Oregon State Treasury leaves it up to the local government to decide how to classify these investments, we're proposing to add them to the bucket for corporate securities, so they will be subject to the same limits as other corporate securities. The third item relates to investments in Oregon municipal bonds and changes the maximum allowable maturity of these securities from three to five years. As issuance of short term, Oregon municipal bonds is rather limited. This will increase the municipal bond investment opportunities that might be available to us. The fourth item changes the investment portfolio's maximum weighted average maturity from 18 months to 24 months. While this will extend by six months the report portfolio's sensitivity to interest rate risk, we believe it still keeps the portfolio conservatively managed and will give treasury more flexibility to manage the portfolio in regard to the city's cash flow swings as we find happened during tax time when large tax receipts come in and at other times in the year when large disbursements go out like in June when we make debt service payments and in December. The rest of the recommendations are housekeeping items. All of the proposed changes to the investment policy were reviewed by both the Oregon state treasurer short term fund board and by the city's investment advisory committee, which is comprised of members of the public who are experienced in public markets, financial markets. Thank you. I would be happy to answer any questions.

Fish: One question. Are you trying to send us a less than subtle signal to the council clerk that the temperature in this room is not to your satisfaction?

Cooperman: Yes. I'm sorry about that.

Fish: You're wearing a winter coat, you have a plug-in heater at your feet, gloves, and you've taken your hat off for purposes of your testimony.

Cooperman: Just like from my days in Minnesota when we used to plug in our cars, yes.

Hales: Questions for Jennifer? Alright, anyone want to speak? You really can't keep coming up on every item. You can't. We are so late today. OK?

Benjamin Pickering: It's all important, I'll make it quick.

Hales: No, I'm sorry. I'll have to rule you out of order. Thanks. Anyone else? Then let's take a roll call on that, please.

Item 1184 Roll.

Novick: Thank you, Jennifer. Aye.

Fish: Thank you, Madam Treasurer. Aye.

Hales: Aye. Thank you. Now, Commissioner Novick and I are also now 25 minutes late for a meeting. I want to propose an option here which has just been suggested that we recess until 2:00 p.m. But can we get some staff up to talk about our options here? I'm trying to do this by text message and that's not working terribly well.

Fish: I'm sorry, you want to come back at 2:00?

Hales: I just received that suggestion. Gail, what do you think we should do here? Appreciate your patience. We're going to recess until 2:15.

At 1:27 p.m. Council recessed.

At 2:17 p.m. Council reconvened.

Hales: Council, please come back to order. Thanks for your patience, everybody. We had 10 pounds of potatoes in a five pound bag today. Let's go to 1185, please.

November 12, 2014

Novick: Mr. Mayor, who are you, Ross Perot? [laughter]

Hales: Let's hope not.

Fish: Did you go to law school in Virginia?

Hales: Yes -- [laughs]

Item 1185.

Hales: Celia, welcome, and sorry for changing your afternoon schedule there.

Celia Heron, Office of Management and Finance: Oh, that's OK. Celia Heron with Office of Management and Finance. I won't go into any of the details on financial accounting rule 610 other than to say it talks about cash, it gives direction to City Council, to bureaus, staff, regarding cash handling, internal controls, receipts, etc. The short shrift I'm giving it is not because it's not important, it is. But I would just say that you may recall back in August, we brought to you a series of comprehensive financial management policies that the city has adopted years ago, and we finally got around to updating and reviewing those citywide. Part of that update and review process with city staff involved one particular administrative rule. As we go forward with the other half dozen or so accounting administrative accounting rules, we'll work with the new city controller who will be hiring to shepherd those. Because one of the best practices is to keep the financial policies and the accounting policies up to date, relevant with technology and best practices. If you have questions on financial accounting policy 610, I can answer them.

Hales: We appreciate your good stewardship of this. Anyone have any questions?

Fish: I just want to note that we're getting the treasurer a cup of hot chocolate and some gloves.

Hales: Thank you very much. I don't see anyone here to testify on this item.

Fish: Move the resolution.

Novick: Second.

Hales: Let's take a roll call.

Item 1185 Roll.

Novick: Aye.

Fish: Thank you. Aye.

Hales: Thank you very much. Aye.

Item 1186.

Hales: Mr. Biery.

Jonas Biery, Bureau of Revenue and Financial Services: Good afternoon, Mr. Mayor, Commissioners. Jonas Biery, the city's debt manager. Your offices have been briefed on this, but in the interest of the public, I'll give a brief overview. Ordinance authorizes issuance of limited tax revenue bonds to pay up to 3 million in costs associated with ongoing habitat restoration efforts in Portland Harbor. Additional expenditures are expected to develop over the next 24 months. Therefore, our strategy is to initially use a line of credit for the currently known expenditures, currently known costs, and then later convert those to long term bonds once we know more about the future costs and strategy. Any additional borrowing beyond the 3 million would come back for additional Council authorization. Currently, proposed bonds in the interim line of credit will be paid for by resources of the general fund. Council has previously directed the City Budget Office to allocate funds towards payment of this debt service. Upon conversion to long term bonds, it will be estimated that annual cost could be up to around 400,000 per year. I would be happy to answer any questions.

Hales: Any questions for Jonas or other staff are here and knowledgeable on this subject? I don't see anyone here to testify. Unless there's anyone who wants to speak on this item, it comes back for second reading next week. Thank you very much.

Item 1187.

Hales: Commissioner Novick.

Novick: There is a request to vacate a portion of East Burnside Street between MLK and Couch received by PBOT December 2013 from PDC. Street vacation is proposed in order to consolidate

November 12, 2014

property to make adjacent lot to the north more developable. Comments were solicited from city bureaus, governmental agencies, public utilities, and affected neighborhood associations. The Planning and Sustainability Commission reviewed and approved the proposed street vacation this June. An engineer's report approved the street vacation in July subject to certain conditions and reservations. The financial impact of this vacation is about \$7000, which PDC is paying for.

Hales: OK, thank you. No one here to speak on this item and it is not an emergency ordinance, therefore we'll set it over for second reading and move on to the next item.

Item 1188.

Hales: Commissioner Fish.

Fish: Thank you. We're joined by chief engineer Mike Stuhr. Mike, I think you have a PowerPoint?

Michael Stuhr: Good afternoon, Mr. Mayor, Commissioners. I'm here to talk about the aforementioned project. First, I thought I'd go through briefly a couple of pictures so you get an idea of what we're up to. Down there in the vicinity of 1st, 2nd and Everett, right there near the river, there's a lot of overpasses, underpasses and two big, fat railroad lines. And you can barely see in there those blue dots which are about three feet off the end of railroad line. That is the location of a 108-year-old cast iron main that leaks. Our liability in this situation is huge. So, in conjunction with a project requested by UP railroad -- and I'm going to use this arrow thing up here -- that red curve that my arrow is following is a new spur that is to be built by UP Railroad. Where did my arrow go?

Hales: It doesn't really go through their new building --

Stuhr: No, the building actually has been demolished.

Hales: That's the old building. They have a new one there just to the north.

Stuhr: The piece of main that I pointed out is down here. We had to relocate some lines in here and relocate some lines in there. Where my arrow is at now is public right-of-way. So, UP Railroad is paying for that. This is in UP's property, and we are obligated by permit with UP to pay for that when they tell us to move or do something, we have to do it. The other red piece of line here -- since we decided since we had to do this, that we would take the opportunity to kill this main, what we call kill the main because it's dangerous. So what we're doing is killing 1700 feet of main, we're putting in 1400 feet of main, and basically cooperating to help UP Railroad get their spur in here and get our line sleeved and underneath it. So, that's the project in essence. What we're here to do today is hopefully step one in authorizing a \$660,000 construction project, 200,000 or so of which will be paid for by UP Railroad. Any questions?

Hales: This is a big deal in terms of their project that we're assisting here.

Stuhr: Yes.

Hales: Great. Thank you. Questions? And it's not an emergency ordinance, so it also is set over for next week for second reading. Thank you very much. We're adjourned.

At 2:26 p.m., Council adjourned.