



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **28TH DAY OF JANUARY, 2015** AT 9:30 A.M.

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

Commissioner Fish arrived at 9:35 a.m.

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

Item No. 105 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
96	Request of Shedrick J. Wilkins to address Council regarding Health Care Rally in Salem on February 11, 2015 (Communication)	PLACED ON FILE
97	Request of Crystal Elinski to address Council regarding start anew (Communication)	PLACED ON FILE
98	Request of Josh Maurice to address Council regarding et cetera (Communication)	PLACED ON FILE
99	Request of Katherine Smith to address Council regarding issues with police (Communication)	PLACED ON FILE
100	Request of Montserrat Shepherd and Susan Stringer to address Council regarding development on NE Russell and NE 7th (Communication)	PLACED ON FILE
TIMES CERTAIN		
*101	TIME CERTAIN: 9:45 AM – Amend Bureau of Development Services fee schedule to add a Peer Review Fee (Ordinance introduced by Commissioner Fritz; amend Policy ENB-14.01) 15 minutes requested (Y-5)	186992

January 28, 2015

<p>102</p>	<p>TIME CERTAIN: 10:00 AM – Accept the Quarterly Technology Oversight Committee Reports from the Chief Administrative Officer (Report introduced by Mayor Hales) 30 minutes requested Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-5)</p>	<p>ACCEPTED</p>
<p>*103</p>	<p>TIME CERTAIN: 10:30 AM – Authorize an Intergovernmental Agreement with Metro to develop a Preferred Alternative Package, Locally Preferred Alternative and Draft Environmental Impact Statement for the Southwest Corridor Plan and fund the City share of the local partner agency contribution (Ordinance introduced by Commissioner Novick) 1 hour requested</p>	<p>CONTINUED TO FEBRUARY 4, 2015 AT 9:30 AM</p>
<p align="center">CONSENT AGENDA – NO DISCUSSION</p> <p align="center">Mayor Charlie Hales</p>		
<p>104</p>	<p>Reappoint Brandon Erickson, David Nilles and Blake Patsy to the Structural Engineering Advisory Committee for partial terms to expire August 31, 2017 (Report) (Y-5)</p>	<p>CONFIRMED</p>
<p align="center">City Attorney</p>		
<p>105</p>	<p>Authorize City Attorney to appear as amicus curiae to support President's Executive Order granting relief to undocumented immigrants (Resolution) (Y-5)</p>	<p>37106</p>
<p align="center">Office of Management and Finance</p>		
<p>106</p>	<p>Accept bid of R&R General Contractors, Inc. for the W Burnside & Pearl Crossing Improvements for \$2,066,222 (Procurement Report - Bid No. 117346) (Y-5)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>*107</p>	<p>Amend contract with Bainbridge Design, Inc. in the amount of \$8,000 to provide space planning services for Bureau of Development Services in the 1900 Building (Ordinance; amend Contract No. 30004037) (Y-5)</p>	<p>186988</p>
<p>108</p>	<p>Extend term of a temporary, revocable permit granted to Portland State University for electric vehicle supply equipment services (Ordinance; amend Ordinance No. 184805)</p>	<p>PASSED TO SECOND READING FEBRUARY 4, 2015 AT 9:30 AM</p>
<p align="center">Commissioner Nick Fish</p> <p align="center">Position No. 2</p> <p align="center">Bureau of Environmental Services</p>		
<p>*109</p>	<p>Authorize the Bureau of Environmental Services to execute easements with Tualatin Hills Park and Recreation District, as part of the SW 86th Avenue Pump Station and Appurtenances Project No. E09051 (Ordinance) (Y-5)</p>	<p>186989</p>

January 28, 2015

Commissioner Steve Novick

Position No. 4

Bureau of Transportation

*110	Amend Intergovernmental Agreement with Oregon Department of Transportation to increase the grant in the amount of \$62,000 for additional review of construction work at OR99W: N Victory Blvd - N Argyle St (Ordinance; amend Contract No. 30003289) (Y-5)	186990
*111	Accept a grant in the amount of \$250,000 from Oregon Department of Transportation for I-205 at NE Killingsworth SB On-Ramp project (Ordinance) (Y-5)	186991
REGULAR AGENDA		
112	Address the City's infrastructure maintenance and replacement funding gap, amend City Comprehensive Financial Management Policy 2.03 and rescind Resolution 34423 (Resolution introduced by Mayor Hales and Commissioners Fritz, Fish and Novick) 10 minutes requested (Y-4; N-1 Saltzman)	37107
Mayor Charlie Hales		
*113	Authorize rental of office space at non-City owned facility for the independent Compliance Officer and Community Liaison for the Department of Justice Settlement Agreement (Ordinance) 15 minutes requested (Y-5)	186993
Office of Management and Finance		
114	Authorize the City Attorney to institute legal proceedings against Pabst Brewing Company to recover damages from Portland, Oregon sign trademark violations and enjoin future unauthorized use (Previous Agenda 11)	RESCHEDULED TO FEBRUARY 4, 2015 AT 9:30 AM
Commissioner Nick Fish		
Position No. 2		
Bureau of Environmental Services		
115	Authorize four price agreements not to exceed \$500,000 each for on-call civil engineering services in support of Bureau of Environmental Services capital improvement program projects (Ordinance) 15 minutes requested	PASSED TO SECOND READING FEBRUARY 4, 2015 AT 9:30 AM
116	Extend contract with Madison Biosolids, Inc. for Biosolids Use Services for an additional five years for \$3,250,000 (Ordinance; amend Contract No. 31000149)	PASSED TO SECOND READING FEBRUARY 4, 2015 AT 9:30 AM

January 28, 2015

117	Authorize a contract with the lowest responsive bidder for the construction of the SE Division PI and SE 6th Ave Sewer Rehabilitation Project No. E10630 for an estimated cost of \$720,000 (Second Reading Agenda 93) (Y-5)	186994
Commissioner Steve Novick Position No. 4 Bureau of Emergency Management		
*118	Authorize a competitive solicitation for the purchase of a new Community Emergency Notification System and related services for an estimated cost of \$900,000 (Ordinance) 7 minutes requested (Y-5)	186995
Bureau of Transportation		
119	Vacate a portion of an unnamed street north of N Schmeer Rd subject to certain conditions and reservations (Hearing; Ordinance; VAC-10091)	REFERRED TO COMMISSIONER OF PUBLIC SAFETY
120	Authorize an agreement with Portland Streetcar, Inc. to provide a Streetcar Operator relief point (Second Reading Agenda 88) (Y-5)	186996 AS AMENDED

At 1:02 p.m., Council recessed.

January 28, 2015

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **28TH DAY OF JANUARY, 2015** AT 2:00 P.M.

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

Commissioner Novick arrived at 2:03 p.m. Commissioner Saltzman left at 3:55 p.m.

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

<p>121 TIME CERTAIN: 2:00 PM – Accept North/Northeast Neighborhood Housing Strategy from the Portland Housing Bureau (Report introduced by Commissioner Saltzman) 1 hour requested Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-5)</p>	<p>Disposition:</p> <p>ACCEPTED</p>
<p>122 TIME CERTAIN: 3:00 PM – Office of Equity and Human Rights report on city-wide employee discussion of institutional racism and police/community relations in the aftermath of Ferguson (Report introduced by Mayor Hales) 1 hour requested Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-4; Saltzman absent)</p>	<p>ACCEPTED</p>

At 5:06 p.m., Council recessed.

January 29, 2015

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **29TH DAY OF JANUARY, 2015** AT 2:00 P.M.

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

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

<p>123 TIME CERTAIN: 2:00 PM – Open and close public hearing on Proposed Urban Renewal Area Amendments and postpone first reading to February 26, 2015 (Report introduced by Mayor Hales) 5 minutes requested</p>	<p>Disposition:</p> <p>PLACED ON FILE</p>
--	---

At 2:03 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

January 28, 2015

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.

JANUARY 28, 2015

9:30 AM

Hales: Sorry about the delay there, folks. Good morning, and welcome to the January 28th meeting of the Portland City Council. Would you please call the roll?

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

Hales: Good morning, everyone. Welcome. We are going to have communications items up front and then we're going to have our regular calendar. If you're here to speak on a regular calendar item, we typically allow three minutes to testify. If you're a lobbyist representing an organization, then under our code you do have to disclose that and let us know who you are representing. We maintain a tradition here of dialogue and openness, so if you agree with your fellow citizen feel free to make a nonverbal demonstration, but we ask that we not cheer or boo our fellow citizens on a diverse point of views we hear in this room. Welcome, and we'll proceed to item 96.

Item 96.

Hales: Good morning.

Shedrick J. Wilkins: I'm Shedrick J. Wilkins, and there's a health care rally in Salem. The First Unitarian Church on 13th and Salmon is the best place to ask to get a bus to go there. I'll try to be there. I decided to switch back to the Democratic Party because I believe that we need to have at least a base or platform for government spending to solve people's problems. So, I'm a Democrat again. That's all I'm going to say.

Hales: Thank you.

Wilkins: Thank you.

Item 97.

Hales: Good morning, Crystal.

Crystal Elinski: Good morning, Mayor and Commissioners. I'm glad you're all here. It's actually on starting anew. I don't know how I managed to have bad grammar.

I actually meant to testify on the day I was being evicted -- New Year's Eve, midnight -- but you guys took the day off, and also Christmas. Meanwhile, I was looking for housing for eight months. I have Section 8, and the first time I ever came to speak to you, I had just received it. I had been evicted by the landlord. I showed it, look, I have Section 8 and he was like bye-bye.

I was testifying about how difficult it is to get housing in this City. That was 2006 -- no, sorry, '08, that's when the storm came and the roof caved in on the next place I lived in.

But I pretty much covered the gamut of agencies and services, and this time around it's even worse. So, many years later, I don't see any improvements at all, and I have -- I pretty much know the services like the back of my hand. But I'm doing it again. I had to take a -- after looking for housing until November, I took -- I packed in December. The agencies that said they would help me clean and pack and get movers fell through the day before my eviction. And I was more -- my disability just gets worse. It was a lot harder than last time.

January 28, 2015

So, I took a self-inflicted sort of therapy, a couple of weeks off in my mother's attic, and now I'm back and living in a shelter down the street. I figured as long as I'm downtown, I'm going to keep coming to City Hall and going to all of these agencies and ask for help and not just start it over it again.

So, 600 places in eight months, most of them saying no because of Section 8. I talked to the head of Home Forward as well, the days that he received an award from you, and he said yeah, new law, everybody talks about it. And I said, yeah, it's like the law they introduced in 2008. Nothing has happened. He said, it's true, there's not really much teeth to it, we're looking for a legal precedent. I said I might be your first precedent. Hopefully, I can get the legal stuff in place.

So, I fought it. It was essentially Section 8 that maneuvered things to make sure that I was evicted. And I fought it. And I didn't win. So, it's just a little harder.

I came also to testify about -- I think it's agenda item 121 today at 2 o'clock if anyone can come again today. I'm not sure I can make it because I have to go to meetings at other agencies, but I'm here to help. I attended these hearings for my old neighborhood North, Northeast, and the 20 million going into this construction is -- we never got a call back on it. I had people who attended it ask me about it, and I went to Mayor Hales' office to ask about it. So, I never heard about the feedback. They said they would give us 10 days to see the preview on what you are going to present, apparently today. And the only reason I knew about this is because I heard it on OPB. They said it was 20 million Monday, and now they say it is \$14 million, so something's changing --

Hales: No, it's still --

Elinski: Please postpone this so that we can get more people involved, because this is happening in all of our back yards. And I'm also still suffering from the September 4th assault by the federal agent, and I'm glad to be downtown because now I can get free services for health care again, but after over a year, it is just -- I see more and more people in my circumstances and I can't believe it's happening again.

Hales: We wish you well. Thank you for being here this morning.

Elinski: Thanks for your future help.

Hales: Thank you. Take care.

Item 98.

Hales: Mr. Maurice, come on up. Good morning.

Josh Maurice: Good morning. Hope everyone --

Hales: Get a little closer so that we can hear you. Thank you.

Maurice: Well actually, Crystal kind of put me up to communicating today. So, I guess I just thought I would go ahead and get acquainted, get friendly with people. I'm Josh Maurice.

Yeah, I've been going over a lot what might be an interesting frame to kind of think about the state of the union, the state of the world right now. And I'm -- I have really positive overall opinions and perceptions of things that are happening, you know, globally, long-term, on large scales. We're solving a lot of problems. It does seem like there are a lot of upgrades we could make -- potentially kind of quickly -- you know, if opinions, people's minds about certain topics start to change very rapidly -- as can happen -- more and more so, it seems like. So, recommendations to honor the progress that we've made and be in line with whatever positive large-scale changes are happening. Just be open to means that arise, movements, initiatives where people are trying out different systems -- if it's peaceful -- and have tolerance for people who are doing things differently and maybe even anticipating in a way a new paradigm, etc.

Hales: Thank you. Thanks very much. Next.

Item 99.

January 28, 2015

Hales: Come on up, Ms. Smith.

Katherine Smith: My name is Katherine Smith. Dear Mayor Hales and Portland City Commissioners, I am back here again to ask you, Mayor Hales, as the Portland Police Commissioner to use the authority you legally have to talk to new Police Chief Larry O'Dea, Sergeant McCormick, and Commander Day to them that it is their legal duty to stop assaults on people no matter what kind of weapon is used.

Some Tigard cops still burn me 20 to 24 hours a day with microwave and ultrasound harassment weapons, voice to skull command weapons -- those are actually mind control when the volume is turned down, so you can't hear it, and used subliminally when the volume is turned down. All these are easily verifiable on the internet for anyone to look up.

I am one of their hundreds of targets in Portland. They are able to shoot, harass, injure, incriminate, etc., so many people because they are used remotely in many businesses, residences, and even in this City Council room.

Sergeant McCormick, Commander Day, and the previous Police Chief Reese are some of the main police covering up for this. Why would they do that? As I've said before, some of the crooked cops don't want the public to know they have such weapons, because they sometimes actually torture people with them -- some of them do -- injure them, including fatal injuries, incriminate them, suicide them, and do slander campaigns on those they want to discredit.

I believe you are being distracted from following up on this. Sergeant McCormick has been taking my reports of these assaults, evidence about me that those Tigard cops say they do to my son also when he's sleeping. And McCormick has been keeping these reports from Police Chief Larry O'Dea. His lack of response tells me that, and those Tigard cops told me that also. They would know because they say -- and I've seen a lot of evidence of it -- that they spy on lots of Portland police, including McCormick, O'Dea, Reese, Commander Day, and others.

Shooting someone with microwave and ultrasound weapons 20 to 24 hours a day for years and months is attempted murder. I have burns and burn scars and deteriorated skin all over that shows this evidence. So, please, Mayor Hales, as Police Commissioner, talk to them about this. If they deny I'm being shot or if they act as if they don't know about it, they are fibbing to you. Thank you.

Hales: Thank you, you take care.

Item 100.

Hales: Good morning. Welcome, good morning.

Susan Stringer: Good morning. My name is Susan Stringer, and this is Montserrat Shepherd. We are part of the committee for demand redesign, concerned neighbors asking for responsible development in the Eliot neighborhood. We are representing more than 1300 supporters in Eliot and surrounding communities who are here today to address the lot at 2603 NE 7th Avenue, and the impact on traffic, parking, and the development's excessive density.

Dan Neal of Paradigm Properties is proposing a six-story, 62-unit apartment building. The neighborhood around 7th and Russell is a residential community, with mostly single-family homes, some two to three story apartment complexes, and a few one-story commercial buildings. We strongly feel that the proposed development does not fit the neighborhood, and are deeply concerned about the impact it will have on 7th Avenue. On parking, because the proposed underground garage will have 42 parking spaces and there will be overflow; on traffic adding hundreds more daily trips; on safety, since 7th is a narrow street used daily by hundreds of cyclists and pedestrians. This will only worsen existing conditions for the children who cross daily without any visible crosswalk at Brazee Street to attend Irvington school.

January 28, 2015

In addition, the building's parking garage will have a single entrance on 7th which will create a dangerous pinch point where cars, cyclists, and pedestrians will converge on an already congested street. It is important to note that prior to Mr. Neal's proposal, the Eliot neighborhood association had requested the lot be down-zoned, and according to the Portland comprehensive plan, the zoning is proposed to change from high density to medium density, limiting the height to 45 feet.

7th has also been proposed as a neighborhood greenway. The City defines greenways as streets with low traffic, volume, and speed, where bicycles, pedestrians, and neighbors are given priority. We do not believe that 7th is currently a low-volume street, and that will not improve with the proposed development.

Here's important traffic statistics from the current traffic studies. South of Knott, where the lot is located, car counts are 71% higher than north of Knott, where speed bumps are already in place. Traffic speeds more than 10 miles per hour over the posted 25 miles per hour speed limit. In contrast, north of Knott, the average speed does not exceed 25 miles per hour. It seems obvious that speed bumps on 7th north of Knott have effectively impacted traffic speeds.

There are also infrastructure concerns. The zoning of this lot, an abandoned gas station, was changed when the Albina plan was adopted. When this zoning change occurred from commercial to high density back in 1990, were the existing ancient clay and brick sewer lines taken into account? Furthermore, 7th Avenue not within the density corridor of Williams, MLK, and Lloyd Center where 80% of the increased density is expected, making this development even more out of line.

In closing, we would like to ask that the City require the developer to adhere to a height of no more than 45 feet which would mitigate the amount of congestion, to install speed bumps on 7th and Russell to decrease vehicle speed, and to paint a zebra crosswalk across 7th at Brazee to protect our neighbors and our children. We are here appealing to our elected officials' good judgment and common sense. Will this zoning anomaly and its repercussions be a part of your legacy? Thank you for allowing us the time to voice our concerns and for considering our requests.

Hales: Thank you very much. Where is this project in the permit process right now?
[applause]

Montserrat Shepherd: I think he's going to apply for the permit. He doesn't have it yet.

Hales: Hasn't started yet. OK.

Shepherd: He demolished the building, and he is proposing -- you have the picture. That's all we have.

Stringer: So, his building plans have not been presented to the City yet. We're hoping to be able to get something, you know, maybe changed before that process starts.

Hales: And is there an active negotiation underway between the neighborhood association and the applicant at this point?

Shepherd: We have been talking to him. Unfortunately, he is still set with the six-story building, and we believe that such a tall building in that location is just not -- it doesn't fit the neighborhood and it is not going to bring anything good. Again, we're like in the middle of all of these Williams and Fremont and Lloyd center, and the density is going to change and if we have that that is not going to help us at all.

Stringer: It is a building -- if you imagine, like a building that's in the Pearl District sitting next to single-family homes, you know, that are two-story, single-family homes. On MLK, it would make total sense. But in the middle, just like drag and dropped right in the middle of neighborhood -- and the point that it is at, it's on a small street. So, if you -- the building is not -- there is three story condos next to it which go about a half a block, and then here's this building. And already the traffic at 5 o'clock backs up from Knott past like four blocks

January 28, 2015

down to almost Tillamook. You've got people trying to get in and out of there in that one garage space, you know, the parking -- I just -- it's going to be insane.

Hales: We appreciate you calling this to our attention here this morning. Thank you.

Stringer: Please refer to all -- we gave you all of the traffic data and all of the signatures from our change.org petition, the comments, and also comments from the Portland comp plan.

Fritz: So, according to this state land use regulations, we're not allowed to change the rules in the middle of an application. So, the mayor's question as to whether the permit has been put in -- even if it hasn't yet, we would have to be -- there's state-mandated steps for us to require things. Possibly, the mayor could in response to your concern have a word with the developer and see if they can negotiate something. Your other concerns regarding traffic -- as part of the permit review, there is an extensive traffic study done and you know, the request for zebra crossing or other mitigation might be required by the Transportation Bureau. So, those are things that we as neighbors can affect. The overall regulations for what they're allowed to do -- you point out helpfully that there's discussions in the comprehensive plan to change it. At the very least, you're drawing attention to let's change it for the other nearby lots so this doesn't happen again. I appreciate the Mayor asking you to talk with the developer and that you're working with them and the neighborhood association, because often it is encouragement rather than us being able to actually require that they lower the height on the density.

Stringer: Right. Well, I think some encouragement may help. He knows that we're coming to speak and he contacted us saying, you know, I -- it's a shame you have to go do that. There is something -- I think he's still considering, you know, and I think with conversation with you, Mr. Hales, would be probably very helpful. He said that he was willing to put in traffic-calming measures, and correct me if I am wrong, but he can't do that without having a traffic study to show that or can he just say he will do that and pay for the speed bumps and crosswalks?

Novick: I think that PBOT will have to be involved one way or another. I will talk to staff and follow up on that.

Stringer: Since October, he said a traffic study was coming, a traffic study is coming, and we haven't seen anything yet. I don't know if he's really doing it or not, but that -- we would love to see that. Because the past studies, and that was more than a year ago and it has gotten worse.

Hales: We will follow-up with you. I appreciate you one, getting organized and, two, calling this to our attention so that what authority we do have we will have the opportunity to exercise it whether it's persuasion authority or legal authority. So, we do appreciate you getting organized and being ready for that kind of negotiation, assuming that the developer on the other side of the table is willing to negotiate, which sometimes isn't the case, but sounds like it might be in this instance, so that's good. We at least have a few things to work with and we appreciate you being here this morning.

Stringer: Thank you.

Shepherd: Thank you. [applause]

Hales: OK. Let's move to the consent agenda and see -- I think we have a couple of things that we are pulling to the regular agenda. One is 105. Anything else going to the regular agenda from the consent agenda? So, if there is not, can we have a roll call please on the balance of the consent agenda?

Roll on consent agenda.

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

Item 101.

Hales: Commissioner Fritz.

January 28, 2015

Fritz: Thank you, Mayor Hales. And I would like to ask the staff to come forward, Andy Peterson from the Bureau of Development Services. This is quite a technical issue and it's interesting, I think. I hope you find it so, too.

The Bureau of Development Services has prepared this ordinance proposing an addition to their building permit fee scheduled to allow for the collection of a peer review fee. This is outside of our traditional fee schedule, so approval is required under the way we operate in the state building code. This peer review fee provides cost recovery to the Bureau of Development Services when the bureau contracts with qualified engineering professionals for certain projects. And Andy Peterson will explain it all to you in more detail or less detail, whichever you prefer.

Andy Peterson, Bureau of Development Services: Good morning. I'm Andy Peterson, Bureau of Development Services. As Commissioner Fritz stated, BDS has prepared this ordinance proposing an amendment to our building permit fee schedule so that we can incorporate a peer review fee, and we're requesting approval for that addition to our fee schedule.

The international model building codes as well as the 2014 Oregon Structural Specialty Code require building officials to approve alternative design and construction methods not specifically described within the OSSC where the building official finds that the material, method, or work offered is for the purpose of intended at least the equivalent of that prescribed in the OSSC.

We have a pending project that's been proposed to us over in the Lloyd District that chooses voluntarily to go through what's called a performance based design methodology where both the Oregon Structural Specialty Code and the American Society of Civil Engineers ASCE require a peer review of that design to make sure that it is in conformance with the building code.

We currently don't have a path to do that in our fee schedule. This amendment to the fee schedule would allow us to have a fee that supported and paid for that peer review team. The new fee means that -- gives BDS the means to contract with qualified independent peer review team and manage the contract on a cost recovery basis for that contract plus a small management fee that takes care of staff time.

This is only for the structural part of the building. The typical design review aspects would continue to be in place, whether it's the design advice or Design Commission would still have their input and say on the final design of the project. But again, it's the ability to meet the design criteria for the structure itself, for structural and seismic analysis.

This has been used up and down the west coast. Major cities, including Seattle, LA, San Francisco, San Diego, since about 2008. Internationally, longer than that. It's now here because the building being proposed is over 240 feet in height and they have an alternative design that they wish to explore and utilize.

With that, we have done outreach with the Development Review Advisory Committee, the Structural Engineers Association of Oregon, regional engineering and development firms, as well as the state building codes division. We've published this information about the peer review fee on our website, and at this point, are going through an evaluation of peer review teams to be able to move forward with this project as the next development in the Lloyd District -- next major development in the Lloyd District.

With that, I will open it up if you have questions. We can get into details on nonlinear seismic analysis if you want, but that's probably even outside of my range of specialty.

Fritz: One thing I will add is that cost will vary depending on the project. It will probably be somewhere between 50,000 to 100,000, and that includes a 3% contract management fee for the Bureau of Development Services.

January 28, 2015

Peterson: Exactly.

Hales: Other than that 3%, the rest of it's essentially a pass through to the private consultant that you hire to do the work.

Peterson: Exactly.

Hales: That's pretty low overhead, something that Commissioner Saltzman is always looking for. Any questions?

Peterson: Thank you.

Hales: Thank you very much. Anyone want to speak on this item?

Moore-Love: No one signed up.

Fritz: I'm astonished that nobody wanted to speak on this. [laughter]

Hales: You'll never know. Alright, we'll take a roll call on this emergency ordinance.

Item 101 Roll.

Fritz: It's an emergency because we do have this project that is wanting to use it. It was interesting information to me to hear this was in the model building code which the state passes and that we have to negotiate with the state because they were not necessarily aware that -- of all of the details of it. We're once again setting the standards for the state and we appreciate both Andy Peterson and your team, Director Paul Scarlett and the Development Review Advisory Committee and others who have been supportive of this. Aye.

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

Hales: Thanks very much. Aye.

Item 102.

Hales: Good morning and welcome.

Jen Clodius, Office of Management and Finance: Good morning Mayor and Commissioners, I'm Jen Clodius with the Office of Management and Finance and we are here to present information from the Technology Oversight committee for the quarterly reports.

TOC's last appearance before you was at the very beginning of September, kind of midway between the two reporting periods. So, we're bringing you two reports today for the fall and winter quarters. However, we are going to report only on the most recent report which spans from October through December 2014.

As you know, TOC is made up of five community members each appointed by the City Council members. Currently, there is one vacancy and we are working with Commissioner Fritz's Office to find a replacement. Today, Ken Neubauer, TOC member and the director of platform engineering with Standard Insurance joins Chief Technology Officer Ben Berry in providing you with updates on the project under TOC oversight. The other members are Wilfred Pinfeld, Joshua Mitchell, and Colleen Gadbois.

We're going to project dashboards where applicable. Each dashboard contains information from the project management staff, from quality assurance, and the TOC. With that, I will turn it to Ken.

Ken Neubauer: Thank you. Pardon me while I get slightly organized here, or reorganized. Good morning, City Council, Mr. Mayor. My name is Ken Neubauer, thank you for your time today as I present the TOC's quarterly report.

During this reporting period, the TOC has six projects to review. They are the Information Technology Advancement Project, ITAP; the affordable housing software project, HDS; Office 365; City Risk Information Solution Connection, RISC; procurement solicitation system; and the lien accounting system rewrite. Following my report on each project, Chief Technology Officer Ben Berry may provide any updates he feels is necessary.

January 28, 2015

The first project, ITAP. This project develops a paperless permit and case management process and allows complete online access to permitting and case review services. Project deliverables include digitization and online access to historical permits and property information; implementation of an updated permit and case review; information management system; online access to case and permit applications and review services; mobile online access for field staff; and implementation of an automated queuing system.

The TOC has concerns around the project schedule and additional unplanned scope.

Some accomplishments this quarter. Several deliverables were partially completed. This is likely due to the project management -- to the ITAP project manager delivering deficiency reports to the contractor, which has led to completion rate and quality improving.

Regarding schedule, the TOC lacks confidence that the project will meet schedule. Although work is being accomplished, it's at least five months behind.

Regarding budget, the TOC is concerned about log-in integration, which is additional unplanned scope. If that work can be quantified, the TOC will consider turning budget to yellow.

Regarding scope. The TOC is concerned that logging into through the portlandoregon.gov portal is unplanned scope. If the work can be quantified, the TOC will consider returning the scope to yellow status.

Ben Barry, Chief Technology Officer, Bureau of Technology Services: Good morning, City Council. I'm Ben Barry, Chief Technology Officer for the City of Portland. Mr. Mayor, Commissioners.

I want to give you a verbal overview of where I see the last TOC meeting for the ITAP project. As Ken Neubauer mentioned, it's red in schedule, red in budget, and now red in scope in the eyes of the TOC. From a quality assurance assessment, it was red in schedule, yellow in budget, and yellow in scope.

Now, I think that the biggest stumbling point that we are seeing with the ITAP project is the ability to deliver a schedule that is salient and can be depended upon without it being changed. Of course, schedule has both plan to actuals. And so it's in the meeting of the actuals in terms of milestones is where I believe the issues have been with delivering this project beyond anything in red in schedule. So, that's where the project management team and the director have been involved in conversations with the vendor, Sierra Systems, and to date I think they've changed out a number of staff.

But as you will recall last time I was here, I reported -- I asked the project, well, how many months behind schedule is it? At that time, it was five months. I asked the same question now, and I don't have an answer from the project. The only thing I do have is when I look at the chart that shows the status, the current expected completion date is winter 2015 through 2016. Typically -- that's so wide you could drive a truck through that. It's just too wide, and that's why we need a schedule that is dependable and track-able.

On the budget, because of it being schedule that we can't depend on yet, there's implications to how much money the vendor spends and how much the City spends, and that's why that's in red.

We believe that the scope has never been changed from a customer standpoint, from the bureau standpoint, but because the vendor looks at the scope and then kind of interprets what the scope is into the complexities, which drives the schedule again, that's why the scope is in jeopardy, and you could see change orders. We haven't seen change orders to date, but change orders from either the City side or from the vendor side could in fact impact the schedule and the budget.

January 28, 2015

Neubauer: Thank you, Ben. The next project is the affordable housing software project. Portland Housing Bureau has contracted with Housing Development Software, HDS, to implement a solution to provide a single data repository for the City's affordable housing programs. This effort replaces disparate systems with a modern and effective single core system, providing data efficiencies, reducing overall cost, and improving access to data and reporting tools.

For status, the City and HDS may have reached an agreement on a path moving forward and completion integration. Portland Housing Bureau will pay outstanding professional services, and HSD will deliver a major release to resolve the outstanding defects in the system and loan servicing module.

For the upcoming milestones -- upon receiving the next release, Portland Housing Bureau will commit to accepting or reporting critical issues no later than January 9th or 15 days within receipt of the major release, whichever is later. HDS will also commit to follow-up on any defects or major issues that are identified within 48 hours with an analysis of the defects and anticipated plan date of the resolution of the defect.

Some risk or concerns of the TOC. The TOC stopped provided a color dashboard for this project in April due to going live. We have however provided a current status dashboard below. The delays on final acceptance are of concern and the TOC recommends that the project continue to check in with the TOC until a final acceptance and payment issues have been resolved.

Berry: City Council, just as an additional set of information on this project, we actually feel pretty good about the Housing Data System project now.

TOC scored it on the 19th of January yellow in the schedule, green in budget, and green in scope. It's the first time we've seen a measurable change in the reporting of the project. You will recall the last time we spoke about this, there were 21 issues that had to be resolved. They're now down to three minor issues, and they believe they're on the right track.

They also have the attorneys, City Attorney, as well as the vendor's attorney in discussions on payment, and they have now negotiated the payment schedules to both groups' satisfaction. So, we are looking very happy on this one and we think we will hopefully close this out the next time we report this.

Neubauer: Thank you, Ben. The next project is the Office 365 project. This project is responsible for migrating all City computers to Microsoft Office 365. The City currently used Microsoft 23, which Microsoft will no longer support after April 2014. Migrating to the cloud-based Office 365 will save approximately \$1.2 million over five years, provide more disaster recovery option, and a larger email storage.

Status on this is this project is complete, and the TOC chosen not to track phase two.

Berry: As for more information about Microsoft Office 365 -- very successful project. We're actually able to return some of the dollars -- just over 400,000 -- to the next phase of the project, and we came in roughly about a month of the scheduled due date. And then we also had a 90-day report from quality assurance, and I might say it's one of the best 90-day post invitation review reports I have seen in terms of the framework and the way they reported out for case associates.

Neubauer: Thank you, Ben. The next project is the City Risk Information Solution Connection, also known as RISC. The existing risk management data system is out of compliance with the City's technology standards, and is becoming increasingly difficult to support and maintain. This project replaces several existing independent systems with one integrated system that will support key business activities, increasing effectiveness through integrated data management, increasing efficiencies and automation, and implement best

January 28, 2015

practices. This project was originally assessed in the winter of 2012 and not requiring TOC oversight. But due to increased risk and delays, the project joined the TOC portfolio in June of 2013.

Current status on this is that the TOC has received a 90-day post implementation report, all payments have been made and contracts have been closed.

Final comments from the TOC on this. Regarding schedule, the project took 19 months instead of the estimated 10. Schedule improved after the appointment of a new project manager. Delays between this contractor and its subcontractor meant that the final component was delayed to September 5th, 2014.

Regarding scope. Scope remained stable throughout the project. No scope-related change orders were required.

Regarding budget. Project came in on budget in spite of lasting nine months longer than schedule. Delays were vendor-caused and contracted resources were hired on an as-needed basis and released when delays occurred.

Regarding product performance. Generally positive. New system has increased efficiencies, reduced paper flow, improved time to accomplish tasks, and eliminated 10 shadow systems used to support the older system.

Berry: We are very excited to see the finale of the project and its conclusion and I have no further comments on that one.

Neubauer: Next project is a procurement solicitation system. Procurement services is outgrowing their current solicitation system which doesn't offer a cost-effective solution or the functionality required by the City.

Procurement is planning to replace an integrated three systems into one, and add functionality that will allow electronic request for proposal submissions. Currently, the TOC has no additional comments on this project.

Berry: This particular project is a new project for us. The QA has been on board for about three weeks now, so it's still relatively early in the process. And it's all in green at this point.

Hales: Even though your confidence level on the budget is low? Tell us about that.

Berry: Under the current revision, I do show the expected completion level at medium.

Hales: OK, it just said --

Berry: Oh, as of the 19th of January -- so this is more recent information for you. And I also show as of 19th of January, budget confidence is medium and the scope stability is medium.

Hales: OK, good. Thank you.

Neubauer: Thank you, Ben. The next and last project is the lien accounting system rewrite. The lien accounting system is used to record and manage assessments and liens for the City as required by City Charter and Oregon state law.

The application is written in an old programming language and is one of two remaining applications on the mainframe, which is scheduled to be decommissioned July 1st, 2015.

Because of the tight time frame and resource constraints, the decision was made to rewrite the existing system using a more modern programming language and transfer it to a Microsoft Windows environment.

As of this reporting cycle, the project is meeting expectations. However, the TOC has concerns with the disconnect of the QA and the project team regarding the lack of project plan and using the agile project management methodology.

Saltzman: What does that mean -- agile methodology?

Neubauer: In project management, there's two basic methodologies, there's the waterfall, which is I would say a legacy methodology used by most projects. And agile is a more time constraint. You have quicker deliverables, it's intended to have quick turn-around, but it's

January 28, 2015

just a completely different methodology than most companies and people are used to using.

Berry: This is a follow on for the lien accounting system. Most recent January 19th finding from the TOC was red in schedule, yellow in budget, and green in scope. Although, the quality assurance vendor has a yellow in schedule, yellow in budget, and green in scope. I think the disconnect between the yellow and the red there -- we just have seen much detailed project schedule for lien that has been in the works for some time, and I believe it has been signed off at this point by the sponsor. The QA wants to make sure that we can check the results of the schedule before they move the needle back into yellow. So, it's just a little bit early to bless it at this point, but we now know that the QA and the sponsor in the department is actually working together. That's actually been a very good situation from what we were looking at before.

As you know, the City's mainframe has two users. We have the Portland Police Bureau data system that's earmarked to come off of that main frame in April, April 14th of this year. And then the only other customer on that mainframe will be the accounting -- will be the Auditor's Office with the lien accounting system. Failure to come off of that system means the last customer standing on that platform will have to pay the full freight of the main frame and that's about \$700,000 a year.

So, this particular executive advisory group for the lien accounting system has added resources. They have actually added \$164,000 from the Auditor's department to bring in more resources for programming, and the discussions that are having between the development team and the QA have been going a lot better now. So, I am encouraged that they will make their deadline.

Hales: Thank you. Thank you for the report. Obviously, the project here that's got the most question marks and also the biggest price tag is the ITAP project. We knew that when BDS took this on it was a major undertaking, and we know Mr. Scarlett was volunteering for risk. So, we thank you for that. But any more comments or particular issues you want to raise about that just because of the scale of the thing and the level of certainty or uncertainty at this point?

Berry: Mr. Mayor, I would be more than happy to have Director Scarlett come up and say a few words. He's here in the audience today.

Hales: It might be helpful. Paul, if you would, to give us a little management view of the issue from the bureau.

Paul Scarlett, Director, Bureau of Development Services: Good morning, Mayor and Commissioners. Paul Scarlett, Director for Bureau of Development Services. I'm here with Rebecca Sponsel, the project manager, and I appreciate the report from the TOC and Ben Berry.

We do share concerns about the schedule -- certainly, the schedule could impact the scope and the budget. However, I have to tell you -- first, share that Commissioner Fritz and I -- this is one of her highest priorities, to make sure that it is being managed correctly and that we do maintain and achieve the goals of the ITAP project, which is to improve access for our customers and our employees. And to that end, I am pretty inserted in the process -- meet weekly, whether in person or telephone conference with the Sierra executives, along with Rebecca, and we are focused on all of the deliverables and concerns around the schedules.

I can share with you that just this morning, one of the things I pressed and have been pressing is the schedule, which of course is of concern, and did get commitment to have a revised schedule by next week for our view. And so, that will be a big relief, if you will, or progress. Certainly, a number of other aspects which the quality assurance consultant continues to monitor is also showing some progress. And as Ben shared with

January 28, 2015

you, the schedule is red and the report -- which is for the last three months, if you will -- and we're looking forward also and some of those areas have improve. The color grading, if you will, has changed from red to yellow, for example in the scope. That's something that we're feeling better about.

We are pleased to share that we have put more resources to the ITAP project from BDS's team. The team has about doubled over the last year or so. We've got about nine BDS employees, along with Sierra team members and other BDS staff that are considered subject matter experts. So, overall, yes, we shared the concern about the schedule, but we're laser-focused on knowing that this is technology, one, that is outdated and that's needed. And we are committing and feel confident that at this point it will work. We are seeing some completed folders, if you will, that actually does work. So, that's sometimes a concern, will this work? Which is, of course, that we want to be assured of. Yes, it's delayed, but we do know that -- we feel that the vendor can do the work and it is a matter of adjusting or getting on top of the schedule. And of course, the budget and those pieces will come into play and be hopefully addressed holistically as well. I can have Rebecca share a few words being that she's on the project daily. Thanks.

Saltzman: Can you tell us what is the new -- based on your conversation with Sierra Systems yesterday, what is the new timeline for completion?

Scarlett: It was just this morning. The commitment from Sierra is to have a revised schedule delivered to me by next week. We meet Wednesday mornings, whether in person or by telephone. And so, I should be able to look at that schedule by next week and have a better sense of what that revised date looks like. We are moving -- I know Ben shared winter 2015-16. We are saying winter 2016. 2015 realistically is in December. And the way things are looking, that might be a hard date to deliver to, but we are feeling the winter -- of course, there's more flexibility there and part of to better answer that question will be reliant on what is provided to us next week.

Hales: Other comments you want to add?

Rebecca Sponsel, Bureau of Development Services: Well, I have plenty to -- we do have some success on the project, as Paul mentioned. The foundational blocks that we've had to build with regard to the platform complexity and integration and with regard to the integrated nature of the City of Portland's permitting practices presented some problems for our vendor and all of their partners. And we believe that we have made significant headway in that way. We have achieved integration between project docs and the permitting system, which allows us to use that to go forward with all of the future integrations.

We've tested successfully 18 separate configurations. They do work in their unit structure, and there are teams working behind the scenes to integrate those into the data and the other interfaces that connect. So, we have made foundational improvements as well as integrational improvements.

We are not exactly where we wanted to be. That being said, with the foundation blocks in place and some process improvement on the part of the vendor, plus additional resources on both sides, we believe that we will have a more confident view of what the end date looks like. It could still be winter of 2016.

Fritz: Part of the challenge is the contract -- although it specified deliverables, it didn't specify deadlines for the deliverables. And so, learning from that experience, we want to make sure that the next timeline is realistic. We also, of course, don't want to ease up on the pressure to get the job done. So, that was -- that's also part of the negotiation is -- tell us what's realistic, vendor, and make sure then that we continue to follow through to get those deliverables done.

January 28, 2015

Certainly from BDS's side, my -- I'm confident that we have the right staff and that we've got sufficient staff dedicated to doing our pieces of it. Rebecca has instituted some new reporting mechanisms on a weekly basis to let the vendor know what we are expecting and to tell them how they did the week before in our evaluation. So, it's a lot of project management.

Hales: Well, to that last point, I will try to put this a little bit delicately, but not so delicately that the point will get lost. We are Commissioners-in-Charge of bureaus, but we're also board of directors.

One of the reason we have this technology oversight exercise here at the council is that no matter the color of money being spent -- whether it's utility money, general fund money, or in this case, the fund -- if it's paid for by building permits, it's still public money. And so, we do this ecumenical effort at looking at all of the technology projects, and with the help of these volunteer advisors, make sure that each is being carefully watched and managed.

In this particular case, BDS is the lead bureau, but our permit process of course spans almost every bureau that is represented by the five of us. So, I wouldn't expect Commissioner Fritz to be shy on this subject, but I want to encourage you, and Paul, as well -- if you need specific performance from any of our bureaus that are linked in to this permit clearinghouse -- which is what this system is going to create -- obviously don't be shy. Ask us for additional staff support or additional -- or the ability to meet the schedule. If we're having trouble meeting the schedule because of one of my bureaus, I certainly want to hear about it. So, this is a big deal. It's now over \$10 million. It's really important. It's going to be a great service for our customers, but obviously as you said, Paul, it's got to work. So, call on us, please. And again, I know that's a little redundant because I know you would. I just want to put that out there and obviously put all of the bureaus on notice as well. This is a big deal for us corporately, and everybody should be helping make it succeed.

Fritz: Thank you, Mayor, I appreciate that. In my first term, we had a big discussion about consolidation versus colocation for the permit services and we went with colocation. As Rebecca mentioned, we do it differently from other jurisdictions. So it's not like you can plug it in, and expect it to work the same way that you want it to work -- that it needs to work. And so it is multi-bureau, and I very much appreciate your acknowledgment to that.

Hales: Let us know when you need help to make all of those things go green.

Scarlett: I will take you up on your offer right away.

Saltzman: I had one last question, and that is the oversight committee raised concerns about logging in through the portlandoregon.gov portal as a change in scope. Is --

Sponsel: It's not a change in scope. The issue was how we are going to authenticate, and we had several choices. The original plan called for active directory and now we're going in the direction of Portland Online. We've made that decision, and there is a task team working that puzzle and there are vendor items to now work on and complete, and then we'll do some testing on it. So, we made the decision. It has not been fully resolved, but it is in process.

And I do want to point out that we are working on phase two, which is the requirements gathering; and phase three, which is the configuration. That is the bulk of the work, and those take a long time. So, we are in the middle of that process. This is also where issues are discovered and resolved. And we are actively engaging on all of those fronts. So, this is painful but normal.

Berry: And I would also say, I would agree. We talked about that issue. I think it has been resolved in the way we work to do it.

January 28, 2015

Fish: Ben, can I do a follow-up on that? I have a more than passing interest in this question of how you access the Portland Online portal. And today, the Water Bureau is announcing a quantum leap forward in monthly billing because we've been able to crack the nut and allow people to get that service if they still would -- if they don't want to do e-bills but get a paper bill. So, we kind of figured that out. I think almost everyone up here now does monthly billing, and it's not the easiest system to access. Or maybe I'm making a comment about my technological competence. But is there a way -- is there some thought, short-term, medium term, to making the system more accessible?

Berry: For Portland Online, particularly for monthly billing and water bills?

Fish: Well, we have lots of -- you can go on to pay the arts tax, you can go on to pay the leaf fee, you can go on to pay your water bill -- but for anyone accessing, I find it a little challenging. Sometimes, you have to put in two sets of codes and that creates some challenges. Any thoughts about that?

Berry: Commissioner Fish, this is a question about usability of the system. I don't know of any usability initiatives going on with Portland Online right now, but I can take that question back to our development team and get some information back to the committee.

Fish: What I would be interested in is, what options do we have with the current configuration? Are there shortcuts or other kinds of things -- and of course doing so in the context of ensuring safety. Obviously, we have to make sure that people who access are protected.

Berry: Thank you. I will take that from the minutes and we'll get that to the team so that I can get back to you.

Fish: Thank you.

Neubauer: I had one last thing I'd like to offer from the TOC. ITAP was one of the first projects that came to the TOC in fall of 2011. At that point, they were still in the analysis phase going through project, trying to figure out what programs to bring in. When they were doing that, we actually had a TOC member go and work with bureau members. And when they came back, the report to us was, this is a really complicated project. And when we looked at the dates, the TOC really felt they were incredibly aggressive dates. Not sure who selected the dates, but they were very, very aggressive. We're not at all surprised to see some of these delays that have happened. I think with projects that have this magnitude of scope and complexity -- especially when you have homegrown systems that the City has -- I think this is to be expected.

Hales: Good point.

Fritz: Thank you, that's really helpful.

Hales: Any other questions for our team here? Thank you all very much. Appreciate your work. Anyone signed up to speak on this item?

Moore-Love: I did not have a sign-up sheet but Mr. Lightning has requested to speak.

Hales: Come on up. Good morning.

Lightning: Good morning. My name is Lightning, I represent Lightning Watchdog. The only concern I have on this is you stated it's very complex, there is going to be some delays, and I understand that. But my main concern is pertaining to the affordable housing software. One of the things I have done some speeches on in the past is to make sure that these loans are serviced properly. And I want to have a clear understanding on this loan servicing module, which you state here is the most important module -- which I do agree -- is operating properly, the loans are being serviced properly, and we're not going to have at the end of the year the Auditor come in and say we are not able to service our loans in a reasonable manner due to software problems. And I don't want to hear that again this year. I want to make sure that these systems are in place. If they're not working right,

January 28, 2015

make sure that the loans are being serviced properly. And that's my main concern on this whole issue pertaining to the affordable housing software. Thank you.

Hales: Thank you. Good point. Good morning.

Steven Entwisle: Good morning, Council and Mayor. I'm Steven Entwisle, 55 year resident of Portland. We talked about a little bit about affordable housing. Well, I live in affordable housing, and my question is if you're going to put people in affordable housing, then it would be a good idea to have some kind of a noise control ordinance around the affordable housing. Because right now, we don't. And I had a friend die because he was on a medication and wasn't getting sleep. His name was Don Estep [spelling?]. Nothing has been done. His death, and his death has been years.

Let me tell you what happens. This morning, there was a whole group of people, there was a little convention right underneath my window. Everybody is laughing and yelling and screaming and keeping all of our neighbors awake. I know we all want to hear that, right? Unless it happens to you, you probably don't take it into consideration. But anyway -- so the only option that a person has when they're living in affordable housing, since there is no noise control officer anymore that deals with those issues -- that they have to call the police.

A lot of people are a little apprehensive about calling the police especially these days, especially on a noise issue. And the police don't take noise issues, it's the very lowest priority of all. But this is about public health. This isn't just about some little annoyance. This happens seven days a week. This is not just on the weekends. This happened this morning.

Now, that being said, do you know what happens when you call the non-emergency police number? Do you know what happens? Let me show you what happens. I had to call the non-emergency police message. Now, what I ask the dispatcher is, do you want me to call you guys before or after I go down and confront the folks? And they go no, don't confront them. We'll take care of it. I go, OK, fine. So, I call the non-emergency number -- reluctantly. I don't like to call the police for anything unless it is absolutely necessary.

Now, what happens is this. This is the answer -- OK -- let me get this down. You gotta hear this. I'm not going to be very much longer. This is just going to be a few more seconds. This is what happens when you call the non-emergency number and you get a police response. What time did I call? I called at 3:18 this morning. OK. Here it is.

[playing phone message]

*****: Hi, this is the police calling you back. I went down to the location, one or two people outside smoking. Nothing loud. Unfortunately, the police cannot tell people to be quiet if they're just talking on a sidewalk. Our noise ordinance is [indistinguishable] like music, which is not people talking on the sidewalk, unfortunately. Alright, good luck. Bye.
[end of phone message]

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

Entwisle: Sure. I called at 3:18. He didn't get back to me until after 3:40. That was 30 minutes. A lot happens in 30 minutes. These guys know what they're doing. They're doing this on purpose to bother us to keep us up at night because it happens every single night. We've made complaints to management, we've made complaints to the neighbors. We've made complaints all around, but you know what? It is just -- it's nothing. If I go down there and confront them, guess what, I get 40 shots in me from the cops. They will kill me and let me bleed to death in the street over a noise issue.

Hales: Mr. Entwisle, we appreciate you bringing this to our attention but we've gotta get on with our agenda.

Entwisle: Are we going to do anything about this or not?

Hales: I will talk to the Police Bureau about that report. Thank you very much.

January 28, 2015

Entwisle: Thank you.

Fish: I move to accept the report.

Fritz: Second.

Hales: Is there any further discussion? Then roll call on accepting the report.

Item 102 Roll.

Fritz: Very much appreciate the work of the oversight committee in partnership with the Bureau of Technology Services and also Commissioner Saltzman for establishing or leading us in establishing the Technology Oversight Committee. I am still looking for a delegate from my office so if anybody is interested having seen this presentation, please contact my office.

Obviously, the main concern to me in this report is regarding the ITAP project. I believe in the -- I very much believe in the team that we have put together at the Bureau of Development Services. Very grateful to Rebecca Sponsel, who's the project manager; and to Paul Scarlett for his in-person oversight on a weekly basis. I'm hopeful that our contractor put together a team that will now meet our needs.

Just as a reminder, this project was envisioned by Commissioner Leonard and I vividly remember him describing the current process in Development Services where applications are on paper and taken around in shopping carts from one desk to another. And we need to get into the 21st century and have mechanisms so that people can check applications remotely so they don't need to drive downtown. We need to be sure that all of our systems work better. Colocation has helped our systems to work better, but this will be the next stage.

I was interested to hear that the Technology Oversight Committee warned in the first place that the schedule was too ambitious. Obviously, the schedule affects the budget and then it affects what can be done as well.

So, my intent with this revision that we'll be doing is to make sure that we do set a realistic schedule that's still ambitious and sets a good target and doesn't let the project drag on for decades. Although obviously, with any technology project, there are going to be upgrades over the years. So, we're going to set a realistic schedule so that we can then stick to it.

There are robust reserves within the Bureau of Development Services thanks to development picking up, which is helpful. There will not be a general fund ask for covering any additional resources that might be needed for this project.

I appreciate this work, particularly Ben Berry and the team at BTS; and also Jennifer Cooperman, the City Treasurer, has also been involved.

Speaking to the Mayor's point about this being an entire City project -- that's absolutely the case. I'm happy to be leading it and grateful that we have these frequent updates so we can let the public know that it's not going to be a surprise if we have to extend the schedule. Aye.

Fish: Thank you for the report. I want to begin by thanking Ken, who was my designee, for his continued service. It seems like we have a lot of people from Standard Insurance playing critical roles, Mayor, in helping us run this City. I'm guessing that if everyone at the Standard who serves on a committee is here at the same time, who actually does the work over there? We appreciate their public service, appreciate the report, and I appreciate Commissioner Fritz reminding us that there were two reforms in the past that were really important.

One the decision on colocation, which was controversial and that I think has proven itself over time. And the second was this technology oversight process that Commissioner Saltzman led, and I think it's proven itself, its value -- and so much so that I think it is really the model for how we should approach contract oversight, which I think is the next piece of

January 28, 2015

work for this Council. And I really appreciate the good work of the committee, and as always, Ben, you and your team for your work. Aye.

Saltzman: I want to thank the oversight committee for their continued good work and Ben Berry and his job working with the oversight committee. I think the oversight committee -- as the mayor said a minute ago -- is accomplishing exactly what we intended, and that is to make sure that complicated projects and software projects are overseen by all five of us in terms of monitoring issues, and that's through our appointments to the oversight committee. You are doing exactly that. So, thank you very much. Aye.

Novick: Thank you very much to the members of the committee and bureau staff involved in presenting this report. Aye.

Hales: Paraphrase Senator Proxmire's remark -- a million here and a million there, and eventually you've got real money. So, we appreciate you watching not just the millions, but the months and weeks and dollars involved in this project. Thank you Ben, and thank you all for your good work. Aye.

Item 103.

Hales: Commissioner Novick.

Novick: Colleagues, I would like to invite Metro Councilor Stacey; Malu Wilkinson from Metro; Art Pearce from PBOT; and Joe Zehnder from BPS to the podium.

Before we begin with the presentation from Mr. Zehnder and Mr. Pearce, I wanted to take this opportunity to make a few acknowledgments. Washington County Commissioner Roy Rogers is unfortunately unable to be here today. He has kindly written a letter of support that will be read later in the presentation. Metro Councilor Bob Stacey is here, as I noted. Thanks for making time in your schedule to join us today. And thanks to the bureau and Metro staff for their work thus far. I also wanted to take a moment to thank the community organizations, institutions, and individuals that are present today and involved throughout the process. I believe that both PCC and Northwest College of Natural Medicine are here and we'll have some comments from them later on. And also of course, Marianne Fitzgerald is here, although I understand she's speaking for herself and not for SWNI for once. If I missed any organizations involved with this process over the years, thanks for being here today. Joe and Art, please take it away.

Joe Zehnder, Bureau of Planning and Sustainability: Good morning, Commissioners. I'm Joe Zehnder, chief planner with the Bureau of Planning and Sustainability, and I've been asked to kick this off by providing some context for the decision that you're going to be asked to make today and remind everybody of what we've been doing up to this point.

The Southwest Corridor, including Barbur Boulevard, was made a priority in metro's -- the regional high-capacity transit plan. And so, we've been following through on that designation over the years. First thing we did in terms of City planning was to undertake the Barbur concept plan, which you all looked at a couple of years ago. That project -- our ability to do that -- was funded by a Metro grant. That Barbur concept plan was a community-driven project that filled in the blanks that we left when we finished working on the southwest community plans. And in doing it this time, we reached an unprecedented consensus about a vision for how we want Barbur to develop.

The concept plan identified places to focus development. It identified how to design these places. It considered how to connect those places into the neighborhoods, because the neighborhoods that lined Barbur are a critical part of what we're trying to create along Barbur. It looked at the urban design of those places, it looked at the mix of uses, the size, and the amount of development.

The Barbur concept also plan looked at the economics of when and how we expect this development to pencil, and it found that high-capacity transit is critical to achieve what we are actually proposed what the community consensus was in the Barbur concept plan.

January 28, 2015

And it also reminded us that with these local benefits, also there's a regional benefit to connecting to the employment centers farther out into the county.

We carried the concept plan into the comprehensive plan. The concept plan and the progress along the way with the continued work with Metro and the City and TriMet has been brought to the Planning and Sustainability Commission twice. The Planning and Sustainability Commission reviewed what's called the purpose and need statements -- so the framing statement for this work that we're doing -- and in doing that brought it back to the Barbur concept plan. That link is solidly tied to the project. We all need to say involved to ensure that it follows through on the promise or the priority set in the Barbur concept plan. But that's the context for what you are looking at today and this is the next step.

Art Pearce, Portland Bureau of Transportation: Council, Art Pearce, policy and planning manager for the Bureau of Transportation. Just add a couple of notes -- Joe, you did a great job.

One of the important pieces -- if you recall when the southwest corner came previously to Council, it was talking about the shared investment strategy. So, this is a focusing of energy regionally and within the City of Portland and other local partners around creating some great places around really emphasizing some key corridors. And it's more than just high-capacity transit projects. It also includes tying into multimodal access projects -- so, sidewalk improvements, better bike improvements to connect people who currently doesn't have good connections to the Barbur corridor and connecting into the high-capacity transit facilities themselves that we're working on collectively with TriMet and Metro.

It's also really, really important in reaffirming and investing in some of these key places, such as the naturopathic college and PCC Sylvania campus. So, those are key places that these investments and the overall strategy can help to strengthen and affirm. I encourage you to support this today, and we are here to answer any questions.

Novick: Before we move on, I would just like to add a few points. As you heard, Southwest Corridor Plan will introduce a fast, reliable, high-capacity transit option, making jobs and housing throughout the reason while strengthening pedestrian and bicycle connectivity to places and neighborhoods across the corridor.

The Southwest Corridor Plan is advancing two phases. The first phase of the plan is already complete and resulted in the creation of the Southwest Corridor Plan shared investment strategy, which Council endorsed in 2013. During the second phase of the Southwest Corridor Planning process, Metro refined the project and strategies identified in phase one.

In FY 14-15, this Council adopted a budget to set aside one-time general fund special appropriation for the first year of the Southwest Corridor draft environmental impact statement. This IGA represents the transfer of funds already approved last budget cycle, and documents work to be completed by Metro and project partners to narrow the high-capacity transit options, identify a preferred alternative, and create a subset of road and active transportation projects to be studied jointly in a draft environmental impact statement.

Previously, the path forward would have had project partners do a draft environmental impact statement before resolving some rather large issues. Councilor Stacey will speak to the shift to a preferred alternative and its components in a moment, and will talk about why this shift will make the process we think much more efficient than the process we were previously contemplating.

Speaking of project partners, I mentioned previously Washington County Commissioner Roy Rogers has offered a letter of support, which I would like to read into the record. Dear Mayor Hales and members of the Portland City Council, I regret that I am

January 28, 2015

unable to attend today's City Council meeting due to personal business that I must attend to. My purpose in attending was to convey Washington County's support for the Southwest Corridor Plan and our intentions of adopting an IGA similar in scope and detail to the one that you are considering today. The Southwest Corridor Plan is the fourth multimodal regional effort. The high-capacity transit project will address the need for more frequent, faster, and reliable transit service and other transportation needs in the corridor and region-wide. The multimodal projects in the preferred package for the Southwest Corridor will improve access to the transit station areas within the corridor for all modes. Washington County is also committed to partnering with other agencies and jurisdictions to leverage funds for multimodal projects in the corridor. Southwest Corridor Plan is essential for resolving traffic problems within the corridor. Washington County is in full support of the efforts of the Southwest Corridor Plan. Councilor Stacey?

Bob Stacey: Thank you, Commissioner. Mr. Mayor, Council members, I'm glad to be back before you again to give you a progress report and to explain from the perspective of the steering committee -- on which I serve as co-chair with the Councilor Craig Dirksen, along with Commissioner Novick and Commissioner Rogers -- that change in the work program that the IGA will contribute toward.

As a senior partner in this enterprise, along with TriMet, Washington County, and region as a whole, and ODOT, we want to make sure that you understand that we are trying to increase the efficiency and cost effectiveness of the decision-making process which we thought would be ripe for entering into the draft environmental impact statement at this point, which would be more cost effective if we define the remaining choices -- which are pretty big. There are options for tunneling for surface alignment, there are options for splitting between Tigard and Tualatin service or having a single line that continues down to Tualatin. There are station location options. We have a number of vibrant and important locations in Southwest Portland -- they don't make a straight line. And so, we have to be very thoughtful in a mixture of technical information and analysis and policy decisions that have to be ventilated with the public, sharing that technical information whether in an environmental impact statement or focusing on the locally-preferred alternative before we enter into that environmental statement. The DEIS process under federal law and regulations is probably the most costly way to make those kinds of narrowing decisions and to achieve community consensus.

So, those are the practical considerations. Can we have the high-quality public engagement and interaction with the communities, including the communities of Southwest Portland, that are engaged in this process, make decisions which are going to be laden with community design objectives as well as transit efficiency? And then, can we have a locally-preferred alternative? A location for those stations and that alignment and that mode before we enter the draft environmental impact statement?

There is also another very practical consideration. Two of our partners in this regional enterprise -- the cities of Tigard and Tualatin -- have had citywide votes that in the judgment of the City Councils of those communities require them to obtain voter approval before making further investment beyond this study phase in a high-capacity transit system. Knowing and being able to present to voters as well as all community members what that option is, where it will be located, how it would function would be very important in any kind of dialogue and any kind of public election to decide whether to proceed with such a project.

A draft environmental impact statement is a pretty obscure thing to take to voters. A proposed project is clearer. And I think those members of the steering committee are very intent upon being able to talk in real terms about the proposed decision and all its parts. So, for that reason, on the same schedule, with the same monetary outlay by the City of

January 28, 2015

Portland, we propose to deliver the draft environmental impact statement on the date required with an LPA and just move the locally-preferred alternative to the front end of the DIS.

It's not unusual – it's unusual in practice in high-capacity transit corridor decision-making in this region, but many other regions have used it for high-capacity transit decisions and across the country for other federal investment or federal-decision making that require a DIS. Would be happy to answer any questions, but I think Malu and your staff will do a better job of giving you those answers. Thank you.

Novick: Malu, you like to elaborate on the work plan?

Malu Wilkinson: I am going to try not to be repetitive with what we've already heard from these gentlemen next to me, so I will do my best to focus on the areas that I don't think you've heard yet, and also get some images in your minds in terms of what we are looking at.

I want to talk a little bit about how we are approaching the next year and a half in terms of the work plan; when we expect milestone decisions; and also get throughout the reasons why we're looking at the Southwest Corridor and how we invest in the Southwest Corridor.

So, with that -- I just want to just remind us as we heard from Joe and Art and Councilor Stacey and Commissioner Novick, we are really starting with the local community visions, and that's why we're looking at thinking about how we invest in transportation in concert with not just the Barbur concept plan but also the Tualatin plan, the Tigard high-capacity land use plan, the Sherwood land use plan -- so, each of the communities in the Southwest Corridor did a land use plan, and that is the foundation of what we're doing.

Again, there are a lot of reasons why we started looking at the Southwest Corridor. Some of the opportunities and challenges in this area -- it's an area with a lot of travel demand, significant anticipated increased growth in jobs and housing. There are already a lot of jobs and housing in the area, and there's a real lack of safe infrastructure, along with a lack of transit opportunities in the Southwest Corridor.

I'm going to talk a little more about the impact of traffic congestion and unreliable travel times in a moment. You heard from my colleagues here about the reasons why we started looking. This corridor was identified as one of the region's top two priorities in 2010 for high-capacity transit investment. The other one is Powell-Division. That is also moving along right now at the same time, and we're expected about being able to think about how we address those needs together.

So, we're looking -- as you heard Art describe, we have a shared investment strategy and we're not just looking at an investment in high-capacity transit. A full suite of transportation investments is going to be needed to address challenges in the corridor. But there are a couple of really good examples from the potential impact of a high-capacity transit investment that I wanted to share with you today.

What you see up on the screen is an example of the unreliability of the transportation system right now in the Southwest Corridor. We have real-time data from 2013 that shows that it takes 14 minutes with no traffic to go from Portland State to Tualatin. But you can't rely on there not being any traffic. In fact, if you want to be on time 90% of the time to get home to pick up your kids from daycare or from school or get to an interview or get to a dinner date, you need to plan for 58 minutes. And that's a big difference in the amount of time that it takes.

When you think about investing in light rail, or bus rapid transit that's in a dedicated right-of-way, we're looking at a 30-minute travel time that's always -- it's dependable and

January 28, 2015

reliable. And so, that's part of the benefit of having high-capacity transit as a transportation choice in the Southwest Corridor.

I also just wanted to let you know about the potential performance and return on investment from a broader regional perspective as we think about investing in this corridor. We have initial modeling results that show ridership projections for 2035 for the Southwest Corridor, both for bus rapid transit and light rail transit, and they are very robust. Bus rapid transit being a little bit over 30,000 daily rides. Light rail -- close to 37,000. That's 60% new transit riders, which is a really strong number that I think is indicative of the lack of choices that there are right now in the Southwest Corridor for how we get around.

And just for context, Portland-Milwaukie is projected in 2030 to have about 25,000 daily rides. So, this would be a very competitive corridor when we're thinking about how we look for funding beyond just our region and in the national framework. There are some numbers up there in terms of current light rail lines ridership for context for you to look at.

We already heard from my colleagues about the progress to date. We have a shared investment strategy. It's more than transportation. Really, it's the kinds of investments that we need to make to create the places that people want to live and work in in the Southwest Corridor from Portland to Sherwood, little bits of Beaverton and Lake Oswego.

And then, I think another important point here is that when we started looking at transportation investments outside of high-capacity transit, we put together everything. We came up with over \$3 billion worth of road, bicycle, pedestrian improvements. We worked together with our project partners to narrow that down to \$500 million that best supports the land use vision, not that high-capacity transit line but all of the visions for employment and mixed use areas throughout the corridor. But we didn't take the next step of figuring out how we get those projects on the ground, and that's part of what we are looking at over the next 18 months.

So, you heard last June, the steering committee refined the high-capacity transit further. The last few months, what we've been doing is working with the steering committee to figure out the best path forward. Counselor Stacey described what that is. We're really aiming for a preferred package in May of 2016 and how we get there is based on guiding principles.

We are aiming to make as many decisions locally as we can, as Councilor Stacey referred. To do it based on information that our decision makers need to define a project that would then go into a more costly and federal planning process. This is also in alignment with the Federal Transit Authority's guidance to be sure that by the time we bring them a project to partner with them on, we're ready at the local level to move forward with it. So, this fits in with the streamlining approach of Map 21.

One of our guiding principles is to activate the shared investment strategy with a focus on places to figure out how to get those road, bike, and pedestrian projects in place over the next five, 10, 15 years to help community members be able to move around better now and to allow for enhanced engagement and community discussion -- and Councilor Stacey talked about that. So, there are three main elements -- and I'm going to get to those a little bit more in a minute.

The shared investment strategy projects that aren't part of the high-capacity transit - - defining the high-capacity transit package very clearly, and a development strategy that really helps further that land use vision and implement it with strategies and partnerships that are specific to key places in the Southwest Corridor. So, we're aiming for really three chunks of decision making in the next year and a half.

In July, what we're aiming for when we think about high-capacity transit -- we want to make some of those major alignment choices. Do we directly or indirectly serve

January 28, 2015

Markham Hill, Hillsdale, and the Sylvania campus of Portland Community College? And also, figuring out how we make our way through Tigard. We have a lot of little lines on the map running through Tigard, and we can work with the Tigard community to figure out how to narrow that further.

So, we're trying to make a chunk of decisions in July related to those.

In December, what we're aiming to do over the fall is really focus on the discussion of what is the best investment in terms of mode to serve the needs of the Southwest Corridor and the region and how the pieces fit together. Is it light-rail, is it bus rapid transit, how far south does it go, and which alignments do we want to take into that expensive federal planning process? We'll have a four month time between December and May to have a lot of engagement on what the steering committee will put together into a preferred package that will be recommended to each of the project partners in the region.

I want to spend just a moment talking about engagement. We have heard that we haven't been out there talking over the last six months enough. We agree with that. We have done a lot of technical work, we haven't had a chance to go out there talk about it very much. We're ready to do that now. There are five main activities that we are intending to overtake over the next year and a half.

The most important is really the place-based outreach, where we want to be out there at neighborhood meetings, business associations, institutions, stakeholder groups -- we want to be out there hearing what people have to say about the local considerations and tradeoffs of these major investments. But then, we also want to pull those together into community planning forums where we are inviting people from across the corridor to be able to think about how those local choices and tradeoffs impact the corridor-wide region-wide investment.

Online engagement will be very important to us, because we are more effectively able to reach more people online than we are in meetings. And we're really working to build our relationships with the environmental justice and under-represented populations in the Southwest Corridor. It's a corridor that is different than other parts of the region, but we have a number of populations that we need to work with effectively so that their voices are heard in that corridor. And then we're also going to be engaging --

Fritz: Before you move on from that, how are you going to do that? Because that's not likely folks who would participate online.

Wilkinson: Exactly. We are working with different groups, with the community leaders. For example, the Somali Family Center and there's a youth farm in Tigard. We've been out visiting with them to work with them to figure out the best way to engage. Because frankly, it's been a challenge in this corridor to be able to reach out to those groups. So, it's not online and it's not at our regular community meetings. We're trying to work with those leaders in the communities to figure out what works for them.

Fritz: Have you talked with the staff at Markham Elementary?

Wilkinson: I will check with our public involvement person and see if we have.

Fritz: Because that's a built-in community with a lots of different kinds of folks. That would be a great spot for you to go to them.

Wilkinson: That's terrific, thank you. We'll be working with I.D. Southwest as well to help them engage their networks.

So, I want to leave you with some pictures of places in the Southwest Corridor. I'm not going to read through anything on these. But you know, we're talking about South Portland, Hillsdale, Portland Community College Sylvania -- that campus is their largest campus, there are a lot of opportunities up there. Barbur Boulevard. Tigard triangle and the downtown Tigard area -- how those connect are really important to think about and how those connect to the cruise way employment area, which is an area of a significant number

January 28, 2015

of jobs. In Tualatin, Bridgeport Village, downtown Tualatin -- all of those areas are really important to better serve with transportation choices. And then when we think about Sherwood and Washington Square, we're not so much thinking about high capacity transit here, we're thinking about how do we implement shared investment strategy projects like improvements to Tualatin, Sherwood Road, enhancing the local transit service. Trimet has been working on a southwest service enhancement plan, and that's really critical. You cannot get from Tualatin to Sherwood in either direction without going north to Tigard. So, that's a problem for people in those communities who would like to be able to have other choices to move around.

Our schedule here is -- again, between now and spring 2016 we'll be developing this preferred package. We've reviewed what would be in that preferred package. Towards the end of 2016, early 2017, we're anticipating scoping for a draft environment impact statement. We work through that process. We'll be able to move through that very rapidly because we would have such a well-defined project. So, we're aiming to be complete with all of that by the end of 2017. In a nutshell, that's what we're doing, how we're doing it, when we anticipate doing it and a reminder of why.

Novick: Thank you.

Hales: Thank you all. Any questions for this panel?

Fish: I have a question for -- I think it's Councilor Stacey.

Stacey: That's my name.

Fish: You have such a different look, I barely recognize you.

Stacey: It comes and goes, Commissioner. Hair, that is.

Fish: I can relate to that. A question for you is, where does housing fit in the planning process, particularly around capturing opportunities that are going to come through -- some decision-making in this planning process? We're going to have chances to think about where we put affordable housing or family-friendly housing or perhaps steer some City investments and other things. Can you give me -- as one of the two champions for housing at Metro -- how are we doing in that regard?

Stacey: Commissioner, I can't give you specifics about current proposals or strategies that have been developed in conjunction with the Southwest Corridor with the Housing Bureau, for example. Joe may be able to shed more light on that. But I can tell you that that's a rising consideration in all our high-capacity transit corridor work.

The steering committee of Powell-Division project, the bus rapid transit proposal that we're working with TriMet, the City, and Gresham to proceed on -- another steering committee which Commissioner Novick serves on -- has seen remarkable development of strategies to avoid displacement, which is one objective behind investment in affordable housing.

The encouragement of economically-balanced communities in and around the transit station areas will be another incentive and motivation -- I hope -- for City and nonprofit investment in the station areas of this corridor. It's a natural match to have workforce housing, to have mixed income communities, and to ensure that every part of the region -- particularly parts that have some natural areas and benefits that exceed those of, say, inner Southeast Portland will have opportunities for people of limited means. Same token on Powell Boulevard, part of the other project. I think we have real opportunities for redevelopments that include affordability, which is much more lacking in the inner southeast.

So, I'm very interested in the objective. Metro has limited resources for transit-oriented development, which we can target for affordability as the leap that we want our project to make with our modest investment. And so, should be in a continuing dialogue about that.

January 28, 2015

Fish: And by the way, I was at the rollout the other day of the Jade District vision, and there was someone from Metro there. In fact, there's a prime piece of property within the Jade District that Metro has acquired for a transit-oriented development -- it's the furniture store on the corner there.

Stacey: Yes.

Fish: And I was delighted to learn that.

Stacey: We're modestly proud of that, yes.

Fish: I guess the concern we all share is that as people are making bets about where those stations are going to be or what kind of transit or whatever, a lot of speculation happens in terms of the dirt. It obviously happened with Portland-Milwaukie light rail. It's going to happen here. At some point, we may be too late to put our marker down. And so thinking about it holistically around where are we going to do some -- around the zoning decisions we make, around the investment decisions is very important. So, I hope we have chance to continue thinking about that and make some choices before things are cemented and we've lost leverage. It's the tutorial Joe gave me, I'm just repeating it. But it's being upstream so we don't lose our opportunity.

Stacey: Absolutely. That's sound advice to the council in terms of some of the decisions you'll make in your comprehensive plan update, because there are some tools that our region has left on the table that are allowed under state law, such as incentive-based inclusion in housing development.

Fish: We were at a legislative breakfast this morning, and one of the City's top priorities lifting the preemption. So, we hope to have more tools in our tool kit. Thank you, sir.

Hales: The other thing I guess I'd mention is that we're doing the local work but we're in a federal process, and the federal new starts process evaluates projects in part based on what the land use plan, including housing, has done to key to the transit opportunity. In fact, in this administration, the Obama Administration, those agencies of HUD and EPA and Transportation actually put people from the other federal agencies on evaluation panels, which is unheard of. If we think we have silos, take a look at theirs. So, they've actually had people from HUD and EPA sitting in on the panels that evaluated projects and scored them. So, they not only have the stuff -- words on the page, but the right people in the room when they actually adjudicate who gets the money. And I like that, I think it's great.

Fish: And mayor, you have someone on your staff who is the right person too.

Hales: Yes.

Fish: I'm reminded that when you had that sort of brownfield site on Interstate that TriMet owned that later became the site of a housing development that now REACH operates that's next to the IFCC -- it's a very complicated plan, but Jillian helped navigate all the partnership relationships to get that done.

Hales: Great. Other questions, comments for the panel? Thank you all very much. Thanks for coming, appreciate it. Public testimony on this item, please.

Moore-Love: We have five people signed up. The first three, please come on up.

Hales: Good morning. Thanks for coming. Good morning.

David J. Schleich: Good morning, Mayor, Commissioners. We're grateful for the opportunity to express support for the Southwest Corridor Plan, IGA between Portland and Metro. My name is David Schleich, president of the National College of Natural Medicine in Portland. With me are Marilynn Considine, director of public relations and communications; and Keith North, who is our director of our campus development.

Our college has been in Portland for 60 years, and we're growing more rapidly than ever before in our history. Our impact economically in the community is closing in on about \$70 million a year. We're regionally and federally accredited, a nonprofit educational

January 28, 2015

institution producing physicians and experts in naturopathic medicine, nutrition, integrated mental health, global health, and very soon we'll be adding undergraduate programs probably in this year.

In addition to those daily programs that draw over 640 students to our campus every day, we have a robust clinical presence with last year alone upwards of 35,000 patients to our teaching clinic and facilities. NCNM has an increasingly national reputation in the integrative medicine sector, and we want to stay strong in this work and do our city proud.

NCNM's master plan commits us long term to our location, and that's one of the reasons we're so supportive of this initiative not only for our growing student population -- which will soon climb to as much as 800 -- but also for those patients. That growing patient population is such that we've had to in fact spread to Beaverton recently.

We also have a research institute and community education facility that's growing more customers, more patients, and also of course more clients, and it's on our footprint. We conduct an increasing portfolio of research that involves lots of visits from inter-professional groups. So safe, environmentally-savvy, supportable transportation solutions are very much part of our strategic planning and daily operational routine.

For example, we provide free bus passes for everybody -- our students and staff at the college. We encourage carpools, cycling, walking, running, in my case -- sometimes. As our very neighborhood friendly campus footprint knits together within the master plan approved recently, which includes not only new buildings but gardens and the upcoming seasonal whole life market that we're planning and our year round educational and patient care operations, transportation in and out of the Lair Hill area is a key component.

We're very grateful to be part of those conversations and planning which can bring about enduring solutions in our rapidly-evolving corner of a city which is nationally known as progressive and trend setting. I just call on my colleagues to add to those comments, particularly about safety and our experience with Metro and the groups doing this planning. Marilyn?

Marilynn Considine: Thank you, Mayor and Commissioners, for having us today and giving us this opportunity.

NCNM has had a keen interest in transportation issues around our college for many, many years. And we have developed very good relationships with Metro and other agencies -- TriMet, PBOT, ODOT -- and the Southwest Corridor Plan we're looking at with a great deal of interest because we're isolated in the small five acre section of Portland that we're in. We're actually cut off from Lair Hill, which is our neighborhood. We don't have direct access to the waterfront and to our associates at OHSU, or PSU, for that matter.

A couple of you have been to our campus and know that it's very difficult to get in and out and find. Particularly, Naito Parkway is very unsafe. It's a superhighway for that matter, right across the street from our school. In addition to being noisy, which comes with traffic, it's very dangerous. There are no stop lights, no way to cross that street except for a bridge way that most people don't use because the switch backs extend so far and they're very hard for handicapped access. I've actually seen a blind person with her seeing eye dog accidentally step into traffic on Naito Parkway without knowing it. The dog got her safely back.

So, we have a lot of interest in safety and accessibility not just for our students, not just for our faculty, not just for our staff alone but also for the nearly 40,000 patient visits that we have coming into our clinic right on campus.

We have had a very good working relationship with Metro, as I mentioned. They were just at our school yesterday talking about the options --Barbur Boulevard and Naito

January 28, 2015

Parkway -- as it affects our college. We truly appreciate their reaching out to us that way. So, I wanted to offer these comments to you and thank you very much for having us today.

Hales: Thank you.

Keith Thomas North: Good morning again. My name is Keith Thomas North. I'm the director of campus development and part of the strategic planning team of the college.

I want to concur with my colleagues about the future of rapid transit down either Barbur or Naito Boulevard to help support our school. Part of what we're planning for future with the enrollment opportunities that we see coming is how we solve parking. Parking, as we all know, is a commodity we just don't have the luxury of having enough of. In planning for the future, we understand how this will eliminate a lot of issues we know will become a problem in the future.

I also wanted to lend support today to the Metro and PBOT agencies. I've had the opportunity to sit on several different committees with both PBOT and Metro, and I can speak from my experience with them that they are the right choice in moving this forward. They have some great leadership within those departments and those agencies that I learned a lot from in my times on those committees. So, I have a lot of respect for them. In particular, I won't mention Art Pearce's name, but -- [laughter] -- I wanted to again thank you for letting us appear today. We fully support rapid transit down the Southwest Corridor. Thank you.

Hales: I just wanted to say thank you. This long planning process is a big commitment of time on the part of people who do have other responsibilities, like the three of you, and we just appreciate you being engaged. Whether we like it or not, these projects take years to plan and these are big, long, complex documents like environment impact statements that have to be produced in order to satisfy the federal government. Even if we wanted to do it more quickly, we couldn't. So, the fact that you're in it for the long run as a community member is very helpful. Thank you.

North: Thank you.

Hales: Thanks very much. Come on up. Good morning.

Linda Degman: Good morning. I'm Linda Degman representing Portland Community College. I'm the director of the bond program for the college district, and I'm here on behalf of the college to show support for the City funding for the Southwest Corridor Plan.

Several of us at the college have been very engaged in the process, attending committee meetings, meeting with TriMet and Metro and City of Portland staff on what's been going on. So, we really appreciate all of the time and energy they put towards this project.

As far as looking at this working with them at the best options to meet the future needs of students and staff with a variety of transportation investments that support future plans for PCC's growth in the future. And as Malu alluded to, this is our largest campus. We serve about 30,000 students annually at this campus -- and that's a lot of trips. And a lot of our students do use transportation options to get there.

It's difficult currently coming from Beaverton out to Sylvania. It can take about a 60 to 80 minute bus ride to get there, which is a long time for somebody to sit on transportation. So, we're hoping that this will help mitigate that somewhat.

We're excited about this, and serving the campus directly would be clearly our best option for us. We're working with the staff continually. We have meetings set up this afternoon with them. And so, we are excited about continuing those dialogues. Thank you for your support of this project. We appreciate it.

Hales: Thank you, Linda.

Marianne Fitzgerald: Hello, my name is Marianne Fitzgerald, and I've spoken several times in support of the City of Portland allocating funds for the Southwest Corridor project -

January 28, 2015

- specifically on October 9, 2013, and April 8, 2014. But SWNI has not taken a position on the intergovernmental agreement because we only received it this weekend along with the other City Council items. I'm just sharing some preliminary thoughts, but these are my personal thoughts.

When the committee adjourned on June 9 of 2014, it was our understanding the next phase would be the draft environmental impact statement phase; and on December 8 of 2014, they changed the schedule and said that it would be a new phase called focus refinement before proceeding with the draft environmental impact statement. I looked in the dictionary for the definition of refinement and it is the process of removing unwanted substances from something or act or process of making something pure. So, my personal main concern is that during this next phase, this focus refinement phase, we will not be able to get enough information to make recommendations from the citizen perspective.

We originally were told that would happen in the draft environmental impact statement, but as recently as January 15 of 2015 -- two weeks ago -- I was told it was not publicly available yet. So, I'm really urging you to really take a look at the IGA and the partnership between the City of Portland and Metro and engage the citizens and interested stakeholders -- I mean, not everybody is going to want to delve into the details, but I can name at least 15 people ready to. And we need that kind of information well in advance of meetings, well in advance of when decisions are made so we have time to read them, talk about them, and make our own recommendations, because neighbors are looking to neighbors to understand what this means as much as they are looking to officials.

With that, I'll just conclude and say that the citizens and the Southwest Neighborhoods board believes this project has potential to provide the people of Portland and Metro with greater access to jobs, education, and services -- as you've heard over and over this morning. But the public needs information before the important decisions are made in this focus refinement plan and whatever this locally preferred alternative is. So, Southwest Neighborhoods did support this budget year funding but now that we're just entering the next budget cycle, we'll reevaluate and decide whether to continue support for planning. Thanks.

Hales: Thank you.

Fritz: So, you haven't had an opportunity -- the SWNI transportation committee or any of the neighborhood groups -- to look at this proposal and decide whether or not SWNI or neighborhoods are in support of it?

Fitzgerald: The IGA?

Fritz: Yes.

Fitzgerald: No.

Fritz: And your concern is that it's proposing to make the preferred alternative decision with inadequate public input.

Fitzgerald: Right.

Fish: Marianne, I'm just looking at the exhibit A in our packet. It has a public involvement provision at paragraph three under key elements of the process. Is it your concern that that's not robust enough, or you haven't had a chance to make that determination?

Fitzgerald: I haven't really had a chance to make it, but based on the vagueness of it, my concern is that it would be a lot of fancy documents that have a lot of bullet points, but not the in depth analysis you may get in something like a draft environmental impact statement.

Fish: So, the preferred alternative will ultimately come back to Council for further discussion. Is there something in the nature of guidance you want to us give to our partners about the level of public engagement we expect?

January 28, 2015

Fitzgerald: Yes. I added a few things that we would like more information about. One of my personal concern is that they used the term integrated land use and development strategies, but I've been told verbally that it may not include specific station locations. And I don't understand how you can make decisions about projects and about alignments without making decisions about station locations. They all tie together. So, that's the kinds of thing. We did -- I was a participant in the Barbur concept plan and that had very good public input, but I first learned of the station locations in this phase one or two, whatever it was, at an open house in Tualatin. And I walked in and said, where did these come from? And they said, well, fill out a comment card, thank you for your input. I think we need a more robust decision about the station locations. We know that there's a ton of pros and cons and it's not going to be an easy decision. And I appreciate you'll be making that, not the citizens, but we want to be able to advise you from the neighbor perspective.

Novick: Colleagues, I talked with Marianne last night and I committed Councilor Stacey to something I haven't talked to him about yet, but I'm sure he'll be amenable -- [laughter] -- at some point, I was hoping in the next few weeks we should sit down with Marianne, with appropriate staff, with other advocates and talk about the public involvement process will look like in the next year or so when we're going through this identification of the preferred alternative.

Hales: Yeah, that sounds like a helpful step.

Fritz: Actually, Commissioner, I'm not comfortable voting on this today given this concern that the neighborhoods were not aware that this was coming. I wonder if you would be willing to have that conversation between now and next week. We could defer action on it, leave the emergency clause on it, but have that conversation in short order. Because I participated in the steering committee for a few months in between the transition between terms, and I was concerned about the level of public engagement, the ability of citizens to affect the steering committee members' choices, because there was pretty limited testimony from citizens at the end of the meeting rather than being an integral part of that steering committee. So, I want -- before we vote to change the process and to go with the steering committee developing the locally-preferred alternative, I'd like to have a better concept of how the community is going to be engaged, not just informed about what the steering committee is doing.

Novick: Commissioner, I mean, the point of this IGA is to transfer money that we've already agreed to transfer to Metro for a process, and I don't think that the shift from doing a DEIS first to a locally-preferred alternative in and of itself has impact on level of public involvement. I suspect that Marianne would have the same concerns of public involvement if we were still going down the DEIS path. We do need to address the issue of how much public involvement there will be, but I don't think that by adopting this IGA we're endorsing a lack of public involvement.

Hales: Yeah, I want to second that thought in that it's how it's done that matters. And at the risk of geeking out a little bit on you, I spent the last 10 years of my life doing projects in this order because that's how most metropolitan areas do it. They do the LPA work first, and then they dive into the details of the DEIS process. So, it's different for us but the question is can you have a bad or good public involvement process obtains in either case. You can either do a good job or bad job of it. So, this conversation about what public involvement process looks like and how people engage and what level of data is available to people who do geek out and want to know a lot -- and there are quite a few of them involved in this process -- that's really important. But doing the compliance exercise of the DEIS document is not the only way. So, I do think this is a smart way to proceed in the mechanics of the process, but then how the public involvement process fits into that and what level of information you and other volunteers -- the colleges that have been here,

January 28, 2015

anyone else, has -- really important, but frankly this process is so technical that a lack of detailed data will probably be the least of your worries.

Fish: Commissioner Novick, can I just ask a procedural question? This is an emergency item, so it requires five votes to pass, I think. So, is there -- if we don't have -- if there is some desire to set this over a week for purposes of having a preliminary conversation -- it may be just agreeing on the boundaries of future public involvement -- does that adversely impact the project? That's an important question for me.

Novick: Let me ask, do any of you want to talk about what the practical implications could be?

Fish: Does a one-week set over with an emergency clause change any of the timelines that you're operating in good faith under?

Stacey: Mr. Mayor, Commissioner, I don't think the set-over that the Commissioner has proposed would cause any undue effect on the completion of the work under the IGA as long as it is a seven to 10 days. I've had my own conversation with Marianne Fitzgerald recently. She shared similar concerns -- I take it -- to those she shared with Commissioner Novick. I shared those because I join in her concern that we have adequate data early enough for community participants to understand, communicate to other community folks, and to formulate their own views, and that we need time at the steering committee to learn about alternatives in public, hear testimony, and then come back at later time to make a decision on that item whether it's a station location or a mode. And that's a commitment that I'm confident the steering committee would make. We should have the conversation that Commissioner Novick has agreed to, and if further temporary stay of your decision is necessary to ensure that, we don't object.

Fritz: And let me just be clear. One of the things that I'm concerned about is that you continue down this road, we then have a hearing on a locally-preferred alternative, we get a boatload of people in saying this is not our preferred alternative, we're then told, well, everyone else has agreed to it, City Council, so you have to too, and that's not a good process. That's not going to get us to where we can move the project forward.

So, I'd like to leave the emergency clause on and set it over for a week. I want to be really clear that unless the Southwest Neighborhoods folks are comfortable with property posed plan forward, I reserve the right to not support it next week either. But I think given how invested Southwest Neighborhoods have been and given that they are able to act quickly when pressed to do so -- and I know that you are all wanting to do the right thing -- it's a project where everybody wants to do the right thing, and I appreciate the leadership of it, Commissioner Novick. I hope you can get somewhere next week where Marianne can come in and tell us, yes, we're comfortable.

Stacey: Ms. Fitzgerald is already on my schedule along with other representatives of SWNI. We could invite Commissioner Novick or, more likely, adjust our calendars to his.

Fish: Councilor Stacey, just one other thing. We were prepared to vote today, and appreciate the presentation and the good staff work. Marianne is often in the position of coming to Council with the approach to wanting to get to yes and helping us do the heavy lifting. So, I appreciate that maybe the extra conversation and creating some framework that gives her the confidence about what that process will look like so that she and likeminded people can be especially constructive is probably helpful to the process. I hope we could come back next week and move this forward.

Stacey: Folks in Portland who are following this process and engaged in it and the institutions you've already heard from are the most valuable participants we have right now. And we hope to build that kind of confidence and participation in the suburban communities that are also part of this process. So, shame on us if we can't continue what we have.

January 28, 2015

Fish: By the way, this does look mind-numbingly complicated. Was it more complicated, Mayor, than the tree code?

Hales: Yes, unfortunately.

Fish: Alright.

Fritz: I would beg to differ on that one.

Fish: I was going to say, Marianne spent many years helping us get to yes on the tree code. So, we appreciate that.

Novick: Commissioner, having had a recent personal experience with the tree code, I would be appalled if this was more complicated than that.

Fitzgerald: Thank you, Council. We'll be back next week.

Hales: Thank you, Marianne. Anyone else want to speak? If not, then I will set this over and continue this for one week. We'll take it up then. OK. We're now at one item we pulled off the consent calendar and the regular agenda. Since we have people in the room, I think it'd probably be good to take item 105.

Item 105.

Hales: I know this is an issue that's of interest to everyone on this Council. We have a lot of immigrants in this country who are in limbo and who may be eligible for help under the executive action that President Obama has taken. We as a city -- as with other cities around the country -- have a real vested interest in the defense of the president's authority to do his job and to provide relief to people within his authority.

I think that this action will fuel economic growth, it will also have a human impact that we might just hear a little bit about today, but I think all of us have met people and talked to people and have friends and neighbors and family members and coworkers all of whom are affected by this. So, this is an issue where again, I think we as a community have stood up and done the right thing within our authority and where the President has done that as well. And I'm proud to say there are a lot of other communities around the country -- as I saw last week at the U.S. Conference of Mayors -- that are taking the same approach that we are to say, these are the right things for a president to do, and that's what this amicus brief will put Portland on record as saying. With that, let me turn it over to Harry Auerbach, our Chief Deputy City Attorney who can explain this a lot better than I just did.

Harry Auerbach, Chief Deputy City Attorney: Thank you, Mayor. I certainly cannot do that. Before we get to the good parts, let me just make two disclaimers for the record. One is -- and they're both based on the same thing.

This came up rather quickly to our attention. We got called -- it was brought to us from Government Relations, so we didn't have time to get this resolution before we had to sign on to the brief. So as we disclosed in the impact statement, we've actually already done it based on feedback from your offices that you were going to support this resolution. So, if you have changed your minds, I will apologize for having jumped the gun and we will take steps to remove ourselves from the process. But we believe that staying on board is consistent with the City's approach toward people in our communities regardless of their immigration status.

The brief was in fact filed on Monday, and there were 33 cities who joined it. Just to give you the -- let me give you the other disclaimer. I had understood this to be an executive order we were supporting -- there isn't actually an executive order, and it's an executive action by the President, so I'm sorry for the default in my civics. But I don't think you need to do anything about that. The brief has been submitted. It's a very good brief. It was written by a firm in Los Angeles.

To give you a little bit of the context, a number of states -- 25 I believe -- brought an action in the United States District Court in Texas to try to enjoin the President

January 28, 2015

implementing his executive action to grant limited relief to certain groups of undocumented immigrants. So, what's on the table right now is the motion for a preliminary injunction, which would prohibit the President from going ahead with this action while the case is being litigated until there's an ultimate determination on the merits, which -- as anybody who's been in court can tell you -- it can be anywhere as much as a year or two from now and longer if the thing gets appealed -- which, I anticipate, it will.

So in granting or denying a preliminary injunction, a judge exercises discretion, and the federal courts have adopted a balancing test to help guide their discretion on whether or not to grant temporary relief. And they balance such factors as the likelihood of success on the merits; the balance of hardships, whether the person seeking the injunction would suffer more from not having it against the person against whom would suffer if it was granted; and then the overall public interest.

The only reason I'm walking you through this because the brief that we joined -- which was joined by 33 cities -- focuses only on that last element, the public interest. And as Mayor Hales points out, makes a very good argument on roughly three bases why it's in the public interest not to enjoin this action at this time.

First, because of the economic impact of immigrants in our communities, regardless of their immigration status.

Second, because of the disruption to families and communities -- particularly you have a family where one parent is legal and one parent is undocumented or you have parents who undocumented and children who are born in the United States. This creates tremendous impact and hardship on families if members of the family are removed from the country. And also, the police community is very concerned about the impact of being able to have effective communications for community safety and law enforcement investigation when people are hesitant to talk to them because of fear of their immigration status. So, from a law enforcement perspective -- local law enforcement perspective -- this makes sense because it will help us better engage with the community to try to help make their community safer and to perform law enforcement functions.

So, that's basically what I can tell you. I'm happy to answer any questions. The resolution is before you to formalize our support of this amicus operation.

Hales: Questions for Harry? Maybe there will be more later. I know we have Andrea Miller and Yuri Hernandez here to talk about this and others as well. But, please.

Auerbach: Thank you.

Hales: Thank you. Welcome.

Andrea Miller: Thank you, Mayor Hales, Commissioners. Thank you so much for having us here. Good morning. Thank you for the opportunity to provide testimony in support of your amicus briefing that does support the President's actions on immigration.

As you know, I'm Andrea Miller, the executive director of Causa, which is Oregon's statewide immigrant rights organization. We have supported immigration reform for the past 15 years, and played a major role in the implementation of Deferred Action for Childhood Arrivals in 2012.

Needless to say, we were elated when President Obama made his announcement on November 20th of 2014, stating that his administrative changes would allow the parents of U.S.-born children and legal permanent residents to receive deferred action, which, as you know, allows them temporary relief from deportation and a work permit.

We were thankful because we've seen the kind of impact that deferred action has had for young undocumented students, such as Yuri. Now, the same opportunity will be granted to the parents. And in Oregon, there's about an estimated 64,000 people who will be eligible for the expansion of deferred action.

January 28, 2015

I want to make a note that it's not just the parents that are going to benefit. The impact is exponential, because -- as the attorney said earlier -- there's children, there's spouses, and so the economic opportunity, the family stability, and the reduction of stress actually is more than the 64,000 -- it's times however people are in each of their families. So, it's huge for Oregon.

We know these administrative changes are currently under attack through the lawsuit. And this is putting at risk the chance of thousands of families to improve their lives for the better. And so, we're incredibly concerned about this lawsuit.

It's obvious that we fully support the council's resolution for this amicus briefing, and I thank you for your obvious support of this. Needless to say, as Congress stalls on passing any serious immigration reform effort, it becomes more and more important for local electeds to stand up for immigration issues, not just in the city but also statewide, and we appreciate your support. As you know, this impacts our economy but also our families' stability and reduction of stress and fear which impacts people's health. So, thank you, Mayor Hales, Commissioners, for your support of this, and I really look forward to continuing to work with you to enhance the welcoming policies that you all have placed in Portland.

Hales: Thank you. Welcome, Yuri.

Yuri Hernandez: Hello. My name is Yuri Hernandez, I'm a social work student at the University of Portland -- my last year at the University of Portland.

I'm here to give you a little bit of my story, put a face to the issue. I was brought here at the age of three and have been continuously residing in Oregon. I lived in Coos Bay and when I was accepted to the University of Portland, made a move to Portland. So, four years now in Portland -- a great city.

Before ACA there's -- the effects it had on my life I can't sum up in three minutes, but before the DACA program, I lived in constant fear. I was unable to work. I was not able to drive. So, paying private university tuition is very expensive and a very hard burden on my family financially. So, when I qualified for DACA, that opened up tremendous stories for me. I was able to do undergraduate research at the University of Portland, I was able to work on campus. I was able to drive, which is a very simple but necessary need for me. And luckily, through this program I was given all these opportunities and was able to take advantage of them. And now, my last year at the University of Portland -- I have just been accepted to the top program in the nation for social work, as well as Portland State. So, I'm very excited about that.

I'm here to tell you that this program has real effects and is very beneficial to my community as well. It's not just my successes, it's for my family. My dream is to be a social worker and I'm one step closer to doing that because of this program. So, I'm here to thank you for your support and also reiterate the fact that it's affecting families and the expansion of DACA will give parents the ability to work and drive as well, which is a big need. So, I'm here to say thank you and to have you continue to support programs like these.

Hales: Thank you. Thanks for coming today.

Miller: Thanks for having us.

Fritz: Which is the top social work school in the country?

Hernandez: University of Michigan.

Hales: Well, no matter where you go, we hope you'll come back to Portland.

Fish: I thought you said top program, comma, Portland State University. [laughter] I thought it was redundant, but now I hear there's a competitor --

Fritz: We hope you will come back to Oregon to practice.

Miller: I think I'll stay in Portland.

Hales: Look forward to having you back with that credential.

January 28, 2015

Fish: Go, Pilots.

Hales: Thank you both. Are there other folks interested in testifying on this? Come on up, please.

Joe Walsh: My name is Joe Walsh, I represent individuals for justice. We came here today to pull 105 because we fully support it and we didn't want it to go through consent agenda and be unknown. We really want you to brag about it. And you have. And that's good because you're on the side of the angels on this one.

I'm just going to read you one line from supporting paperwork, which I think is very significant in this issue. It says, under the authorization given the City Attorney the right to appear -- it also says, whereas the City of Portland supports the humane treatment of all persons regardless of their immigration status -- and then it goes on. That's a perfect description of Portland, Oregon. Those words -- whoever wrote them should be congratulated because it encapsulates the entire battle that we constantly have here about equality, about justice, about immigration -- all the issues that we deal with and fight over and get angry over are very valuable issues, and this one you should be proud of.

It's not often I come before you and congratulate you on anything. And this afternoon I will be yelling at you again, but on this one, you're on the side of the angels and we congratulate you. And you all stand tall on this one and with the other cities and with the President of the United States. Thank you.

Hales: Thanks, Joe. Thank you very much. Anyone else? If not, then let's take a roll call on the resolution.

Item 105 Roll.

Fritz: Thank you very much, Mayor, for leading us in this. It is a very important resolution. I love our president. I think he's doing an amazing job, and I'm especially proud of this as an immigrant myself. Came here on a student visa when I was 19 years old, changed visas multiple times. I would be an illegal immigrant if I had not been trained as a nurse because when I got married to my husband in 1982, the rule was if you were here on a student visa and you married an American, you had to leave for 10 years. And we could never have afforded to have done that -- certainly not have been apart for 10 years, and I think the rules may still be the same which illustrates that we need fair, reasonable, compassionate, enforceable immigration laws. And until we have those, mechanisms like this are absolutely necessary. We need to be compassionate to people who are here and wanting to do good things for our community. I appreciate Yuri's testimony. I think of Hector Lopez who was a Milwaukie High School student at PSU, who we were able to save from being deported. These are individual people who deserve what other immigrants like myself had when we came to this great country of immigrants and of Native peoples who have been welcoming and who understand what it feels like to be now a minority oppressed community. So, thank you, Mayor, for leading us in this. Aye.

Fish: Thank you, Charlie, for bringing this forward. Joe, thank you for pulling it, if you pulled it.

Walsh: The Mayor pulled it.

Fish: Oh, you were going to pull it. Thanks for your testimony. My wife is the daughter of a first generation American, and this is very important. And 32 years ago, I worked in Washington D.C. Some people in this room may not have been born then, but 32 years ago in Washington there was a bipartisan consensus on immigration. And every year, the ranking Republican member of the immigration subcommittee worked with us with the Democratic chairman to set the preferences at a very high number. I just don't understand how we have fallen so -- we've moved so far away from those days when we celebrated immigration in this country to a time now where some people see political value in

January 28, 2015

demonizing immigration. It happened in 32 years -- my lifetime. Thank you, Mayor, for bringing this forward. I'm very honored to vote aye on this friend of the court brief.

Saltzman: Thank you, Mayor, for bringing this issue to us. I'm pleased and very proud to support it. Aye.

Novick: Thank you, Mayor, and thanks to the City Attorney's Office for bringing this issue to us. Ideally, I think the test for admission to the country should be very simple. We should simply ask, are you tired? Are you poor? Are you now or have you ever been part of a huddled mass? Have you ever been tossed by a tempest? Do you yearn to breathe free? But until we get to that point, I'm proud of the President's efforts in this area and I'm proud to support them. Aye.

Hales: Thank you all very much. Harry Auerbach, thank you for good work; and Nils Tillstrom and the Government Relations team for fast work for us to join in. I gotta tell you, I was really proud to be able to not only be there with other representatives and cities around the country -- because both the U.S. Conference of Mayors and National League of Cities joined into this brief -- but I was able to tell the story about how our community came together to support Francisco Aguirre. And now, we have Yuri's story -- if you don't mind -- to add, because I think it's so important to tell the stories of individual people and how this matters. So, thank you for being here today.

You know, there's that line in Casablanca where Claude Rains says, round up all the usual suspects. And maybe that would apply to the other side of this argument. But I stood there with not only the mayor of New York and the Mayor of San Francisco but also the mayors of Houston and Galveston, who all come like I do from a community that has heart in this issue. So, it was a proud moment for me as a representative of this Council and this community, and I think it's a proud moment for our country that the President has taken the action that he has and that rest of us are gathering around him to support it. Thank you all. Aye. OK. Fun and wonderful stuff. Thank you for being here. Let's go win that case. Let's move to the regular agenda and take item 112.

Item 112.

Hales: Commissioner Fritz, would you like to make some opening remarks?

Fritz: Thank you, Mayor. In the 2014-15 budget, the council asked bureau asset managers to work with the City Budget Office to look at how resources could be allocated to address major maintenance and replacement of infrastructure needs. Based on the recommendations in a report delivered to Council in October, this resolution would do what that group suggested and dedicate 50% of ending fund balance -- money still left at the end of the fiscal year -- and also add 50% of all projected one-time money identified in the budget and allocate it to maintenance of capital assets owned by the City.

I certainly became even more aware of the challenges of infrastructure maintenance as we looked into the parks bond measure with the citizens last year. And although we greatly appreciate the \$68 million that bond measure will provide, it did not increase the tax rate and therefore we still have a funding gap of about 300 million -- at least \$20 million a year.

And so, we need to start being very dedicated and disciplined in setting priorities, and that's what this resolution attempts to do -- or begins to do. The resolution would replace the one passed by Council in 1988 that directed 28% of utility license fees to be dedicated to Transportation needs, which is a policy that was followed by Council for only two years after it was adopted. I would like to turn it over to the City Budget Office staff and Andrew Scott, Director, to give us more information about what is being proposed and why.

Andrew Scott, Director, City Budget Office: OK. Thank you, Commissioner. Again, I'm Andrew Scott, Director of the City Budget Office. Jeremy Patton, the Assistant Director, is

January 28, 2015

with me as well. I will be relatively brief because Commissioner Fritz covered most of the background here.

Just as a reminder, last fall actually as part of the 14-15 budget process, the Mayor and Council passed a note directing us to work with City asset managers to develop these funding options, and the report came back to you last fall. What I'm passing out now is just a summary of the recommendations in that report. What we've done is highlighted those things in red that are either done or in progress -- and this is one of the actions.

In terms of the 14-15 recommendations -- increasing the general fund bump allocation for major maintenance and replacement. The mayor's proposed budget in the fall did that. We didn't quite get to 50%, but we were close 42%. And obviously, pursuing new revenues for PBOT is an ongoing task as well.

The resolution before you today in 15-16 is the first one there in terms of enacting some policy revisions and reestablishing some general fund capital set-aside using one-time general fund dollars. And then below that, the debt financing and fuel system infrastructure replacements again was in the mayor's proposed BMP last fall and Council has approved that as well.

The other things on here are worthy of discussion as well, and we're going to be bringing those forward as part of the budget process just to continue looking at all the options. What this capital funding group did in their overall report -- and they really said we're laying out a menu of things, no one solution will get us there, even all the solutions on this list will not necessarily take care of the problem, but at least it begins to make some progress towards that.

What this specific resolution does -- as the Commissioner laid out, we have an existing policy that sets aside 25% of excess balance from the prior fiscal year that at least 25% should be spent on capital infrastructure maintenance and replacement. This increases that to 50%. Again, that process happens in the fall BMP every year.

It also adds a new provision that 50% of one-time resources that are identified in the City's five-year forecast for the next fiscal year would also be dedicated for capital infrastructure maintenance and replacement. And again, that's a floor. A minimum of 50%. Council can go above that as well. So relatively straightforward. It does amend the financial policies to include that in policy --

Fish: Andrew, just to make sure I understand something you just said -- one-time money is identified in the five year forecast -- five year plan -- but is that the same as whatever the actual one time is that we are taking up?

Scott: Yeah, so we always have a December forecast, which is our planning forecast, and then in the April forecast will be the final number. Then that would be the actual number --

Fish: We're talking actual.

Scott: It would be the actual forecast number -- that would be what we would budget. As with everything -- I mean, we forecast \$400 million of general fund discretionary. It may be 395, maybe 405. There's lots of mechanisms to deal with that throughout the year, but these would be budgeted projects that would receive funding as part of the budget.

Fish: OK, thank you.

Fritz: And you're going to be continuing to discuss the concept of developing ongoing general fund CAL target changes to adjust to the needs.

Scott: Yes, one of the other recommendation there -- the bottom one on the 2015-16 column -- there are a number of -- within our bureaus, above and beyond the regular daily and weekly operations and maintenance, but below the sort of major system replacement, there are those major maintenance projects that are often unfunded. So, what this proposal was -- but bureaus don't have necessarily a good sense of what they are and how much those dollars are. So, the recommendation is to direct that work group to go

January 28, 2015

back and those individual bureaus to calculate those amounts would be and bring them forward to this 16-17 budget process to talk to Council about increasing current appropriation level targets to adequately fund those.

Fish: Can I follow up on one additional point? Andrew, you are the head of the independent Budget Office, which means you sometimes agree with us, disagree with us, but you give your best advice. So, could you just briefly explain why as a general matter you're not so keen on dedicated funding like carve outs that are dedicated for a particular purpose, but this approach is something you can support.

Scott: So, the set-aside for infrastructure funding in general is again -- it's not getting at specifics. It's saying as a City, we have a backlog, and it's important from a policy perspective. One-time funding should be spent on one time projects. Infrastructure are the best example of that. So, from that standpoint, it's really saying Council -- because of the infrastructure backlog, that's a high priority, we're going to set that aside. Again, I think that's a really good policy.

We do in the Budget Office have concerns about allocating to specific things just because we don't know what the situation two, three, four years is going to look like. As Commissioner Fritz -- in this resolution dedicating for emergency preparedness, parks and recreation, transportation -- there are a number of projects in those that ranked very highly on our list in this last ranking process. So, I am quite confident we can find projects for at least 50% in those areas.

My concern from an overall standpoint would be dedicating that again in future years. There may be higher priority things that come our way that Council may want to fund in future fiscal years.

Fritz: And that's why the specific interest areas are being funded -- that piece would sunset after four years. So, the policy of 50% set-aside for capital asset maintenance would continue in perpetuity, and then the council will have a discussion as far as are those three areas still the same ones that we need to focus on in 2019.

Fish: Thank you. In addition, your general preference is that when we are allocating one-time or ongoing general fund dollars, that we apply the dollars in some strategic way. So, ranked and we look where we get the most mileage. As crafted, does this approach give us within that 50% carve out the flexibility you'd like to see for making decisions as to which projects get funded and some kind of prioritization?

Scott: I think as we go through the budget process every year and bureaus submit these projects, we will continue in the City Budget Office to do the ranking which we just started last fall -- again, at the mayor's direction -- to rank the capital projects based on some consistent criteria. I think the challenge will be if a project ranks very highly on that list that is not in the three areas, I think that's a challenge that Council will need to consider as part of the budget process. Now, I will say this is a floor. So, to the extent Council wants to dedicate more money towards infrastructure, that's one way to deal with that -- 50% to these areas, these other high priority projects would be funded from the other 50%.

Novick: Andrew, speaking of the scoring process, we wanted to raise a concern PBOT staff had -- I'm comfortable about this, but I wanted a chance to air it. We have found that your current scoring process for capital allocation does not rate street preservation very highly among other PBOT assets. The PBOT projects that score highly are bridges, retaining walls, and signal rehabilitations, because CBO use high risk from a life safety perspective, not the financial risk we have with roads, which we like to see have more weight in the process. Now, it's my understanding from reading this resolution that this resolution does not bind the council to only spend money on maintenance projects that score highly in your current scoring rubric. You can still go through your rubric and make recommendation, but this did not require us to follow the current scoring procedures.

January 28, 2015

Scott: That's right, and I would actually point out that you never would have been bound to follow those procedures, they are just advisory in terms of that scoring. Just in terms of the specific process, PBOT has been heavily involved with multiple staff on this task force and work group, and they have raised these issues. I think some of the discussion we have had among all the asset managers though is, what is the appropriate weight that risk should have when applied to projects? While street preservation hasn't ranked as highly compared to those other projects, I think there's really good reason for that, and I hope that that's something Council takes into account as well.

Street preservation has been something we've talked about a lot. It's obviously a hugely important issue with huge financial risk. If one of PBOT's bridges falls, it has a much different risk, and that is the reason why it has ranked higher. I think there's actually an argument to be made which doesn't devalue street preservation, it actually says PBOT has so many assets that are so important that even street preservation -- which does rank -- those projects do rank in the top 20 of those submitted in the City, maybe the top 10, I can't remember exactly -- it's just some of the bridges and retaining walls that would have a more catastrophic effect if they failed ranked even higher.

Hales: OK. Other questions for our team? Anything else you want to add? Thank you very much. Do we have anyone signed up to speak on this?

Moore-Love: We have four people signed up. The first three, please come on up.

Hales: OK, come on up. I think you're on first, Lightning.

Lightning: Yes, my name is Lightning, I represent Lightning Watchdog. One of the things that I found a little bit confusing on this -- are you still planning on implementing the utility fee at this time? It's my understanding you were planning on possibly rescinding that or --

Hales: We've set aside action until after the legislature acts on transportation funding.

Fritz: But we're not -- which utility fee are you talking about? The franchise fee or the --

Lightning: On the utility fee applied toward transportation, a percentage of that that wasn't done in previous years.

Hales: Oh, the utility license fee --

Fritz: This resolution does not change that.

Lightning: Does not.

Fritz: No. We will continue to be having the utility license fees.

Lightning: OK, very good. The other issue that I had on this is just that this amount -- does this have any effect on what we call the surplus budget dollars that are considered surplus?

Fritz: Yes, it allocates the so-called surplus.

Lightning: It's actually a set-aside, not an actual allocation is my understanding. It's just setting it aside.

Fritz: No, it says that the council will allocate it -- 50% of the so-called surplus. Council will then have a discussion about which areas to fund projects in.

Lightning: OK.

Hales: But it kicks in when we have ending fund or one time funds.

Lightning: OK, so I have an understanding on that. And one of the main things that I wanted to just I guess state from my position is that we know the concerns on transportation -- especially on maintenance and the paving of the roads -- and I would think that a tremendous amount of money or large percentage would be automatically allocated in those directions.

Now, I understand other bureaus are looking at those dollars very close, and I would just think that would be the top priority. It sounded to me like there's going to be kind of a test on who actually gets those dollars and that'll be determined. I can't see why transportation wouldn't be at the top of the list on that unless of course as you know we

January 28, 2015

see what happens on the gas tax or vehicle registration fees or anything other types of revenue that can go in that direction. So, I'm just looking that trying to have an understanding that I think the top priority needs to be transportation and allocated in that direction, and that's just my opinion on that. Thank you.

Hales: Thank you. Good afternoon.

Joe Walsh: Is it afternoon?

Hales: It is.

Walsh: Good afternoon, my name is Joe Walsh, I represent individuals for justice. When we looked at this, we had some concern about the percentage -- that you're moving from 25% to 50%, which seems to a lot to us. Now, our understanding also -- and please correct me if we're wrong on this, because the budget is probably our weakest subject -- you're going to take 50% of the moneys and then argue about who gets what? I mean -- you're going to move from 25% of funds that are over budget, correct, that's surplus, and you're going to take 50% on under this ordinance, but you're still going to remain under the same rules and regulations from the 25%? You're just adding it? Or would you change the rules also?

Hales: We're changing it from 25 to 50.

Walsh: OK. Then our question is, how do you divvy up the money?

Fritz: In the budget process with public input.

Walsh: So, you fight over it.

Fritz: So, the public has input into what they want, what you want.

Walsh: OK, but you're going to fight for your bureaus. I mean, that's one of the negatives about this form of government -- that you guys are going to fight over this. Say it's \$100 over -- that's an easy figure to screw around with. How do you do that? Do you say, well, transportation is a mess and we need all this money, and Parks is doing OK. Not so good. The police department, not so good. How do you decide and you say people will have input on how we spend the money during the budget hearings?

Hales: Mm-hmm.

Walsh: Not during Council hearings but during the budget --

Fritz: Both.

Walsh: OK. So, we were taken back by that a little bit. I really appreciate the answers. Thank you very much.

Hales: Remember, Joe, this fences us in a little bit says at least 50% from now on has to go to infrastructure. The first time that this opportunity of spending ending fund balance came along, during the time I've been here as Mayor, this Council decided to put about 80% -- I think it was about 80% of that money -- into paying off old general fund debt. And I think that was the right thing to do, and obviously we did as well, because that's what the Council decided to do with those funds.

Now, we don't have a lot of general fund debt laying around at this point, so dedicating at least half of these moneys when they come available in the future to infrastructure seems to me a reasonable parameter for us to set. What within that 50% what gets what? You're right, it's still subject to debate what. Do we do with the other 50% is still subject to debate. As Andrew just pointed out, we could dedicate that to infrastructure. Too. But this says there's a baseline. At least half this money will go into taking care of stuff we own that needs maintenance and investment.

Walsh: I have one more question, then I'll shut up. Is this a reaction to the bureaus, especially Transportation and Parks, being in deficit? I mean, is this reaction to that?

Fritz: It's a partial solution to that -- it's recognizing that we have a problem.

Walsh: I'm not criticizing, I'm just curious. I mean, that's the way I would look at it. There's a problem here, we can move some money over here and we have to up the ante to 50%.

January 28, 2015

Fritz: Yeah, and the challenge in the budget process is that -- as Commissioner Novick has said -- people rarely come in and say, please cut this. People come in and say, please fund this. So, there are always way more worthy projects than there is money available, and something like paving tends to not rise to the top of the wish list for most people. This is an attempt to be more disciplined and focused.

And from my experience after six budgets looking at these -- there's actually four areas grossly under-funded in the City: Parks, Transportation, Emergency Management, and Housing. I had originally discussed having housing in the mix. Mayor Hales pointed out the City doesn't own the housing. We help manage it, we help provide it, but this resolution is focused on how we take care of City-owned assets that you, the citizens, owned. So, we certainly need to be looking at the other 50% for how are we going to help with the housing crisis, but this is about let's be disciplined putting the money where we know the greatest infrastructure needs are, and putting it to these three areas for the next four years. After that, we'll have another discussion about where the most important needs are for infrastructure maintenance.

Walsh: OK, appreciate the exchange. Thank you.

Hales: Thank you. Good afternoon.

Craig Rogers: Good afternoon. Craig Rogers, and I am definitely in support of this item 112. I came across something that I thought was significant that I'd like to share with you for your consideration. It was in the week back in December and it's under best columns in the United States. A Country that Can't Fix What's Broken by Lawrence Summers of the Washington Post.

For two years, said Lawrence Summers, a critical bridge over the Charles River in Boston has been under repair, and the work will continue for two more years. Why does it now take four years to repair a bridge when the empire state building was constructed in two years? General George Patton took one day to build several bridges over the Rhine sturdy enough to carry a tank column. It's a little wonder Americans have lost faith in the future and in institutions of all kinds. Both the public and private sectors are failing the competency test. At busy LaGuardia airport in New York City, for example, a private airline escalator has been broken for six months and won't be repaired for six more. For this sorry state of affairs to change, Americans need to be much less accepting of institutional failure. We have to demand that public officials make our existing infrastructure work before spending billions on spiffy new high speed rail systems. Fixing roads, escalators, and bridges may seem like small stuff, but if Americans have faith in the future, government and private institutions have to get the small stuff right.

Hales: Great, thank you very much. Thanks. Next? Good afternoon.

Marianne Fitzgerald: Hi. Marianne Fitzgerald -- back again -- this time as a member of the PBOT Budget Advisory Committee, but once again, I'm testifying on my own behalf because we just got this Monday.

So, the PBOT Budget Advisory Committee has been recommending more of utility license fees go to the PBOT budget, and this is I think the seventh year in a row that we'll be including it in the letter that you'll get with the budget package next week. So, I'm very aware of all the maintenance needs in Parks and Transportation and all the bureaus. I think using the surplus funds is a good idea. But the gist of my concern is rescinding resolution 34423 without time to deliberate it among the bureau Budget Advisory Committees and during the budget process seems a little premature.

So, my main concern is that the utility license fees for using the right-of-way that PBOT owns will be yanked from any dedicated funds. Right now, it's only 2%. In the letter you'll see soon, we're asking for more for street maintenance but this essentially takes it away. That's it.

January 28, 2015

Fritz: That's a very fair criticism in terms of the resolution. I did put a press release out a couple of weeks ago that outlines this concept.

Fitzgerald: We didn't see that.

Fritz: The utility fee license dedication would require \$13 million to be going to PBOT this session, so that would require cuts somewhere because we don't have \$13 million. That then would be the question, and this to me -- my reason for proposing this and I think the reason that my colleagues are supporting it -- rather than aspirational policy that we haven't met for 15 years at least, let's have something that we can stick to that is realistic, that is reasonable. And so, that's the reason for it. I agree there could have been more public discussion. We're heading into the budget cycle, so I think it's -- the budgets have to be submitted on next Monday.

Fitzgerald: Well, you'll get the --

Fritz: So, I wanted to make the policy reasonable before we head into the budget process and that's why. But it's a fair criticism.

Novick: Marianne, I very much appreciate the BAC's support of Resolution 34423, for which I have a personal affection. The problem that we've seen is that 34423 said that PBOT is supposed ask every year for 28% in utility license fees but did not bind Council to actually providing that. And it's the last part that has been harder for the past 27 years. So, given Commissioner Fritz's proposal that Council should commit to actually spending a chunk of money each year on combination of parks, emergency preparedness, and transportation maintenance, I thought that was a better deal than maintaining this aspirational goal.

Hales: Yeah, if this ordinance had a slogan, it would be "get real." That measure was passed in 1988. Two years later, voters passed Measure 5. So, that's part of the history. By the way, Denis Theriault is still here -- if you haven't read his column in last week's Mercury about the history of these things, it's worth reading. But the reality is the council passed this and two years later, the voters pulled the rug out from under public finance in Oregon and it became an aspirational goal as you just described it. Thank you.

Laurie Benoit: Hello, my name is Laurie Benoit. I would like to impress one thing right now, and then something later. Overlays. You need to do overlays on your street. My husband has more than 30 years of designing streets in this state. He retired last year after 27 years. We've been looking at your streets. He's designed streets, sewers, gutters, and sidewalks, bike paths. You're going to be turning your streets in this town into bike paths, which I don't have a problem with and my husband doesn't have a problem with. We're retired, so it doesn't really matter and we take bikes all the time. But if you don't do overlays, you'll be putting a lot more money into your streets because you'll have to rip them totally up. The CRC don't even think about that. You know, more MAX stations. If you don't start doing your overlays and other bridges other than the I-5 one, there's going to be major problems. People are just going to have to ride more bikes, which we love, but if you don't want to spend the money in transportation and make that a priority. The other issue is housing. Definitely, that needs to be a number one issue. And transportation right behind it. Thank you.

Hales: Thank you. Anyone else? Any further questions or discussion? Let's take a vote on the resolution, please.

Item 112 Roll.

Fritz: Thank you to all of my colleagues who have been involved in this discussion for several months since the bureau committee put together their report. And I very much appreciate the discussions that have refined this resolution and made it better, and appreciate those who have signed on to co-sponsor it, particularly Mayor Hales for being the first to ask. That was very helpful.

January 28, 2015

I want to discuss Mr. Walsh's concern that flaw of the commission form of government is that Commissioners only advocate for their own bureaus. Actually, knowing that the one power that the mayor has by him or herself is to assign the bureaus, I certainly am always aware that the bureaus I have today may not be the bureaus I have tomorrow, and that ones I get assigned tomorrow might be even more poorly funded than the one I have today. So, we do tend to -- we certainly are responsible for advocating for our bureaus in the budget process. We're also very aware of City-wide needs.

And that's what this resolution speaks to is that we know that there are some priorities that we very much need to focus on, and I personally commit to supporting allocation of this funding in the budgets that I have the privilege of voting on. Aye.

Oh, by the way, thank you to the City Budget Office who were very helpful in crafting this. People have asked why it's different from the previous one the Council ignored. The answer is because we have the City Budget Office who brings us information and tells us whether we're complying or not with the City budget and makes it much more transparent and accountable. So, I appreciate that too. Aye.

Fish: Pleased to support this. Thank you for your leadership, Commissioner Fritz. Andrew, thank you for reminding us this is a floor, not a ceiling. Aye.

Saltzman: I guess I do find irony in the fact that we are considering resolution to repeal one City binding policy that was ignored and replacing it with a new binding City policy which equally has the potential to be ignored. But we're setting ourselves up to be criticized, because one again we passed a policy saying we're going to commit investments in three categories for four years at a minimum, and if something comes along like a Measure 5 which happened in 1990 which upsets the apple cart or a library district gets passed which upset the apple cart in this budget, we are going to be faced with the position of having to make some tough choices.

And I don't mind making tough choices. I feel that's what we were elected to do, to use our best judgment and make tough choices and not to artificially concern ourselves to a particular set of priorities that we may not be able to fulfill. I don't have the ability to predict the future. I cannot tell what our economic climate is going to be like one year from now, let alone two years, three years, or four years or whatever unexpected financial dilemmas this City may face and needs the flexibility to be able to respond to it.

So while I understand the popular appeal of this resolution -- I mean, infrastructure - - if there's one thing we have learned over the past 18 months, infrastructure resonates with a lot of people. Maybe how to pay for it doesn't, but the need to do something resonates. So, I understand the popular appeal but I just do not think it's a wise policy. Therefore, I vote no.

Novick: First of all, I'd like to take note of the concern that was raised about this resolution by Lore Wintergreen and [indistinguishable] last night. They came to me and said, this resolution dedicates 50% to maintenance and replacement, and in terms of transportation in East Portland, we don't have enough infrastructure to maintain. So, they are concerned that this resolution might limit the opportunity to get money for safety programs in transportation. And I understand that concern. What I told them is that as has been stated a couple of times, this is a floor, not a ceiling, and it's certainly not a ceiling on the overall investment in infrastructure.

This does not mean some of the 50% that's not dedicated cannot go to infrastructure projects that are not maintenance, and it's certainly my intention in this budget -- or PBOT's intention -- to propose investment in transportation to be divided along the 56% maintenance/44% safety lines we've discussed in the context of the street fund. And 56% to come from the dedication, and the 44% from remaining pot of money.

Fritz: [inaudible]

January 28, 2015

Novick: I think we talked about 56-44.

Fritz: Really?

Novick: Commissioner, you're just trying to grab a couple extra percents. [laughter] So, I wanted to appreciate EPAP's careful attention to this issue and wanted to bring that point forward. In addition, I wanted to note that a few days ago, one of the headlines about this issue asked the question, can Amanda Fritz bring sizzle to maintenance? I think the obvious answer is that she can. However, there's nothing that lends sizzle to a subject like a song. It is a classic song that addresses the importance of maintenance, so I could play just a few seconds of it. Ladies and gentlemen, I give you Frankie Valli and the Four Seasons. [music playing] ["Let's hang on"] [laughter] Thank you very much, and I'm pleased to vote aye.

Hales: I was wondering, Steve, how you were going to top your introduction of Ms. Wilkerson and Mr. Zehnder when last time they were here you said we should skip to my Lou, then return to Zehnder, but you have managed to top that. And thank you for that.

Again, I think the message is this is get real, both because there's plenty of maintenance and replacement to do in these bureaus over the next four years. I would love to have as much one-time revenues and ending fund balance as it would need to meet a half of those requirements. We will of course only address a small fraction of our backlog in these areas with what we will have available over the next four years. So, we ought to get real that way.

The second way we're getting real is that this resolution is dedicating one-time revenues. The previous policy dedicated a portion of an ongoing revenue stream. This is much more realistic to do it this way. Every now and then when the economy is good and our management is good -- and those are the conditions right now -- we'll have some extra money. This says, take care of what we own first with that extra money, and I think that's the right way to proceed.

We still have plenty of flexibility about how the other 50% gets spent while we're following this policy, and as we've discussed here today, there's quite a bit of flexibility about which projects within 50% get funded. But I think it's good stewardship, good management, and good financial policy. So thank you, Commissioner; thank you, staff, Andrew, your team for putting this together. Aye. OK, let's move into the remains of the regular agenda, and then give people a little bit of a break.

Item 113.

Hales: Ms. Wesson-Mitchell.

Deanna Wesson-Mitchell: Hi, good morning. As you all know, we signed the contract earlier this year --

Hales: Just put your name in the record, Deanna.

Wesson-Mitchell: Sorry -- thank you. Deanna Wesson-Mitchell, I work in the Mayor's Office. The City signed the contract with the Compliance Officer Community Liaison in early January and agreed to do be responsible for administrative costs. Part of that was office space, and the COCL team had made clear that they needed space that was not inside of the City building. We agreed to do that, and we actually need an exemption from a City -- an admin rule to allow us to lease property that is not in a City building to comply with that. So, that's what this resolution would allow us to do per the COCL's request.

It is the Rosewood Initiative, out on 162nd and Stark. And this location -- the lease would be a month-to-month agreement to see how -- it's not a long-term lease. If this location doesn't work out, they may need a different location, or they may need to reserve space for other meeting purposes, and we would like to not have to come back to Council every time. So, this resolution would cover the entire time of the contract, which was a five-year contract to make sure that they have the autonomy that they're supposed to have.

January 28, 2015

Hales: Thank you.

Fritz: Does it set a dollar amount then, since it's so flexible?

Wesson-Mitchell: No. The current lease -- this is Pauline Goble with our leasing office. The current lease at Rosewood Initiative is \$700 a month. The overall budget for the COCL team related to administrative costs is quite flexible at this point. We're still trying to figure out how much it will cost to operate the COAB and all of the COCL's responsibilities. As we said last time we were here, we're hoping to have a more set amount in the next few months after we get the first -- hopefully by the end of this budget year, we'll know more accurately how much it will cost to manage the administrative needs of the COAB and the COCL team.

Fritz: But how will the Council -- that's the council's responsibility is to pay for that, right, not within the COCL contract?

Hales: Materials and services side, isn't it?

Wesson-Mitchell: Yeah, so there's three different accounts that were set up. One is for the actual contract. One is for the administrative costs, and then one is for -- [indistinguishable]

Fritz: There is a set amount set up for the administrative and that would come out of that?

Wesson-Mitchell: Yes, there was a limited amount that was approved in the early January budget amendment, and it will come out of the existing funds.

Fritz: So, in the unlikely event that the COCL decided they wanted a swanky penthouse suite in a downtown office building, you would have to come back to Council to authorize additional money for that, because the amount doesn't cover a swanky penthouse suite.

Wesson-Mitchell: Yes, and that would be highly unlikely.

Fritz: I was using a [indistinguishable] example, but -- I was not aware, and I appreciate you daylighting the fact that this is a flexible contract that we're approving today.

Hales: Thanks. Questions for Deanna or Ms. Goble? OK. Thank you both very much. Anyone else want to speak on this item? If not, then we'll take a roll call.

Item 113 Roll.

Fritz: Thanks very much to Deanna Wesson-Mitchell for your work on this. I also want to put in the record my thanks to State Representative Lew Frederick for his facilitation of the selection committee that came up with an excellent group of community members to be part of the community advisory board.

I want to note here that if I were making the decision about where to put an outfit, it would not necessarily be right on the border with Gresham. And I do think the COAB and COCL are going to need to have a discussion about how low-income folks, people with disabilities are going to be able to access this facility. It is on light rail, but could be challenging for people to get to. I'm mentioning that as an example of I'm trusting this community process, I'm trusting the COCL and Justice De Muniz in particular to make decisions that are in the best interest of the community. And I as a City Council member who wants them to succeed will support their decisions.

I appreciate knowing that it's flexible, so if it turns out that facility, while a wonderful location in outer East Portland isn't convenient for some people in North Portland, for example, to get to, that you would be looking at either moving it or adding additional meeting space to support that purpose. Thank you very much. Aye.

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

Hales: Thank you very much. Aye.

Item 114.

Hales: Because of an impending potential settlement, this is rescheduled to February 4th.

Item 115.

Hales: Commissioner Fish.

January 28, 2015

Fish: Thank you, Mayor. Welcome, Scott Gibson and James Allison from the Bureau of Environmental Services. I have a very brief introduction.

This item would authorize four on-call contracts with engineering firms the Bureau of Environmental Services will use on sewer system and stormwater facility construction projects. Projects that the bureau may use these contracts for are already in the BES budget, and authorizing this ordinance will not alter in any way the bureau's budget.

Each contract would be for a three-year term, and let me just give you a preview of something Scott is going to highlight in his presentation. The MWESB numbers in these contracts are off the chart. And I'll reserve some special thanks at the end for the extraordinary outreach work to get to these numbers, because it's very impressive and it builds on some work that the bureau has been doing every couple of years now for some time. Scott, take it away.

Scott Gibson, Bureau of Environmental Services: Thank you, Commissioner Fish. Good morning. As the Commissioner, said we are here to ask for approval for four on-call consulting contracts.

The selection process was conducted in accordance with Chapter 5.6 A of the City Code. The firms -- HDR was actually awarded two; Parametrix and GreenWorks were selected based on their qualifications. These firms have together a diverse team that include 26 certified minority, women, and emerging small business consultants; and we are looking at 41% participation by those firms throughout the duration of the contracts.

These are on-call services. They're very routine contracts, but they basically will cover work that's already approved in the CIP, and we use them for workload balancing, surprise projects, things that didn't come up in the advance planning, more routine tasks, and then we do individual procurements for projects that have very special requirements -- most of the larger projects we procure a specific contract for those based on their qualifications.

And as Commissioner said, James Allison is here. He'll be the contract administrator for us. He's a senior management analyst, and if you have any questions we are here to answer them.

Hales: Thank you. Questions? Well, maybe you will answer this in your comments, Commissioner Fish, but how did you get those great levels participation?

Fish: I called Sam Brooks yesterday at OAME, and he gave me the long version, and it was very effusive of a partnership where a deep commitment to this work -- which started long before I had the honor of leading these bureau -- and that involves OAME, the Oregon Association of Minority Entrepreneurs; MCIP, the Metropolitan Contractor Improvement Partnership; BDI, the Business Diversity Institute; and NAMCO, the National Association of Minority Contractors of Oregon. So, great partners, real intentionality, a lot of upstream work. And Sam Brooks was just effusive of the praise of the BES folks at the table with him.

There are 30 subcontractors identified in this proposal before the council. The MWESB participation is 87%. And for those of my colleagues who remember the last time we took up the disparity study and we looked at where in the MWESB are the categories that we are doing well and not so well, you'll be pleased to know that the 27% of the subcontractor opportunities are going to minority-owned firms -- 27%. That is substantially more than women or minority women, close to where emerging is.

So, the hard work of getting the area where we often have fallen short -- which is not women-owned, not the emerging, but the minority owned -- is highlighted in this. And I have to say, from the briefing I got, these numbers have improved over time. So, this is a commitment that my predecessors, including Dan Saltzman and Mayor Adams, had a deep commitment to. We have great partnerships, we have people at the bureau that are

January 28, 2015

committed to making it work. The numbers have been getting better. And these are really extraordinary numbers, but what's -- how would you answer that, Scott?

Gibson: Well, there are a couple of things that we did in preparation for this procurement that we've found to be successful in the past. We obviously changed the scoring for minority participation to be 25% of the total scoring, and that helped us signal to our partners that this was very important to us. And we've been doing this for a long time, so they've been able to establish their own relationships with the sub-consultants so bigger firms build these partnerships so that they are comfortable working, they know how to work them into their organization, which tasks are appropriate for them, and they can find opportunities to bridge that.

The other thing we did through outreach was we held the pre-proposal meeting at OAME. So, the staff went up to OAME and all prime contractors were asked to come. We coordinate sort of a networking opportunity so that minority firms have access to the primes and to the people who are proposing. In addition, we give them a good discussion of what we're going to use the contracts for, what we have done in the past, we give sample projects so that people can see how their business might fit into the work that we have got in these contracts. And that combined with the bureau's commitment long term, through others at our organization to build ties and open communications with the community, I think, is sort of where -- why we ended up where we are.

Fish: Just to put a fine point on this -- I asked, Mayor, to see the comparative data the last time we went out for this solicitation, and we're talking about a four-fold increase in subcontractors that have minority ownership.

Hales: That's great. That's really good work.

Fish: It's a very intentional process and there were some changes made in how we do the scoring. And I think we also have to acknowledge the bureau of procurement has been a great partner in helping us administer this and in pushing us to get to these goals. But this is -- I just have to say on behalf of the bureau, we're very proud that this team has hit the mark like this.

Gibson: Thank you.

Fritz: Thank you, Commissioner Fish, for your leadership and for your diligence. I appreciate the step-by-step explanation of how you got to the numbers. I also appreciate these flexible contracts. I've become more accustomed to them with Parks, and we've just had with Transportation. Knowing how challenging it can be to do individual contracts and come to Council. It takes a long time. This kind of a flexible contract agreement with a rotation so that everybody gets a fair share of the work allows more businesses to participate because they only have to go through this process once rather than every single time. Thank you very much. Thank you Commissioner Fish.

Hales: Thank you both. Anyone else want to speak on this item? If not, it moves to second reading.

Item 116.

Hales: Commissioner Fish.

Fish: Mayor and colleagues, at the legislative breakfast this morning, there was some talk of how we bridge the urban-rural divide, and Commissioner Saltzman's leadership in this area. I guess this fits generally under that category -- not perfectly -- but this ordinance will execute the remaining five years of a 10-year contract with Madison Biosolids to land-apply Portland's biosolids on eastern Oregon dry land agricultural ground. That's quite a mouthful. Biosolids produced and processed at the City's waste water treatment plant are a valuable soil amendment. This agreement will continue, if approved, a cost effective way for Portland to beneficially reuse this renewable resource and Greg Charr from Environmental Services is here to give you a quick update. Greg?

January 28, 2015

Greg Charr, Bureau of Environmental Services: Just a little bit more background information of what's in front of you today. The City of Portland beneficially reuses approximately 75,000 wet tons of biosolids or treated wastewater residuals from the Columbia Boulevard Wastewater Treatment Plant. Approximately two-thirds of this amount are beneficially reused at the City's primarily land application site at Madison Ranches near Echo, Oregon. The contract for this project was unanimously approved by Council in December of 2013.

The remaining one third of biosolids goes to sites in the Wasco area of Sherman County as part of contract 31000149, which is the topic of discussion today. This contract has reached the end of its initial five-year term. An amendment to the contract is needed to extend the contract for its remaining five years.

This contract was unanimously approved by Council in 2009 with a provision to extend the contract and additional five years if mutually agreed to by both parties. This contract resulted from an extensive request for proposals process which was conducted by BES and procurement services in 2009-2010. The aim of the process was to examine ways to strengthen, enhance, diversify the City's existing land application program, and explore opportunities for cost savings and possibly reductions in fuel consumption.

The successful offer was Madison Biosolids, Inc., who proposed seasonal land application of City of Portland biosolids in the Wasco area of Sherman County, Oregon. Madison's proposal scored the highest when looking at factors including cost, experience, environmental benefits, community impacts, and company diversity.

The reference contract resulted in an approximate annual cost savings of \$280,000 per year. Based on the 120,000 wet tons of biosolids that have already been successfully applied in Sherman County, this contract has already resulted in cost savings of approximately \$1.3 million for rate payers. Also, it has reduced transportation distance by approximately 54,000 road miles per year, and reduced diesel fuel consumption by approximately 17,000 gallons per year, which represents a reduction of CO2 emissions of approximately 200 tons per year. And finally, it has benefited local Oregon farmers by providing a soil [indistinguishable] and fertility source that replaces commercial fertilizers which are produced through energy-intensive processes. I'm here if there are any questions.

Hales: Just one. The fuel efficiency stuff work is great, but under the structure of this contract, given the historic fall in fuel costs that we've just experienced, where do those savings accrue? Do they accrue to the contractor? Do they accrue to us?

Charr: Accrue to us.

Hales: OK.

Charr: So, there is basically an escalating and deescalating factor for fuel. With fuel being cheap right now, this is even a more cost effective program.

Hales: That's great. Good. Thank you. Other questions?

Fish: By the way, we use a lot of fancy language about how this is used as fertilizer for other things down the road. What is grown with our final -- with our biosolids, which is essentially the solids from our wastewater --

Charr: Sure. For this particular site in Sherman County, we are growing predominately a crop of soft white winter wheat, which is predominately exported to Asia for use in noodles and crackers, that sort of thing. For our primary site at Madison ranches, it's mostly dry land pasture or grass, which is used in a cattle grazing program.

Fish: So, it's not a stretch to say the next time you flush your toilet, you can say thank you that's contributing to the noodles that you are going to have when you have a bowl of noodles at your favorite Chinese restaurant?

Charr: Absolutely.

January 28, 2015

Hales: Anyone want to speak on this item? Lightning? Can't resist.

Lightning: I do like what -- my name is Lightning, I represent Lightning Watchdog. I like what I'm seeing here. I have a little bit of a concern here.

You said that a smaller percentage is going to this company in Sheraton. When I talked about this issue before, I wanted to make sure that we shortened up the travel distance. So, obviously from my position, I'm looking at working with companies that are obviously closer to the plant itself, and that was one of my biggest concerns.

As you know, our fuel prices have dropped so we're showing that savings, but I hope in the future that we also consider companies that are closer to the plant to save costs. And another issue I do have on some of these bids is that when we look at the overall cost on some of these jobs, is there a way that we can also look at the possibility of doing some of this in-house as far as on having certain trucks that the City owns and also having land in doing this within the City's budget itself? And can there be cost savings gained by doing that? I haven't heard a lot of talk on that. I was hoping maybe we could have some analysis on that to see if we could save cost by more having the City of Portland doing these type of projects. When we get into the larger dollar amounts in some of these projects, I've always wondered if we could possibly do that and save some costs. Thank you.

Fish: Great question. Lightning, I'll follow up with you with some data. One of the benefits of this program is it is the low cost option. And so, taking biosolids to dumping areas within the metropolitan area turns out is a lot more expensive than reusing it in this creative way in other parts of the state. We would be happy to show you the analysis and you can come to your own conclusion on that.

Lightning: Thank you.

Hales: Thank you. Come on up.

Laurie Benoit: To me, that seems like a lot of money.

Hales: Just put your name back in the record -- sorry.

Benoit: My name is Laurie Benoit. It seems like there's other -- like Lightning was saying, things that you could do closer with resources here in the City and methane gas, you know, using that. I know that there's a lot of farms that are close -- and I'm not real familiar with this particular place, but it seems like it is pretty far to be taking that and a lot of money.

Hales: Thank you.

Fish: Thanks for the comment. Again, we'll always be looking for the most cost-effective option, considering also our climate action plan goals. And we are actually generating electricity from methane gas at the site which is used in part to offset our energy costs. So, good call, and we are contemplating expansion of that program, so you will be hearing more about that.

Hales: Alright. This will pass to second reading. I think also just address a question -- it has always been my understanding that the distance to eastern Oregon was necessary because no matter what the source of the fertilizer, you can't spread it very well on fields in Willamette Valley in the winter, because you lose the trucks up to their ankles in the mud. Maybe now that the climate is changing, that won't be the case anymore. But I think the programs always had to take material to eastern Oregon because you can still get out in the field. I think that's the answer.

Fish: It's also -- we do open solicitations and it turns out there's a specialized interest in this and there are other challenges with this product, not the least of which is odor.

Hales: Thank you very much. This passes to second reading.

Item 117.

Hales: Second reading. Roll call.

January 28, 2015

Item 117 Roll.

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

Item 118.

Hales: Commissioner Novick.

Novick: Colleagues, the City and Multnomah County provide public safety, health, and infrastructure services to a population of approximately 766,000 residents and 75,000 businesses over a 431 square mile area. This shared responsibility dictates the need for a shared emergency notification system designed to be accessible to City bureaus and County departments for emergency management, emergency communications, fire and rescue, law enforcement, and water and utilities. The City's current system, Public Alerts, is supported by a vendor whose contract with the City will expire in August 2015.

PBEM, in conjunction with the Portland Water Bureau, BOEC, and Multnomah County Emergency Management wishes to select a new vendor via a competitive RFP process before the current contract expires, thereby continuing to ensure public emergency alerts are disseminated to residents and emergency responders. I'll turn it over to Dave Blitzer for further details.

David Blitzer, Portland Bureau of Emergency Communications: Thank you, Commissioner. Good afternoon, Mayor, Commissioners. I'm David Blitzer, I'm the operations manager for the Portland Bureau of Emergency Management. Thank you for your time today.

Emergencies often happen without warning. Sometimes, the public must take immediate action to remain safe such as evacuate, stay inside, or boil water. One of several methods Portland and Multnomah County use to communicate urgent safety messages is the Community Emergency Notification System, or CENS. The public name for this system is Public Alerts.

Since 2009, residents of Portland and Multnomah County have been able to visit the website publicalerts.org to sign up to receive emergency alerts on their landline phones, mobile phone, and at email address. We've been using the vendor First Call since that system was first launched, and we reached the end of the contract period with First Call.

The ordinance in front of you today will authorize the Portland Bureau of Emergency Management to work in partnership with Technology Services, procurement services and users of the system, including Police, Fire, Water, 911, and Multnomah County to seek a new vendor.

The new contract will be approximately \$900,000 over five years. Multnomah County has agreed to fund 25% of this contract total. The remaining 75% will be funded by us, the City. That's all I have. Thank you again for your time and I'd be happy to take any questions you have.

Fritz: I'm interested in the numbers. It seems to me that the ongoing funding that you have is \$100,000 a year, and yet the contract is for \$900,000 over five years, and Multnomah County is only paying a total of \$125,000. Where's the rest of the money coming from?

Blitzer: So, this is the over five years. Essentially, we are appropriated at \$100,000 a year, and Water Bureau and Police Bureau have agreed to make up that difference at each year.

Fritz: And is that already budgeted?

Blitzer: They fund the current system that way, and they have agreed to fund the future system that way as well.

Fritz: Thank you.

Blitzer: You're welcome.

January 28, 2015

Fish: Question for Commissioner Novick. Steve, maybe I'm mixing apples and oranges, but in the last winter storm, my recollection is one of the challenges with either this system or another system was if we sent out a notice, we couldn't limit it just to Portland residents -- it over-alerted. And so, we had to balance that against the desire -- is that still a challenge with this system or can we tailor it just to Portland residents?

Novick: Let me defer to Mr. Blitzer on answering the question.

Blitzer: Different system. The wireless emergency alert system provided by the federal government was the system we used during that event, and that did have some leakage into Clark County and other areas of the region. This system can be very specifically tailored to neighborhoods and even smaller areas within Portland.

Fish: Great. Because I remembered that concern that we were going to send out a notice that went to a larger audience that we wanted -- like a boil water notice or something -- and therefore that might cause some havoc. So, this system allows us to target more efficiently?

Blitzer: Very much so.

Fish: Thank you.

Blitzer: You're welcome.

Fritz: And how might this tie in with the future 311 system?

Blitzer: I think one of the most obvious connections would be we give people the ability to enroll their information, and I think that would be a prompt we could work into the scripts of 311. So, when you call about certain issues -- particularly, emergency preparedness -- great, here are some things about emergency preparedness we can tell you to do, but hey, have you already registered for the public alerts program? It's a good way for us to give you information during an emergency.

Fritz: Would it require affirmative sign-up or can we make it a default that you get signed up unless you ask not to be?

Blitzer: I think that is a policy we could certainly explore. We do have landline data that we buy and upload about citizens for citizen information. However, we don't have people's cell phones; so, we really want people to agree with that. We can ask them to enroll their information, or we could talk about a policy that sort of mandates it.

Fritz: Well, perhaps as you're going forward with the solicitation, I would appreciate it if you include that discussion of how your system might interact with 311.

Blitzer: Be happy to.

Fritz: Thank you.

Hales: Other questions for David? Thank you very much. Anyone else want to speak on this item? If not, then we'll take a roll call, please.

Item 118 Roll.

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

Novick: Thank you, David. Aye.

Hales: Aye.

Item 119.

Hales: I understand there is a request to refer this back to your office, Commissioner Novick. Without objection, we're doing that.

Item 120.

Hales: Second reading and roll call, please.

Item 120 Roll.

Fritz: I very much appreciate the discussion last week and the testimony of Dan Bower. I'm going to support this on the understanding that the contract is open for bids and there's no guarantee it will continue in a new contract. I would suggest that part of a new contract ought to be that the contractor provides their own janitorial services. We have City offices

January 28, 2015

that don't get janitorial services, so it's -- but it's a small amount, and I appreciated the discussion last week. Aye.

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

Hales: And we're recessed for one hour until 2:00 p.m. Thank you.

At 1:02 p.m., Council recessed.

January 28, 2015
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.

JANUARY 28, 2015

2:00 PM

Hales: Good afternoon, everyone. Welcome to this afternoon's session of the January 28th City Council meeting. Would you please call the roll?

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

Hales: Welcome, everyone. We've got a couple items on the calendar this afternoon. As always, we'll typically have testimony once we get done with presentations about these items in three-minute blocks for those of you who came here to speak. Because this body likes to hear all points of view, we ask if you agree with somebody you give them a wave or a thumbs up, but that we don't have any vocal demonstrations in favor or against our fellow citizens as they have their say. With that minor limitation -- and the other one, which is if you're a lobbyist for an organization, you need to disclose that when you speak -- we'll get started with item 121. Let the record show that Commissioner Novick is here, as well.

Item 121.

Hales: Let me say a couple things and then hand this over to my colleague, Commissioner Saltzman. There's a lot of good work that has been put into what's going to be discussed this afternoon. There's also a lot of heartache from the past and from the present that we're trying to address.

I saw recently a copy of this map from 1950 of the distribution of African American families close in eastside, before Memorial Coliseum, before the freeway, before Emanuel Hospital. Frankly, it's just shocking to look at that history. This is one way to see it -- there are a lot of stories that make it more human than dots on a map -- but when you see that graphic change from then to now, and you see the change that's around us right now, I think all of us are in this room because we want to manage change to a better result. That's why we're here and why there are some volunteer activists that have put a lot of time into this issue -- and we appreciate them -- and why the people on this Council and the people in the bureaus that report to us have put a lot of effort into housing issues as well. With that, let me turn it over to Commissioner Saltzman, the Commissioner-in-Charge of the Housing Bureau.

Saltzman: Thank you, Mayor. Last year, Mayor Hales took a bold step to increase affordable housing and to address displacement in North and Northeast Portland by allocating an additional \$20 million in funds for housing in the Interstate Urban Renewal Area.

The Portland Housing Bureau was tasked with reaching out to the community to create a strategy for this additional investment, and this strategy that you'll hear today is the culmination of more than seven months of work by the Housing Bureau and community partners. It's also an opportunity to improve the way we do business, to craft policy in partnership with the communities we serve, and to redress imbalances that continue to echo from our past.

This strategy is about helping to keep people where they are -- or, in some cases, helping them come back to the neighborhoods where they grew up, where they worship, where they have community ties. An attempt to factor in the needs of an entire community, from the elders who want to age in place and one day pass down their family home to

January 28, 2015

young renters wanting to find housing that they can afford near family and community to those wanting the security of buying their own home.

Before we get to the details of the Housing Bureau's recommendations for how we will achieve that, we need to acknowledge two things. First, there's an important history -- as the mayor was just saying -- that brings us to this moment. It's a history that has resulted in gentrification and displacement.

Second, it was the resolve of community members and leaders that made this possible -- made this investment plan that you're going hear possible. So, we will begin today's presentation with Portland Housing Bureau Director Traci Manning, and also Bishop Steven Holt. And Bishop Holt will give us a sort of historical overview of displacement in North/Northeast Portland, and Director Manning will queue up the recommendations. And then we have several invited guests after that, and then we can open it for public testimony. Director Manning?

Traci Manning, Director, Portland Housing Bureau: Thank you, Commissioner. Mayor, City Council. So, since you allocated these funds last year, PHB has been engaged in a process with the community to ensure we steward these funds so they have a real impact on the community that you asked us to serve.

We have a map up here -- we'll have a few maps to go along with that of that the mayor -- and this is our study area. It aligns with the URA boundaries in Interstate, but it also corresponds with historic red-lining and displacement historically.

As a starting point, we reached out in a number of ways, including four community forums that attracted 451 participants; and a gathering of faith leaders serving North and Northeast congregations. To us, this outreach was really vital, because we knew we had to do things differently and so we couldn't go to the community already having answers and plans. Building housing is frankly something that with our partners we're pretty good at, and we could have accomplished that without a lot of process. But to have a different impact, the strategy had to be more about the people, more about the community, and specifically about this community. And the community offered quite clear feedback on what kind of housing would have the most impact. They very generously came and shared personal stories of theirs and of friends and family. They sent in written notes and they spoke of the reality that they are living in the community every day.

During our early planning stages when we were reaching out to understand how to best get this information from the community, we were incredibly fortunate to meet Bishop Steven Holt of International Fellowship Family and the Eleven45 group, Faith Leaders Engaging in Social Justice Issues.

I will say that the Bishop's willingness to engage his leadership to this process and quite frankly to me have been instrumental in our ability to connect with the community. He has lent his time, his name, and his credibility to shepherd this process because he needed to see that it was true to the people that we're trying to serve. And Bishop Holt's role in facilitating our community forums, he presented the historical context this work is based in and how displacement has more recently impacting the community of North and Northeast Portland. And so now, I will turn to him to share that history again with us here today.

Steven D. Holt: Thank you, Traci. If you will look above at the screen, it talks about something I call a backward glance and a forward look, meaning we took a moment to look back to take a view of our history, take a moment to learn from our past, and then take a moment to look back so that we don't repeat our past.

Mayor, you already identified some of the displacement events: the Vanport flood, the I-5 freeway, the Coliseum, the Central Albina study, Emanuel Hospital when it broke ground, and then the Interstate Urban Renewal Area. All of these events impacted

January 28, 2015

thousands of families and thousands of households and caused what we're calling gentrification or intentional displacement that left significant emotional and relational boundaries.

The next portion of what we're going to talk about or what I want you to see -- the slides that we're going to show are from 1970 to 2010. It is also the area of study, and each one is in a decade increment. So, 1970 to 1980, 1980 to 1990. It's color-coded to illustrate where the concentration of where African Americans lived during this period. As you're seeing them switch, we have 1980. 1990, you see what I call the dark chocolate extending. And then we see 2000, there's a switch -- not as much. Then 2010, there's almost an absence of the dark chocolate, or where African Americans were concentrated. As you know, it's gone from 31% of people of color who lived in that portion of City to less than 13%. It's been a significant impact.

During the period of transition, there have been promises that have been made and weren't kept. What we're trying to do is make sure that doesn't happen again. I'm a native to the city, I've been here all my life. I don't want to see it from a distant position, I saw it from a direct impact. I also was one who lived in that area -- no longer. My family lived in that area -- no longer. Businesses that were there -- no longer.

There's something we have to do, and I'm excited about our opportunity to do something in regard to that that brings us to this moment. And so, we look back but we don't look back to stay there. We look back to learn, we look back to change, and then see what we can do as it relates to going forward.

To that extent then, we've got some community people here to talk about currently how the impact of gentrification and displacement is happening or what it has cost.

Saltzman: So, I'd like to ask now Andrew Colas of Colas Construction, who is a longtime member of the Portland Housing Advisory Commission where he's played a lead role in the Housing Bureau's equity agenda. And we will also hear from Dr. Mark Strong, lead pastor of the Life Change Church in North Portland; and Katrina Holland, a community member who was a passionate advocate for this funding from the very beginning. Andrew, why don't you go first?

Andrew Colas: Thank you very much. Good afternoon, Mayor, Commissioners. I'm very happy to be here today. I just wanted to talk to the commission and the folks in the room today just a little bit about why I'm here and kind of what role I've played in this.

I've been -- as you said -- on the Portland Housing Bureau Advisory Commission. It's an advisory role. It's a committee, but we all every single month meet for two hours and we talk about these kind of problems that Bishop Holt spoke to you so eloquently about earlier. And I've been on that for five years. And I've constantly -- we've gone through a tumultuous time as far as our economic situations. We went from a time where there were zero dollars, banks weren't lending to anybody, housing wasn't an option for anybody to now where you see 23 tower cranes in the area. You see a bursting economy right now. And for me -- I'm the president of the National Association of Minority Contractors -- I want to make sure that while there's these huge development opportunities, that we're creating opportunities for our minority businesses. It's about economic development for me.

So, I'm happy that we've gotten to this point today. Is this the solution? No. But I think this creates a really good template and model. One of the biggest things that I'm excited about was the process that we went through. I think it was a very inclusive process. I commend Director Manning for her outreach. She has some great people that work in that organization. Specifically, I'd like to mention Nate McCoy, Leslie Goodlow, Karl Dinkelspiel. They were very involved in this process -- and it was a very engaged process. There were four community meetings that took place, and we got some really

January 28, 2015

good feedback from a lot of different members. So, I feel good about hearing lot of different voices because it's important that we hear various voices in the community.

For me, I look at the fact that right now, they've identified 120 homes that they want to make sure -- 40 homes to be built, and hopefully we can create those opportunities so that African American s and Hispanic Americans and Native Americans and other communities of color have opportunities to live in those homes, and then making sure we retain 80 homes. So, that's not a huge number -- it's 120 homes -- but if you think about it, the average cost of a home in that area is about \$250,000. So, if you do the math on that, you're looking at right around \$30 million.

Over the course of the next 20 years, I believe that the price of homes in that area will double with the amount of people that are moving in. The key to economic success in the United States is home ownership, and it's so important that we invest in this. 120 is not enough but it's a start, it's a template. These aren't the only dollars that are going to be deployed from the Portland Housing Bureau, but these dollars we're going look at, we're going to have community members that provide oversight, and I think we're going to create a template of how dollars in the future should be deployed. So, I'm very excited about that opportunity.

In regards to NAMCO, making sure that we create opportunities for our businesses to grow. We have over 30 members of this organization. I think we played a key role in bringing together communities and putting together this petition to hopefully get to this point today. And for me, looking at creating opportunities for businesses like Affordable Electric, Professional Minority Group, Ray Moore Construction -- just to name a few -- City of Roses -- there's a lot of great contractors out there -- Primo Construction.

So, when we make sure these dollars that are going to be deployed -- \$20 million -- actually impact these businesses that employ diverse communities, again, we're touching on economic development. That's how we make sure that people within our community have the opportunity to purchase these homes, have the opportunity to maintain in this neighborhoods.

It's so important that we focus on that as we deploy all funds, not only out of the Housing Bureau, but every bureau -- making sure that we're really creating real opportunities for these businesses. I feel very strong about the group that's at the Housing Bureau, and I believe in them and I know they're going to listen to the oversight. There's some been great people that have been at the table and they will continue to be at the table, but we need to push this forward and make sure that we do create these economic opportunities for all these businesses so that our communities can a part bring more prosperous in this city that we have been for generations.

Thank you very much for hearing me today. I look forward to hopefully moving forward to some positive outcomes.

Saltzman: Thank you, Andrew. Dr. Strong?

Mark Strong: Good afternoon, everyone. Just appreciate this opportunity to kind of share a little bit of some of what our experiences have been.

I've been a pastor in the Williams corridor area for close to 27 years. A pastor in Life Change. And to say the least, there's been quite a bit of charge that's happened in our neighborhood and in our community. It's a whole 'nother world than when we started.

I think one of the impacts that some of the changes had on our congregation has been that, for one, you can't get to church unless you have a place to park. People have not really had the ability to speak or influence in terms of what's been going on in the community. And it just kind of creates a lot of angst, emotion, and frustration. And so, part of my responsibility as a pastor is to care and love for the people, but this whole gentrification piece has created a whole other entire issue. It's almost like a loss, or

January 28, 2015

someone who's grieving because something that was there prior is not there anymore. And grief -- if you don't have the proper outlet to be able to find the support or sometimes just to talk, it makes it difficult.

That's why I appreciate the process that the Housing Bureau is going through that gives the community an opportunity to share some of the pain, the frustrations that the faith community has experienced.

I think to kind of sum up what some of that angst and some of that psychological pain the community has experienced -- just two conversations I had. One was with a young woman who went to our church. She was probably 23 years old. I was having lunch with her, and she says, Pastor Mark, you don't understand. She said, when you guys were growing up in this area, you guys had places where you could go to, places where your friends hang out that you called your own. We don't have that here anymore. There's no park that's our own, there's no place that we can just hang out and say is ours. And that's true, that has been kind of obliterated with some of the changes that have taken place.

And the other conversation is with my own mother. My mom is 76, my dad just turned 80 this year. He's still in good health, he still works every day. Still sober minded. And my mom just began to open up and pour her heart out. She says, you know, your dad is like a lost man. She said he comes home from work, he sits around, and he's just lost. There's been so much changes that's taken place in the community that he has no place to find his bearings or find his moorings because of all the changes that have taken place.

And so, I think it's important to realize, those are just two conversations but you can multiply that numerous times in terms of what people are feeling in their hearts and what they're feeling in their souls concerning the change that's taken place.

Now, much what has happened has happened, not all of it is bad. But I think that a process like this where the City can come back and say that we are interested in trying to do something to make this situation a little bit better I think goes a long way, as opposed to just saying that it's done, it's over with, and get on with your life. So, I think even this is kind of a compassionate way to put a little ointment on a gaping wound in the faith community and the African American community as a whole.

Saltzman: Thank you, Dr. Strong. Katrina?

Katrina Holland: I also want to thank the Portland Housing Bureau and the City for devoting a lot of their time and effort making this an inclusive process for how we can repair some of the issues we face in North and Northeast Portland.

I'm here to kind of give a perspective of what I see happening with the opportunity that's presented before us, and also kind of give an outlook as a millennial, a young person who is looking to establish roots in Portland and grow and invest.

I would say there's a general sentiment among community members outside these walls -- namely historically marginalized populations -- and it's a sentiment of angst. It's a skepticism mixed with hope that this time, things will be different. And as we sit here and stare at the frankly horrific history in Portland, ridden with racism, with shame, targeted displacement, we also sit -- I feel -- at a fork in the road that presents new paths that are untrodden to some really incredible opportunities.

I could sit here as an African American young woman, a soon-to-be graduated student, a mother, and I could tell you the troubles I faced despite many hours toiling through education, through efforts of economic advancement in several career sectors, and the shameful struggle I've had in trying to find a decent house for my daughter and I that doesn't cost \$4850 just to move in. That's real. But I feel like you've heard these stories time and again, the stories of skyrocketing rents and move-in fees, ungodly wait lists, and overcrowded multi-family units -- stories of unnecessary instability.

January 28, 2015

Instead, I want to talk about the opportunity that I see. The opportunity we have in adding to our great reputation of microenterprise culture, world leadership in sustainable green living, international recognition for our innovative transportation policy and planning. This addition lies in executing true equity. And I don't say equity defined as the means of achieving the ends to achieving the ends of diversity or equality, but equity defined as the infrastructural modification necessary to achieve the ends of justice, of enhancing accessibility to opportunities for the socioeconomic stability and advancement that Andrew was talking about, and to achieve ends of simply living.

This opportunity is about fully realizing our potential in our city by investing in those who have been historically alienated -- folks who give major contribution to our city's well-being in so many ways, and have for many generations. When deciding how to spend this money in this proposal and coming dollars, I do implore you -- not for the sake of appealing to your heartstrings, but for the sake of realizing what's really before us -- to keep in mind the following realities.

One -- I don't know if anyone remembers the process, but we are on a national stage with just this little bit of money, due to its symbolism and how it came about.

Two, we cannot wait for and rely on the private sector to raise wages enough to support some of the changes that have happened in North and Northeast Portland, and we cannot wait on the rental market to crash to make units affordable again. Lack of demand may bring prices down, but again, the stakes and damage control on such conditions are way too high. Not only that, but people are paying these astronomically high rents, so there's really no reason to change them. And if these changes were to happen, I don't think none of these phenomena are going to happen anytime soon. However, the demand is now.

We can't wait because people like myself, millennials attempting to build our socioeconomic foundations are staring at unjust scales. I mean, we have to make decisions between health care, food, paying rent or the mortgage, building a family, career choices, caring for our loved ones as they age, student loans, and more -- and I really think that's unfair -- despite doing all we were raised to do, which is go to school and have lofty career aspirations.

So, I support the plan that comes before you today. Like Andrew said, I don't think it's a complete fix, but I think it's a step in the right direction. As you hear this proposal, I ask that you keep this fork in the road that I've attempted to bring to the forefront of this discussion. We can continue business as usual, investing in things we've done previously, increasing our risk of stifling advancement towards true social equity and justice, or we can stare history in the face and say, "no more" -- and I think we have that opportunity.

We can be an example to the state and to the nation because of where we are with this process. We can show them what equitable and impactful economic development looks like. I challenge you to not look at this proposal as not just another series of line items in a budget, but as the catalyst to a driving force that is going to promote equitable enforcement for all Portland citizens, especially the historically disadvantaged.

Saltzman: Thank you.

Holland: Thank you.

Saltzman: Thank you all.

Hales: Thank you.

Saltzman: Our last panel member before we bring Traci Manning back up to walk through the details is the Reverend Dr. T. Allen Bethel, President of the Albina Ministerial Alliance; and Cat Goughnour, who is with the Portland African American Leadership Forum, a group that was instrumental in bringing this proposal forward. Welcome, Dr. Bethel.

January 28, 2015

T. Allen Bethel: Good afternoon. Dr. T. Allen Bethel; Senior Pastor, Maranatha Church; Albina Ministerial Alliance President; and a member of PAALF. I am a Portland resident. Thank you for the opportunity to address the council today in representing the approval of the North/Northeast Neighborhood Housing Strategy and the Interstate Urban Renewal Area tax increment financing, as well as general fund dollars.

While it remains true that the African American Black population in Portland and Multnomah County has been identified as one of the most vulnerable and most at risk for continued displacement or loss of stability in the Portland Housing Bureau study area, the gentrification factor -- which has and still does impact the North/Northeast community -- is still a concern. Mayor Hales and some PDC members and perhaps some Housing Bureau members may remember October of 2013 of a tour hosted by PAALF to view those gentrification impacts on the Williams and Vancouver Avenue corridor, and a conversation at Legacy Emanuel Hospital about the community concerns and some specific requests of the mayor and the PDC.

Subsequent to that date, due to the significant role that PAALF played in hosting community forums, etc., which led to the announcement of the additional \$20 million that we are discussing today -- and in fact, we need multiple 20 million dollars to adequately address these issues.

Now, the proposed distribution plan contains items that are conducive to rebuilding the North/Northeast neighborhood community. And yet, the amounts do not go far enough to address long term housing stability. What other funds can be leveraged with this small amount of \$20 million? Are there funds in the affordable housing set-aside? What other funding streams are available from the City? From federal funds? How will these funds and others address and benefit long-term stabilization, home ownership, low-income affordable housing? Realizing that this \$20 million is a budgetary shift of funds from PDC to PHB, and that there's no expected or forecasted increase in the urban renewal area budget, are there other funds that should be included in this discussion and the North/Northeast Neighborhood Housing Strategy?

I ask further that as these funds are distributed, invested, used for banking, that the opportunity for housing, construction, planning, designing and development opportunities -- but not limited to those -- be made available, openly, fairly, equitably, to guard against any single source individual firms. That we further work towards a comprehensive plan that includes self-determination, where the people of the community have a stronger vested say in how their community is developing.

This comprehensive plan or a people's plan will help address the long-term solutions for the \$20 million over the next five years that will yield a response when these systemic issues that have affected North/Northeast Neighborhood will rise again -- and I believe that some of them will -- that the response will be we -- speaking on behalf of the City -- we did do, we did give, but it does not go far enough.

While the issues still remain for housing issues in North/Northeast, we remain unabated to remediation and the elimination of these issues. The critical work of moving these policies to practice is our utmost priority to ensure that the mistakes and short-sightedness of the past are not repeated, and to directly address current realities for the Portland's African American and Black population.

This is a marathon, it's not a sprint. We join you on the marathon to design with the people's input, and rebuilt our North/Northeast neighborhood. And I remind you -- what's going to be different about this? We want to hold you accountable. As you said, it's going to be the way we go about doing it. Let's go about doing it the right way so we can eliminate these issues, not repeat what was in the past, and see a fruitful North/Northeast

January 28, 2015

community rebuilt, reliving -- that's not a correct word, but you get my point -- that we can go together hand in hand and achieve a great community in the Portland area. Thank you.

Hales: Thank you very much.

Saltzman: Thank you, Dr. Bethel. Ms. Goughnour?

Cat Goughnour: Good afternoon, Council. Thanks for providing this opportunity to weigh in on the North/Northeast Neighborhood Housing Strategy discussion. I'm Cat Goughnour, and I'm a graduate from the Portland African American Leadership Forum. I'm also a community health worker and an equity consultant. And today, I serve as an advocate for the Portland African American Leadership Forum for our people as a steward of the process to stabilize and heal Portland's Black African American community.

First, I did want to echo Dr. Bethel's points and the points made by all the other panelists about the impact of displacement and gentrification on our community, and lift up the urgency of the issue we face. I also really want to commend the responsiveness of the City to PAALF's advocacy in 2014, which lifted the needs of our community to the national level. It facilitated the beginning of a difficult and long-overdue conversation about the root causes and upstream solutions available to overcome Oregon's racially exclusionary path.

Through this good faith effort, we see the promise of a long-term City-community partnership to continue allocating resources based on need. The individual and community impact of multigenerational disinvestment and displacement for any people is trauma. Dr. Strong spoke to this. It's a pain, a suffering, loss of community ties, loss of place, and loss of belonging.

In 1993, we had created the Albina community plan in conjunction with the City, and it was a comprehensive, proactive, community-led, anti-displacement, anti-gentrification planning document which promised to stem the impact of hyper-investment in the Interstate corridor Urban Renewal Area.

The purpose was to bring the benefit to the residents, not just redevelop sticks and bricks.

An area that was segregated, red-lined, disinvested in, and whose peoples' equity was stripped through the housing crisis. However, over the past 15 years, our people have not been able to take advantage of the renewed investment. Therefore, we think a health-wealth strategy is needed.

By investing in the most vulnerable and excluded, we can achieve multiple returns on investment including both regional economic prosperity and well-being. As Katrina outlined, the returns on investment are exponential.

Therefore, we need to aggressively tackle the root causes, which concentrates poverty and which at this point is moving our community members out to underdeveloped parts of the city and concentrating poverty again.

To this end, we believe our right to return policy to areas of high opportunity makes a lot of sense. We believe the \$20 million allocated to the City marks a sea change in budget and policy practices and bodes well for future policy interventions to stem disparate impact and different treatment that our community has faced and continues to face.

At this point, we do need -- as Dr. Bethel said -- exclusive assurance and commitment that this \$20 million will be the seed that catalyzes strategic system change to close the gap between those who are thriving and those in need, and it's not just a one-off. We need to leverage this investment many times over to address the long-term housing stability, home ownership, community development, and place-making for our community members.

PAALF's advocacy made plain the push-pull factors and showed market forces were one of the main determinants of where our people are living. Therefore, housing choice was not the thing that moved our people around the City, desegregating this area.

January 28, 2015

The affordable housing dollars made available through the City's 30% set-aside from tax increment financing -- we'd like to know what amount has been captured to-date. It was always meant to be a floor and never a ceiling. So, we're curious as to what anti-displacement resources are truly available in this strategic stabilization policy.

As Dr. Bethel mentioned, PAALF has just been given funding to go forward with our people's plan, which will be another community-led community development plan. It's a whole-system comprehensive approach addressing and redressing the critical social, environmental, and health issues facing our community.

We do think it's important to say there are differences of opinion within our community, we are not a monolith. However, we all agree that \$20 million isn't enough. We all agree that promises have been broken. We all agree more can and must be done, and we want to work in collaboration with the City to create a holistic community development strategy and action plan. I'm not sure how much time I have. I'm probably at the end.

Fish: May I ask a question of Dr. Bethel quickly? Dr. Bethel, you said a lot of things that struck me, but one was you raised a cautionary flag about how the moneys are distributed.

Bethel: Yes.

Fish: And so, that goes to the whole question of transparency and integrity of the process. You know, sir, that the Housing Bureau uses a Notice of Funds Available process, where they advertise their dollars and they solicit proposals. Then they rank them -- and use a value system to rank them -- and under Director Manning's leadership, equity has been raised to a more prominent place. That's created some conflict with some of our partners, but. What specifically in that system do you want to us pay particular attention to, sir?

Bethel: Thank you for the question. I wish you would pay careful attention to the ranking, the questions asked, and the persons who do the ranking. I'm familiar with -- in several organizations, not only for the City, for TriMet, and other groups -- that when do you the ranking, based on who's sitting there and relationships with a particular firm or individual that you've had history with, say, for five, 10, 15 years, there is sometimes an inherent bias when you set down that I know what this company can do. And so, sometimes they are ranked a little higher and the other companies are ranked a little lower.

I think we need to have a comprehensive look at that to try to guarantee that we don't end up with the same company or companies always getting the contracts and then talking about we are going subcontract something out, and we get some subcontracting -- very little -- to low-end jobs, or we get subcontracting to a front. Those are issues that we know are there. We've just got work to eliminate them, and especially in North/Northeast Portland and its redevelopment.

Fish: Thank you, sir.

Saltzman: Thank you both. Now, I'd like to ask Traci Manning to come back up and she'll walk us through a PowerPoint, the details of the plan. And Leslie Goodlow -- played a big role.

Manning: Anything that goes well is her doing. So, thank you very much. Really appreciate the commentary of our guests. Registered very true, I'm sure, to our own experiences -- certainly to what we heard in the forums. And hopefully, these recommendations respond to what we heard from the people who are living these experiences every day.

As part of those community forums, we asked people to fill out comment cards -- 300 people agreed to. Nearly half of the African American homeowners said they were at risk of displacement, and a common reason they listed was an inability to afford costly home repairs. So, the first strategy that we are recommending is to spend \$4 million on keeping people who are still in the community from losing their homes through the provision of home repair loans and grants, an already successful strategy.

January 28, 2015

Another common theme -- and one you've heard today -- was the need to help people become homeowners. Studies have shown that one key driver in the wealth gap between African Americans and whites is the years of family home ownership. So, we're recommending allocating \$5 million over two different strategies to increase home ownership opportunities in the area. First is to assist first-time home-buyers -- 2.4 million would allow to us move an additional 40 households into home ownership, and an additional 6.2 million to develop new affordable housing homeowner stock in the area.

We're also recommending the creation of rental homes. We found through comments at the forum that 83% of all of the renters who attended those forums responded saying they were at risk of displacement, and half of those were people of color. So, we are recommending that we invest \$4.5 million, plus land that PHB owns currently on the east side of Martin Luther King, Jr. Boulevard just south of Fremont. This is something, as all of these strategies are, that we can put in place immediately to increase the supply and availability of affordable rental units. This investment will allow us to build 40 to 80 new units, depending on size. And one of the other things we heard very strongly at the forums was the need for family-sized units that were worked with family amenities.

Another thing we heard a lot at the forums was about mixed use developments, that there should be a space in the ground floor of this building to support neighborhood businesses. Something that Bishop Holt, as well as a number of the panelists talked about -- those economic opportunities accruing back into these communities. And so, partnering with PDC and a number of the folks we met through this process, I think we can identify local businesses to be part of that development.

Next up, after that project, we've identified an additional \$3.5 million to assist a second development. PHB owns a second piece of land at Rosa Parks and Martin Luther King. TriMet owns a piece of land, Multnomah County owns and piece of land that they have expressed real interest -- and they attended all of the forums with us to hear from people what they might want them to do with their land. We've also been approached by three different nonprofit organizations that own land in the district. So, we know there's a lot of potential there.

And finally, we received really strong support from the community for a strategy of land acquisition and so, we have recommended \$3 million of the money be used to acquire land.

I was very compelled by the thoughtfulness that came up with this strategy. It's very important to us to get this money on the ground quickly. And when I say us, Commissioner Saltzman and Mayor Hales have felt very strongly that we need to move very quickly, and I appreciate that prompting. But we also know five years is really a very short period of time, and acquiring land that can be used in the community is a way to have a longer term plan, a longer term strategy, and frankly have faith in the people who have been part of this process and have said they want to step up and figure out how to get that land developed.

Fritz: Is this in addition to the previous list you just gave us of the PDC --

Manning: Yes.

Fritz: It is. And is it multifamily properties?

Manning: To be determined. Land that would be for affordable housing development, guided by the community.

Hales: May be mixed use with --

Manning: Mixed use, certainly, always when it's on the main arterial streets, which [indistinguishable] most of the Urban Renewal Area is.

Hales: And that would mean PDC putting in additional resources to make sure that the commercial side of it worked.

January 28, 2015

Manning: Yeah, that would be fabulous. Yes, they've worked with us closely on that.

Something you heard from the panelists and something that we heard and challenged ourselves with all the time is, how is this really going to be any different? The community has offered feedback in plans before, and previous public processes were developed with outcomes that are yet to be fulfilled. So, we knew we had to answer that question. And much of what you've just heard is in fact not that different. These recommended investments expand a number of our existing effective programs to fund affordable housing development.

The strategy often includes several new practices and policies that will impact how we do our work, shaped by the stories people have shared. During the forums, a lot of what we've heard also had to do with the access to housing -- again, part of the testimony you've just heard -- as well as the economic forces that have shaped this community.

So, there's a number of practices outlined in the full report, which I will not go into all of them, but do I want to highlight a few. Fortunately, very early on in the process, Commissioner Saltzman expressed an interest in whether we could create a priority in the housing we'd create for people who have been displaced or at risk of displacement from this community. Since we had that extra time to work on it, we've been working with the City Attorney's Office. We were able to reference similar policies that have been successfully implemented around the country in New York, Massachusetts, California. So, we now know that it is legally possible to create a preference based on a geography. So, people who have previously or currently live in that geography. So, we will work with community members as well as the Attorney's Office so we can craft the mechanics of the police that will really, truly impact the people that we're trying to serve while meeting legal criteria.

Economic opportunity -- you've heard a lot about that, we certainly have as well. Maxine Fitzpatrick has been reminding me for years and years that housing development is economic development. Andrew Colas speaks very eloquently and persuasively over the years about how vital it is that the economic benefits that will accrue to this work stay in the community.

So, as part of our strategy we will continue to partner with PDC to identify those community-based businesses that can be commercial tenants on the ground floor of these developments and others to come. We'll increase our MWESB -- minority, women-owned, and emerging small business -- subcontracting goals, expand them to include professional services and focus on our minority contracting. And we'll work with PDC and community-based organizations to assist some long-term property owners who are interested in developing their land or offering housing. It was something that we actually heard quite a bit during the forums from people who said, I have land, I'd like to help, I don't really know how, I don't trust.

It's frankly not something that we as a big government bureau are great at. We work on bigger scale things. So, we're going to take a little time and work with some folks in the community who can be good at it help us figure out how to help these smaller property owners do what they want to do with their land for the benefit of their community.

So, next steps. PHB is also including two decision packages in the budget that I understand is due on Monday that are responsive to the needs you've heard about today. One would extend these successful programs that keep homeowners in their homes to the balance of the study area. Right now, of course, TIF can only be spent within the URA; our study area is larger. Keeping people who are still there in their homes is a huge priority.

A second decision package would extend the strategy of land banking to combat displacement and gentrifying neighborhoods citywide, including in North and Northeast Portland. And again, we've heard very persuasive arguments about land banking. TIF is a

January 28, 2015

somewhat imperfect tool for that. General fund -- we have already talked to -- and you'll see when you get our budget -- banks and foundations willing to match a general fund commitment for land banking in areas experiencing gentrification at least one-to-one.

Next, we were asked in a variety of forum about where the citywide place is where strategies are being discussed to on a citywide basis mitigate involuntary displacement. The Portland Plan actually does a really good job of outlining the need and some of the next steps for some of these strategies. We're asking to you ask Portland Housing Bureau, the Office of Equity and Human Rights, and the Bureau of Planning and Sustainability to convene our sister bureaus and work on strategies to recommend to you that would be citywide strategies to mitigate displacement. I know a lot of your bureaus are already working on things like an equity lens for capital investment, and so really just bringing those efforts together.

And finally, no matter how good these recommendations are, their impact will depend on how they are implemented. So, we've been working with Commissioner Saltzman and the mayor, and you've heard about this oversight committee, this issue of accountability back to the community. We are well aware that this is just a plan at this point -- no matter how well-intentioned -- and how we implement it makes all the difference in the world. And the people that frankly we feel like we owe most explanation to are out in the community. And so, Bishop Holt has agreed to help us organize this committee. We will report to them annually, as will anybody funded under this initiative -- we will report to them more than annually, they will report to you annually about how we're all doing and what they've seen. And so, with that transition, I will turn it back to Bishop Holt.

Holt: I will wrap it up by saying thanks to all the presenters -- extremely clear in the articulation. I think we all are very clear on the need. It's now, how do we handle it on the back end? And our goal, our commitment, our desire is to see that what has happened historically is not repeated. This isn't much, but it is a significant step. So, thank you. Thank you for beginning the process. And with the opportunity to leverage relationships, other resources, and networks, I think something significant can happen.

The goal of putting the group together would be to pull some of the best minds and thinkers -- some of which you heard -- voices I'll be talking to about being a part of this group, part of this Council to do our part to help this relationship come to pass. We want to see something great happen. So, thank you. Thank you for this opportunity.

Saltzman: Thank you both. Questions?

Fish: Traci, could I ask two questions?

Manning: You can ask as many as you like. [laughter]

Saltzman: Andrew Colas talked about a menu of home ownership, which is wealth creation. And yet, one of the concerns we had that's been identified is seeing people priced out of their homes -- an affordability problem.

So, there are some models we use like land trusts and other things which maintain permanent affordability in home ownership but work against a little bit against the idea of wealth creation, because you're limited in how much you can make in order to maintain an affordable unit. I know this is a big question, but how do you reconcile those two in inner Northeast -- the desire to have homes that are affordable and accessible, and also the desire for someone to achieve the American dream of a home and potentially growing wealth through that home?

Manning: Well fortunately, we don't have to just rely on what comes out of our own brains. We've got many really able partners who understand that both of those can be co-equal goals. There obviously -- you can't have everything obviously, so it's about striking that balance.

January 28, 2015

For instance, I think the land trust folks would tell you that in their model -- and because of the funds they can leverage, as can other folks who do home ownership in the community -- that while some of the equity stays in the home to keep it affordable for the next family, because the family's paying less during the course of their home ownership, they have the ability to accumulate wealth not only through the appreciation of the home, the structure, but also through lower payments on an ongoing basis. They're not paying mortgage insurance, the mortgage payment is less. There's other models out there, but there certainly isn't a perfect solution. But you know, it's our job to set the outcome out there and certified smart people behind me to tell us how they can meet it.

Fish: And it's also I think the community's role to figure out the mix of that, because there are different values.

The second equipment to ask has to do with the right of return. The federal Fair Housing Act -- which, for people who follow that law closely, the Supreme Court has taken and case and is poised apparently to gut it and say that disparate impact cases would no longer be actionable, which would just be in the pantheon of civil rights decision one of the all-time worst. But there are some rumors to that effect. The Fair Housing laws say that you have to take race out of equation when you're deciding to rent to someone. So, in an instance like this where disproportionately race is at the heart of a displacement story, how does a right of return work where race can't be explicitly a part of criteria for exercising that right?

Manning: Right. So, we've spent -- thanks to the City Attorney's Office and I think Linda Law has been working with us on this -- she may be her, as well. So what we've learned -- you're right, we cannot call out any protected class. But we can call out a geography. This is a geography that has historically been the heart of our African American community. And so, folks who lived in that geography are not exclusively African American but certainly have historically been in large numbers. But it's about the geography. And that's why we can -- and there's certainly nuances on how it gets rolled out that we have to be careful with and thoughtful about. But because if it's about the geography and not a protected class, and at least for the moment doesn't disparately impact a protected class -- which this would not as long as the geography is this geography -- then we're OK.

Fish: Do you have a sense in terms of the new units that you hope to bring online through these investments, put aside the leveraging -- we've heard folks says let's leverage and do more -- but for these investments, do you have a sense of the number of units that would be eligible for this right of return?

Manning: I don't know if there's a proportionality to the preference. We would say that all of the developments that are funded under this proposal will be subject to a preference policy.

Fish: All the new --

Manning: Right. And whether it can be every single unit -- that's a nuance I think we still have to figure out.

Fish: Thank you.

Fritz: I'd like to follow up on those questions. Let's hope that the strategy is successful that, we are able to use geography to help folks stay in the neighborhood and bring back folks who were displaced and to help folks fix up their homes so they are not foreclosed upon or whatever. What's to stop the same thing happening again in 10 years, when people come along and offer way more for the home in fair market, and maybe people will want to pay for their college career or something? Following up on Commissioner Fish's line of questioning, home ownership is the key to wealth. And if it becomes so expensive -- which it already has in some ways to live in North and Northeast Portland -- people may choose to sell out, move to a less expensive area of town. They're still homeowners, so

January 28, 2015

they are helping, but then we're still potentially adding to the gentrification of North and Northeast Portland.

Manning: Right. So I think there's a couple different ways to answer that. I think an important key that I hear in your question is one of choice. And when we talk about this, we talk a lot about involuntary displacement, which could be about a variety of different things -- predatory lending; we heard a lot about reverse mortgages that people took, not having access just to the basic information about whether or not that was a good choice for them. If somebody chooses to sell their home and use that equity in their life the way they see fit, that's great, wonderful for them.

Fritz: But they're not then going to be choosing the person they sell to based on geography.

Manning: Yeah, if it's their personal residence, that is true.

Fritz: So, that's something that I'm concerned about. I'm also wondering about the home repair loans or grants that then then the home is in good shape. Again, somebody else swoops in and says, that looks like a lovely home and they are not necessarily going to fit with the folks we're particularly trying to help. Was there a discussion of that?

Manning: The loans have a 15-year term, so if somebody -- it's not a program designed to help somebody flip their home. So if they start proportional repayment on year 11 and it's forgiven in year 15, if they sell before then, they owe the money back so that we can recycle it into the next home.

Fritz: OK.

Manning: You know, can we permanently stem displacement and people wanting to leave? That may be more ambitious than I can commit to.

Fritz: Is there something like that with the home purchasing assistance, also?

Manning: Yeah, and I think that's the question Commissioner Fish was referring to. There's a bunch of different mechanisms in home ownership that helps to retain permanent affordability or recycle of the money. And there's different mechanisms --

Fritz: Or continue to help folks of a targeted demographic to be the ones who buy the home.

Manning: Right.

Fritz: And how are you going to get the word out to people who are already displaced that they're able to come back?

Manning: That's a great question. It's actually a question that we specifically asked people in the forums. And I don't know if, Bishop, you want to refer to that. That may have been one of the questions in your group that you facilitated. Certainly, I would say what we have learned overwhelmingly in the process is it's about who we work with and what their connections in the community are and not what we think is the right way to communicate with people.

Holt: One of the things we're trying to do is make sure that the information that's being talked about is being disseminated through community groups, churches, organizations where people are meeting. Those who've been displaced, impacted, where they are getting current information and the opportunity to access. One of the goals is making sure that the information is getting to the people who can benefit from it and who should be benefiting from it.

Manning: I would also like to give another shout-out to PAALF. They put a tremendous amount of energy in their community conversations and trying to locate and reach out to people that have been displaced. When we did the forums, we mailed 72,000 postcards, and some of those covered all of the zip codes in the study area but they also covered zip codes that -- since the state and other information that we got where we think people had

January 28, 2015

predominantly been moving to. I'm not we didn't capture them all but there's some geeky data ways to help with that as well.

Fritz: OK. And then my final question relates to Dr. Bethel's testimony and that of PAALF in terms of needing to leverage more money. The program that I know of that I'm thinking of that leverages the most money is the East Portland Action Plan, where for \$279,000 a year there is a huge investment of organizing their own committees and working in different action areas, \$100,000 in grants that they decide who gets the grants and they do the projects and such. Was there any discussion having a North/Northeast Portland Action plan that could -- the great work that you've done in involving the community -- is there a way to empower community members to come in, rather than having these be completely government programs where it's the majority of the administrative work is done by either Home Forward or the Housing Bureau. Is there a way or was there any discussion of more community empowerment?

Manning: Yeah, lots, and I would take any of your suggestions and East Portland Plan's, because I know they have been experts. A lot of the conversation was how these benefits accrue to the community.

So, one thing that government and others have been guilty of in the past is asking our community partners to help us do outreach for free. And frankly, that's not really fair and it's not within the means of some of the smaller organizations that are truly connected to the community. So, I think in terms of sort of who does the work, yes, we would love to figure out a way through the oversight committee, and through the partnerships we've developed and the ones we'll develop tomorrow -- for them to do some of the work directly. We anticipate that, you know, if we ask them to do that, we need to pay them to do that.

I would also make reference to and confess not having a deep knowledge but have learned from our partners about the People's Plan, which I think that's more along the lines of that comprehensive nature that you were referring to and I know it's coming much more close to fruition. So, I would defer to their expertise a bit in how we can mesh. I think that's kind of an open question -- how we continue to make those connections? So there's the Housing Bureau and PDC, and you know, there's all this other work that's happening and for us to be doing it in silos and in isolation would be a real fail.

Fritz: I appreciate that those answers -- \$20 million is not enough to do everything that needs to be done. \$20 million is a lot of money. I'm wondering if a portion of it might be dedicated to having the City hire a community advocate like we have in East Portland Action Plan, and maybe a small grant or something where the community themselves would decide how they want to use that. It's just -- they have been able to do it in East Portland the East Portland in Motion Plan, which then leveraged a lot of state transportation dollars and other Metro funding and such. It's more of a community organizing empowerment mechanism, and I would encourage you to look at -- is there anywhere in any of these allocations that you could have a further discussion with the community about perhaps we don't put all of it into these grants for loans, perhaps a small portion of one of those buckets could get allocated for exactly what you just talked about Traci -- not expecting people to do community organizing or outreach for free and in fact having a dedicated person whose job it is to focus on the Interstate Renewal Area, the North/Northeast Portland area, and then do lots of good work in the community. You know, the Office of Neighborhood Involvement looks after the contracts and such in the East Portland Action Plan, but most of the work is done in the community by the community for the community.

Manning: And you know certainly that's how we work. Most of our money -- you know, the \$100 million in our budget every year goes directly to the community. We don't do most of

January 28, 2015

the work directly. TIF is tough to spend on staff unless it's directly connected to a project, but I think your call for creativity is heard and we will take those as marching orders.

Fritz: Thank you.

Fish: When we talk about leverage -- we've heard that from several people testifying -- we're really talking about CDBG, Home, other sources of funding that can be leveraged. And so, that's part of a larger conversation. Because \$20 million is a piece, but every year we have these allocations. And that's a citywide conversation because we have policies in place that decide where that money goes. So, that's probably the next big part of this discussion is how we get additional leverage by targeting these other discretionary resources. But that's where the real money is -- obviously in the allocation we get through entitlement or through discretion.

Hales: We might also be talking about private philanthropy which is also where there is real money that we haven't leveraged enough of.

Fish: Yeah, although I would say, Mayor, Traci Manning has done an extraordinary job with leverage generally. The preservation strategy that she oversaw -- our public investment was a very small amount and the overall leverage of private equity, philanthropy, all these other things was a huge amount. If anyone knows how to find an extra dollar somewhere, it's Traci. But the question about matching it with other federal funds is going to be a big question. I hear a number of people saying they want to leverage. I want to go back to the rental housing for a second.

Manning: Mm-hmm.

Fish: So, the community has been clear and you've been clear that the rental housing will be targeted to families of 60% median family income or below.

Manning: Correct.

Fish: So it'll be what we call the 30% set-aside guidelines.

Manning: Yep, 60% at the most.

Fish: 60% at the most. So, this is where there's a lot of need and we've heard repeatedly - - and these are the families priced out of the market right now in the most acute way.

Dr. Bethel in his testimony raised again this concern about how we allocate the money. I think the NOFA process that you have refined and developed has been pretty good. And since you have to rank people, you're never the most popular person on the day you have to tell people they didn't make the cut. But I'm just interested -- are you thinking about making changes to the NOFA process as part of this, and if so, how do you -- are those things you're looking at system-wide or just for the target area?

Manning: Yeah, I think we are -- we haven't defined particular changes. I think we have heard very clearly as the Reverend Doctor referenced that -- and Andrew referenced -- keeping the benefit of these dollars multiplying, leveraging in the community is really important. And so, making sure that those processes and -- I saw my team taking notes when Reverend Dr. Bethel was speaking -- making sure who selects, and relationships matter and really prioritizing this process and that depth of experience with this community as a priority.

We are blessed with a lot of development talent and capacity in this community and firms that can do the work. And so, asking as part of that -- as you really well outlined -- accountable and transparent process, how those community connections will help them develop this project I think is something that folks have lifted up as a recommendation to us that makes good sense.

Fish: So, for example, you may decide in your new scoring system, that extra points if you choose a prime contractor that is minority-owned?

Manning: Sure, that would be an example. Yes.

January 28, 2015

Fish: I think the Colas Construction company will be the first prime construction company to have a substantial piece of work on MLK. So, that is one way that we move the dial. We've had some success with subcontracting, but with the contractors maybe not as much as you would like.

Manning: Yes. I believe Dawson Park was an excellent example.

Hales: Excellent presentation, excellent discussion. We should move on I think.

Novick: Actually, Mr. Mayor, can I ask just a couple questions. One is, do we know what percentage of people who have been displaced were homeowners and how many were renters?

Manning: I don't think we know that. No. I'm getting a lot of head-shaking, no, I don't think we know that. Hmm? I'll see what we can get.

Fish: My uninformed assumption has been that given in part our weird property tax system, even when value goes up property taxes don't drive people out of their homes. So although there are predatory lending, I would assume that forced relocation were renters rather than owners, but I would be interested in having statistics.

The other question -- and I imagine this may come up later, as some of these folks here we'll hear from later -- but as you know, we got a letter from a large number of respected organizations and individuals really strongly endorsing the land banking strategy. They didn't put a dollar amount as far as I can see on the letter about how much of that \$20 million should be dedicated to that, but I'm just curious as to whether you've had conversations with them whether \$3 million is an appropriate amount.

Manning: I have, and I also found that a very compelling letter. I know a lot of those folks, as well, and there are others I'm looking forward working with.

I have had conversations with several -- certainly not everybody who's a signatory to the letter. And they've had everywhere from declining to give me a number to very different answers about that number. Some people who signed the letter have seen out recommendation and are OK with it. I think some people completely -- full disclosure -- some people are not, they wanted to see more. We do have a decision package the general fund ask. I can use that money for leverage, and I find that's a lot better source, but I completely respect that sentiment and regardless, really look forward to taking them up on their invitation to working together. I really believe -- and Dr. Bates has provided us with some studies that demonstrate -- that there is a really intriguing long-term play there about efforts to mitigate displacement.

Novick: Thank you.

Holt: And I want to just say this in regard to your question about displacement.

Displacement wasn't simply driven by home pricing or taxes. It's also when you begin to close African American-owned businesses. And so, when economics are hit and those who owned those businesses no longer have them and pricing is changing, then they can't access that. We're talking about not just a housing issue, we're also talking about economic development. But since this is specifically around housing, we've got to focus on that at this moment. But there are other elements we must talk about and think about.

Hales: Yeah, and that's why I mentioned PDC earlier -- we've gotta synergize what we're doing on the house side with PDC. Each though the two agencies are separate, actually, we're creating a working group between the two bureaus to make sure we know how to get mixed-use projects delivered even if there's different pots of money being blended to make the project happen.

Holt: Yes, sir.

Hales: Because what the community wants is both opportunity for business growth and housing. And frankly, I don't think we have any excuse as a City to only meet one of those objectives, particularly on property that we own.

January 28, 2015

Holt: Agreed, agreed.

Hales: Thank you so much for your leadership on this, Bishop Holt. Thank you both, and we'll move on to public testimony.

Moore-Love: We have 11 people signed up. The first three please come on up.

Hales: Come on up. Ms. Krueger, I think you're on first.

Alyssa Isenstein Krueger: My name is Alice Krueger. I am a real estate broker with Living Room Realty, and I'm also a partner broker with the Portland Housing Center.

I submitted a proposal for increasing home ownership opportunities for people of color, North/Northeast Portland, and I wanted to share that. I would like to see \$3 million of the \$20 million allocated to be used for a \$35,000 silent loans -- which is basically a loan somebody receives but they don't have to make payments on it -- to assist moderate income first-time home buyers with historic ties to the community in purchasing a home in inner North and Northeast Portland.

The loans can be used to help with the down payment, closing costs, and needed repairs, and if the home is sold within five years of the purchase, a pro-rated share of the loan must be repaid by the homeowner. And Portland Housing Center would be the administrator of the loans.

Priority for the loans should be given to buyers whose can demonstrate three of following criteria. One is resided eight out of the last 25 years in inner Northeast Portland. Those eight years do not have to be consecutive. Attended either Roosevelt, Jefferson, or Adams High School. They could -- the other option is they've completed the Getting Your House in Order class taught at the Portland Housing Center. They are affiliated with have family affiliations of either a faith-based institution or a community-based organization in the URA, and that they make no more than 130% MFI.

Additionally, buyers much have asset caps before and after purchase, and that includes liquid and non-liquid funds. The buyers may receive no additional gift funds for the down-payment assistance and the sales price should be capped.

With the \$20 million affordable housing initiative in North/Northeast Portland earmarked for helping prevent additional displacement of long-time residents and address a long history of institutional racism in the Interstate corridor Urban Renewal Area, now is the time to set aside money to be used solely for the purpose of increasing home ownership, particularly among African American families with moderate incomes -- between 81% to 120% MFI.

Rents are rising at astounding rates and oftentimes a mortgage payment will be less than what a family pays for rent. Plus, a mortgage payment provides tax benefits that renting does not.

Many of the community in the community forum summary that I read -- [beeping] -- ah I'm not even -- spoke to the fact that there is no assistance for folks making over 80% of MFI.

I also -- I work at Living Room. We did a survey of our 52 brokers; 26 of our brokers answered this survey. It was, how many first-time home buyers have we worked with over the last year? The answer was 148. How many of those used gift funds to buy their homes == which is how most first-time home buyers are able to buy in North/Northeast Portland -- the answer was 62, which is 40%. 59 of those 62 were white. The average gift was \$42,000 and the average home purchased was \$305,000. So, I've much more but I submitted it in testimony.

Hales: Thank you, thank you very much, thanks. Good afternoon.

Tony Jones: Good afternoon, Mayor Hales, Commissioners. My name is Tony Jones, I'm the executive director of Metropolitan Contractor Improvement Partnership. Our mission is to build the capacity of minority and disadvantaged contractors that face disparate in

January 28, 2015

utilization of contractors in our city in our region. How we do that is we have a plan center that provides information about contracting opportunities, we provide workshops, and we also do one-on-one coaching with those businesses. We work with about 45 contractors a year and diversity across the board -- African American, Hispanic American, Native American, Asian, and women.

We support the North/Northeast investment strategy to guide the \$20 million over five years to serve those historically impacted by displacement. I have a few comments I want to add -- I know a lot of comments have already been shared.

We fully support the oversight committee. We encourage them to use best practices that can be used to serve the people that have been impacted by displacement, and the monitoring is extremely important. I want to encourage the Portland Housing Bureau to also make sure that their staff is trained so as they are working with developers, contractors that may want to utilize these dollars that, they understand the real intent dollars -- it's just not another buck to build another piece of housing.

One of the things that I think is important with this oversight committee combined with the council is frankly having some sanctioning power. Really, it is important to make sure if you're going to set these goals, they need to be met. If they are not met, consequences need to be had. And the goal really is to take a positive approach to make sure these things happen. But if they're not happening, we need to stop and see that we're not meeting a goal and address what the challenge is to meet the goals that are set out.

The other thing I want to encourage is that the Housing Bureau consider with these dollars to increase the utilization goal to somewhere in between 30% to as high as 50%. I know there are some projects particularly that are of the scale and in the location of North/Northeast Portland that have been done recently that have been able to achieve those utilization goals. I know PCRI in their recent homeowner renovation project, they have achieved those goals as well as Innovative Housing, and the Erickson Fritz renovation are achieving those types of goals.

We also want to talk about specific MBE targets because we think if you're targeting African Americans, you've got to talk about that you're targeting minorities and not emerging small businesses. As Andrew talked about, there are MBEs capable of doing the work. One of the things that is a best practice is when an organization like ourselves or other organizations work in collaboration with the bureau and the contractor to help bring other emerging contractors to these opportunities to do the work. So, these are some suggestions or recommendations of how to move forward and achieve equity. Thank you.

Hales: Thank you very much. Good afternoon.

Steve Messinetti: Good afternoon. Mayor Hales, Commissioners, thank you for your careful work on this issue and ongoing commitment to helping Portland become a city where everyone has a decent and affordable place to live -- which, in fact, is the mission of the organization I represent. I'm Steve Messinetti, I'm the Director of Habitat for Humanity here in Portland.

Habitat between 1990 and 2002 built 110 houses in this North/Northeast focus area that the study focused on. Those 110 houses went to families who are on average earned about 40% of the median income. Over 80% of those were minority households. I'm proud to share that most of those family resource still in those homes. In fact, as I was walking out door at 1 o'clock today, Alice Green walked into my office, and she was there, I recognized her, she bought her home about 20 years ago from Habitat and she was there to make her final mortgage payment. I asked her what her plans were and she said she's never going to leave. She loves her home and she's planning to stay.

Home ownership is the most effective anti-displacement tool. And I'm here to share that home ownership can be a solution to break the equity imbalance in our city. And even

January 28, 2015

for very low income households, this is possible. We need to continue to find a way to create more opportunities for households of color to buy homes.

It is time to end this racial disparity between those that own property and therefore have the decision-making and power that comes with that and those who don't -- especially now that our City is made up of over 50% young people of color in our schools.

I've been the Habitat director for about 10 years now, and in those 10 years, our city has seen a 65% increase in house costs, which puts us in the top 10 in the country of the highest increase in house prices. Home ownership is becoming more and more out of reach, which makes it even more important for us to act now as it becomes more and more difficult to close minority home ownership gap.

I applaud this proposal and recommend it, especially the commitment of 25% of these funds to help people buy homes, as the typical annual City budget on housing allocates about 3% for this purpose. And the great thing about funding home ownership is that it not only helps the family that's being served with those funds, but it moves a family out of a rental unit that is freed up. Typically in our case, it's a rental unit that's subsidized that there's a long waiting to get into. So, you're really serving two homes for every one you support through home ownership.

I encourage to you support this proposal but throes consider funding home ownership as other opportunities arise.

Hales: Thank you, thanks for the work your organization does. Thank all three of you very much. OK, the next, please. Good afternoon, welcome.

Diane Linn: Good afternoon, Mayor, members of City Council, it's great to be with you here today. To jump right in, I'm Diane Linn, I'm the executive director of Proud Ground, we're formally Portland's community land trust organization established by the City of Portland 15 years ago. I've also been involved with Steve Messinetti and others to help facilitate what we call the partners for affordable home ownership. So, we're all working together to talk about this question of leverage and how we really get the biggest bang for the buck with the community.

I want to start by thanking Commissioner Saltzman, his staff, your staff, Mayor, the members and staff of the bureau, and the community leaders you've heard from today who have been incredibly eloquent in explaining the critical importance of this issue going forward.

The proposed investment in home ownership -- as Steve just referenced -- from the resource promise the community and together with the housing resources from the URA, the set-aside, is an extraordinary move in the right direction. Commitment to the rental units is also helpful. And together -- as Steve mentioned -- there is real hope for support of a continuum of housing that's more holistic.

We look forward to working with you, the City, to implement these measures if passed and want to continue to discuss the highest and best targeted use of these critical and precious public resources. We are very hopeful that in fact we can focus more on the permanently affordable component, as I think Commissioner Fish referenced, as did Commissioner Fritz. That really, we can in fact achieve families that will build more wealth, save money along the way -- as Traci mentioned -- and also save that asset for the next family down the line, whether it's five, 10, 15, 20 or 50 years down the line so these neighborhood can stay economically diverse going forward and we can really commit those public resources to that long-term leverage.

Elements of this proposal -- from funding the home buyer assistance to land acquisition and new development, keeping people in their homes -- also very important. Obviously here to support this proposal, but I want to take a minute to share with you a letter from one of the homeowners, an African American single mom who -- I'm going

January 28, 2015

paraphrase, thanks to the time we have here today -- but she walked into the Portland Housing Center in '08 and was scared to death she had no chance of home ownership in a million years. She left there and came back three years later. Long story short, as of November 2014, she now lives in a three-bedroom, two and a half bath home purchased through Proud Ground. A home where her monthly mortgage is less than the rent on her one-bedroom, one-bath apartment where there was no electrical outlet in her bathroom and mold growing around the place.

I wish she could be here with you today -- [beeping] -- in terms of timing -- just wanted to share with you that I wish you could hear her voice about what the dream of home ownership means to her, her family, her grandchildren. She would tell you if she was here, you would see her tears and her trembling voice to explain the importance of home ownership to her and her family and the cycle of poverty that's broken in her case. I think we're on the right track with this. I look very much forward to answering your questions about the role of the community land trust in the conversation.

Hales: Great, thank you.

Novick: Diane, it's very nice to have you back in town.

Linn: Thank you Steve.

Ruth Adkins: Good afternoon, Mayor and Commissioners. For the record, my name is Ruth Adkins, I'm with the Oregon Opportunity Network, and we're a statewide association of community development and community development nonprofits, including a 19-member organization here in the Portland area, Proud Ground and Habitat among them.

Oregon ON just wanted to chime in to add our strong support and thanks for this investment strategy. We really appreciate the community outreach that went into developing the strategy and the City's efforts to address the impacts of displacement and systemic racism.

We're really pleased to see the variety of range in this program, including home ownership strategies, land banking, as well as the multi-family development. It's really important -- as Diane mentioned -- to have that entire continuum.

Like everyone else, we want to thank the commissioner, the mayor, Traci and her staff and the entire community for all the good work that went into this plan to invest in the desperately-needed affordable housing and homeowner support in North and Northeast. As everyone has said, as so much damage has already been done, this still is a really crucial opportunity to help mitigate the devastating impacts of displacement, and we share the urgency of getting investment into the community as soon as possible.

As always, we urge the City to work closely with community partners as you move into the details of implementation. It's vital to stay in touch and be ready to make adjustments as you go as needed. Our members are mission-driven non-profits working in the community, and we all want to see the best and most effective use of this new investment in housing opportunity.

And finally, just to step back to the larger picture citywide, we believe -- and we hope you do as well -- that the City's housing portfolio is an important public asset and part of our public infrastructure. We recognize that unlike our parks and roads, the PHB portfolio is not wholly owned by the City, but the portfolio does represent a significant public investment in and a vital commitment to our collective goal of ensuring that all Portlanders of all income levels have a place to call home.

As we move into budget season, I just wanted to thank you for your past and urge your continued support for budget investments and policy and support of housing opportunity. Thanks so much.

Hales: Thank you.

January 28, 2015

Fish: Ruth, I also just want to thank you. In the fall, you took a crack at looking at how to extend the Water Bureau's discount program to low income renters. And that just fired up again yesterday --

Adkins: Great.

Fish: And the groundwork which you laid is informing this new process of how can we get those discounts to more people, but particularly people who live in apartment buildings that are low income but for the fact that they don't have a separate meter and would get a bill would be eligible for the discount program. So, we hope to get that right but we thank you for the groundwork that you laid on that.

Adkins: Well, thank you for your leadership. Really appreciate it.

Hales: Questions for these two experts while we've got 'em? More questions for you later. The leverage question is one we'll keep throwing back up in the air.

Fish: I have one question for Diane more. Steve has been on the Council a consume years. We've had our good days and bad days -- what was he like when he worked for you? [laughter]

Linn: Don't get me started. [laughter] But I'm very glad to be home. Thank you.

Hales: Yeah, that the Fifth. Thank you. Next, please. Come on up. Welcome back.

Laurie Benoit: Yes, thank you. Laurie Benoit. Diane Linn is actually a friend of mine from grade school, we lived than 30 seconds from each other here in Portland. I lived in Buckman and she did as well, and I also lived in North Portland. And in all these years, I've seen a big change in Portland -- on this side, downtown, all the way to the east side -- and I've seen a remarkably increase in the amount of people that are homeless.

For the nation, there's more than 33% emergency housing. In Portland, there's less than 10%. And I believe that's the correct amount. We need to do something to help the homeless population. We have all kinds of needs, housing is a big one, but I would hope that something would be set from this 20 million for this particular population. I in the last year -- and Diane Linn also, over the years, her family has also had homeless people -- I also, my own home, in my homes have had homeless people. Over last year, I've had five people who are homeless. They have nowhere, no money, nowhere to go. And so, I keep seeing this over and over again. We need to address this and help these people with this issue. Thank you.

Hales: Thank you. Thanks for your personal commitment as well. Good afternoon, John.

John Mulvey: Thank you, Mr. Mayor and members of the council. My name is John Mulvey. I came to Portland 22 years ago, and at that point it was a real affordable city, it was easy to get around, it had an amazing egalitarian mix of incomes in many of the neighborhood, it was just a wonderful place and that's why I stayed.

One of my first jobs was with a prominent local real estate development company, and in that job I worked on developing projects, condominium projects in the Pearl as well as master planning for the South Waterfront project, which we then called North Macadam.

Back then, there was a lot of talk in Portland about livability and compact growth, alternative transportation, walkable neighborhoods -- I'm sure you all remember that. Fast forward to today -- these things are hallmarks of what Portland is all about for some people. Increasingly, these things aren't available to everyone. We're in very real danger of becoming a city with an inner enclave of wealthy people and an outer layer where low income people live. And it would be a tragedy to allow that to happen.

This is a real critical question for I think today's leaders in Portland. Was all the talk about livability 10 and 15 years ago, was that a marketing pitch for million-dollar condos, or was it something more meaningful than that that would be extended to everybody in the community? The City has really done a terrible job in the intervening time of making that livability agenda meaningful for people at all income levels. So, I would ask the council to

January 28, 2015

recommit to making Portland livable and affordable for everyone. That doesn't just mean adopting the plan in front of you today -- although I very much support it, and I hope you will too -- it also means taking meaningful steps to address the skyrocketing cost of housing in the private rental market, which is where the vast majority of low income Portlanders get their housing. That means supporting an aggressive, inclusionary zoning policy. That means meaningful protection for renters in condo conversions. And finally, it means joining nearly every progressive city in this country and instituting a real rent control ordinance. Portland's really at a critical juncture right now, and I hope you will fight for the city that I know we all love so much because it's really at a tipping point where it could go one direction or the other. So, thank you.

Hales: Thank you. Mr. Stull, welcome.

Barry Joe Stull: Council, my name is Barry Joe Stull. This month, both Mayor Hales and Chair Kafoury cringed when I raised the issue of PCRI's vacant, affordable housing apartment complex at 4066 NE Grand Avenue.

Unfortunately, body language isn't enough to change this situation in the organized crime I've been exposed to and have exposed. On a recent trip to the Multnomah County Courthouse, I saw Multnomah County Sheriff Civil Deputy Hughes who testified on July 2007 I'd warned him in October 2006 PCRI was going to again destroy my goods, which PCRI had done by then in October 2006 in the amount of \$4775 in musical instruments and tools. I told Deputy Hughes PCRI got away with it.

This whole matter exemplifies government corruption and PCRI's continuing abuses. Among the documents I have shared as PDF files is the certified copy of the entire case file scanned by Portland City Council Clerk Karla in 2010, which includes Dr. Grimm's diagnosis of my having severe pain and severe nausea and Judge Weisberg's October 2006 order stating the contempt of court proceedings could be reopened if PCRI failed to promptly act in good faith to compensate me for the goods removed and destroyed improperly -- which PCRI had its insurance provider issue a check for \$4775 in 2010 -- hardly either good faith or prompt. It was also insurance fraud on the part of PCRI.

I'm not one to accept my experience and the current vacant status of the entire complex named Kafoury Court being what PCRI claims through its motto meeting the affordable housing needs of the community. I don't believe the community accepts it either. Continuing, here's an email I sent to Ms. Manning. It's Portland Housing Bureau and PCIR partnership. It's to Ms. Manning and the Community Alliance of Tenants.

Since everyone knows about this issue already, I'm making it clear everyone knows the Portland Housing Bureau is partnering with the corrupt nonprofit PCRI. The attached materials serve to exemplify why we have people sleeping in doorways in Portland while affordable housing is vacant. PCRI destroyed over \$20,000 of my goods in two episodes in 2006 as I was appealing the so-called 30-day no cause eviction.

I came home from work and found I had been locked out of the apartment of PCRI in violation of a state pending appeal as determined by the Oregon Court of Appeals. After PCRI took about a week to destroy my goods in March 2006, PCRI did it again in October 2006.

I see I'm running out of time, so I'll cut to the chase. On October 30th, 2014, Nicole pray [spelling?], an employee of the neighboring Providence Elder Place and Irvington Village told me that during the three years she's worked there, the five apartment complex at 4066 NE Grand Avenue has never housed a tenant. By my calculation, PCRI has failed to collect well over 75,000 in rent in that five-apartment complex at 4066 NE Grand at a time folks can't find housing and their Section 8 vouchers expire. We had Crystal Elinski here this morning say she's got a Section 8 voucher, she can't get into housing. You're partnering with PCRI. We heard Maxine Fitzpatrick's name at least twice at least today.

January 28, 2015

These people are absolutely corrupt. Chief of Police, are you still over there? Go get 'em, tiger.

Hales: Thank you, Mr. Stull. Alright. Next three, please.

Fish: Mayor, we do celebrate the First Amendment in this body --

Hales: We do.

Fish: But when people come forth and make reckless charges that impugn the integrity of people that we partner with, I think we have to call that out and ask for some decorum. And if someone makes a claim -- you're finished, sir. You are finished. If someone --

Hales: You are finished, Mr. Stull.

*****: [inaudible]

Fish: You're finished.

Hales: You are done.

Fish: If someone makes a claim that someone is engaged in illegal behavior, then they should be required to present that evidence either to you or the Police Chief and document it.

Hales: Right, there's a process for that.

Stull: I'll do that.

Hales: Go do that. OK, let's call the next. And Mr. Johnson wants to speak. Go ahead. You're up next.

Charles Johnson: Good afternoon, Commissioners. My name is Charles Johnson, and I think the issue has been adequately discussed and we're looking forward to stronger action to assure that people who traditionally have strong ties to these neighborhoods are able to maintain and increase homeownership there. But I was recently distressed with the elected government officials' response to the last citizen. As many of us know, this issue of this particular property has been addressed by Mr. Stull before. And we've never heard actual accountability. We've heard you try to silence people, but we never hear real answers from you. So, if you don't have anything to tell us about why the property is not empty or how it's not empty or all of the other wonderful things PCRI is doing, then just stay shut up, please.

Hales: Thanks. Good afternoon.

Sara Long: City Council members, it's an honor to sit before you today. My name is Sara Long, and I live in Eliot, the historically Black neighborhood, where people of color and families of color are disproportionately impacted by the massive loss of affordable housing.

I am part of the unpaid all-volunteer grassroots group United Neighborhoods for Reform. Our concern is the destruction of sound, loveable, and affordable housing to be replaced with a single house that is two to three times as much in price as the original. Normal people attempting to buy a home cannot compete with developers who often buy before houses is ever listed or outbid regular families looking to buy and to pay cash. Generally speaking, if there's room for two houses after demolition there was room for two houses before, whether next to the existing house or behind it sharing the driveway as an easement.

We do know the reason that the existing house is removed, though. The new houses are hundreds of thousands of dollars more expensive than the original homes were. Those original homes have now been lost forever, the vast majority dumped into a landfill. A much better way would be to find a means to stem the tide of needless demolition of affordable housing in our inner neighborhoods.

Just here in Oregon, the cities of Ashland and Corvallis have found a way to stop the destruction of affordable houses, and we can follow their lead. We have an under-discussed means and place to vastly increase our affordable rental housing, and that is

January 28, 2015

accessory dwelling units or ADUs. We're already charging to system development fees until July 2016 for ADUs. That lowers the total cost around 10%.

Promoting ADUs would help lower income homeowners pay their mortgages, keep them from losing their homes, and massively increase density in those inner neighborhoods that are most afflicted by destruction of affordable housing. We could effectively nearly double our density in areas with single family homes. We have other green and progressive cities such as Berkeley to look to as example of how great the promotion of ADUs could turn out to be. I guess that's all.

Hales: Thank you. Welcome.

Barbara Kerr: Good afternoon, my name is Barbara Kerr. I also work with United Neighborhoods for Reform, but I also lived in Humboldt neighborhood for many years and started a business there.

My concern is -- as I drive down Williams or MLK, I just want to cry. Because it's gone. And the community is gone. And I feel like the problem is that we are just physically removing it. And even with the \$20 million going in and talking about building new buildings you are removing the sense of community. Maintaining a community's connection with history by not destroying architectural fabric. When you remove the architectural fabric, the homes that generations of families and neighbors grew up with, the businesses they frequented and worked in, you remove the story that supports your sense of community and that's what provides stability.

Changing the fabric by building new, removing the sense that things can last, removing the sense that a community can last. It has been there and it will be there is different than, oh gee, it's all new now. Supporting people in repairing their homes and finding ways to boost their financial stability with ADUs and other alternative ways of housing can provide a win-win. You won't lose the community, you will allow people to stay, and you will allow them to maintain their dignity and that's their community, not something people came in and handed them money to build.

To me, it's just one more -- sometimes I feel like I've lived too long -- it's one more government program that came in to Albina and said, look, this is what we want to do. And you're working with the members of the community, I think that's fantastic, but please, don't forget that those buildings -- as material as they are -- represent their history. And I've seen the African American community meet some incredible challenges in those buildings and I'd hate for them to lose that reminder. Thank you.

Hales: Thanks very much. Others that are signed up to speak?

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

Hales: Anyone else? Questions for staff?

Fish: Mayor, I move the report.

Hales: Is there a second?

Fritz: Second.

Hales: Any more discussion? Then a roll call to accept the report, please.

Item 121 Roll.

Fritz: Well, Mayor and Commissioner Saltzman, congratulations on having brought this report with such a high degree of support and voice from the community. Thank you to the community members who took time out of your busy schedules to be here today, and for all the work that you and the Housing Bureau staff have done to bring something good out of the controversy from last year.

Thanks especially to the Portland African American Leadership Forum, both the current leader and previous leaders who have taken ownership of working with the City to help find solutions. Certainly, we're not there yet, but the fact that we've had this constructive, focused discussion on accepting that our previous policies have not had the

January 28, 2015

outcomes that were desired and how do we change that has been hugely helpful. So, thank you very much for that and for this work. With the support of the community I'm glad to vote aye.

Fish: Thank you, Mayor, for your leadership on this. Thank you, Dan, and the Housing Bureau for the process you set up and this report and this presentation. And Bishop Holt -- who reminded me last time I met him was at the funeral of a police officer -- excuse me, no, of a great activist in our community who worked with gang-affected youth, Rob Ingram. Thank you, sir, for your leadership. We're lucky to have you in this work.

I'm looking at the page on the PowerPoint where you begin about a backward glance and a forward look. My experience has been we've spent more time on the backward glance than the forward look. And we have to do the backward glance because that's our history, but we're paralyzed if we don't have the forward look, if we don't act. And you've given us a path to action. And I hope it's successful because I think if it's successful, we can make the case for more investments. Thank you, sir. Thanks to a great team. And Dan, this is work that you care deeply about. Even when you weren't the Housing Commissioner, you managed to build housing because you were so passionate and your value system and your record is well established. So, thank you. Aye.

Saltzman: I would like to thank Mayor Hales for his commitment to addressing displacement and for backing up that commitment with some tangible resources to bring more affordable housing to North and Northeast Portland. I want to thank all of our panelists today for taking time out of their days to come here and share their ideas about the solutions we're proposing and also advocating for additional solutions and for being willing to assist us in developing policies to help us to begin to turn the tide on this table.

I want to thank all the members of our community who attended the community meetings that were held by the Housing Bureau, and I surely want to thank the Portland Housing Bureau staff who worked tirelessly to pull off these community forums and they were very successful and very well-attended, so I want to thank each and every of them not only for the work they have done but for future work they will do in making these strategies come to life.

Special thanks to Traci Manning, Bishop Holt, Karl Dinkelspiel, Leslie Goodlow, Andrea Matthiessen, Nate McCoy, Martha Calhoon all with the Housing Bureau. And in my office, special thanks to Shannon Callahan and Brendan Finn for all their tireless work as well. Pleased to vote aye.

Novick: I, too, would like to thank Mayor Hales and Commissioner Saltzman and PAALF and all the other organizations that have engaged in this spirited discussion and thank Traci Manning.

Earlier today, Commissioner Fritz said we have huge deficits in four major areas of the City: in transportation, emergency preparedness, in parks maintenance, and in housing. And this morning, we took a small step towards potentially in the future addressing some of the deficits in transportation and parks and emergency preparedness. It's wonderful to see this kind of investment in housing and this kind of thoughtful discussion on how to spend the money.

One thing I just wanted to note is that we met with some legislators this morning -- and among them, Speaker Kotek. The first thing she brought up was inclusionary zoning. And I really hope they will have this as a tool after this legislative session and that that could be used to prevent further gentrification and displacement. So, let's keep our eyes on that as well as what we can do here at home. Aye.

Hales: Well, I want to talk about what we're doing and then also how we're doing it. What we're doing is really a piece of what must be a larger, more comprehensive strategy about righting some of the wrongs of the past and creating the community that we want.

January 28, 2015

But there's a way we do things in Portland, and I think today's hearing and the proceeds that led up to this decision today really illustrates that. One is we really invite the community in to make policy. Yes, the five of us have to try to set a vision for the City and we have to try to align our values as we understand them from the community into the work that we do, but there was a very robust community process in this case, and that was very important. And I'll get back to that.

Then secondly, we align our investments to that vision, and this is exactly what we're doing here. We find the means -- public, private, nonprofit -- and align them, and then we use partnerships to get things done and to expand our efforts. So, policy that's visionary but informed by the community; investments that are aligned with that policy; and then partnerships to make it happen. I think that's a formula that we have shown works in Portland for lots of things, and we're trying to make it work here.

Both Commissioner Saltzman and I had the opportunity -- along with Jillian Detweiler on my staff and other folks mentioned from Dan's office and from the bureau -- to attend these those community meetings. Couple things that struck me about those discussions. One, there were a lot of people in the room passionate but weren't necessarily insiders to these discussions -- and I don't mean that with any disrespect to all of us who are insiders, but I thought that was very healthy, that there were a whole bunch of people who had been personally affected by these issues and who wanted something done. And the question that they had for me and for Bishop Holt and for Traci was, is this real? If I show up and tell you what's happened in my life and ask you to make a strategy that will make a difference, is there any chance that what I'm saying here will make a difference?

And I know you felt the imperative of that just like I did. I think we can say today we are delivering on that promise -- that this package has really been shaped by a very legitimate process in which hundreds of Portlanders who aren't insiders got to have their say about what we do.

I know there are a lot of people on this dais that want to see that in lots of different formats. And I saw it here. So, I want to commend Bishop Holt and Traci and the others who invited people in and then actually heard from them. For me, that just reinforces the mandate that we really make this work. So, thank you all for a job well done so far. [laughter] Aye. Thank you all very much. We'll take a momentary recess and then take up our last item today.

At 3:55 p.m., Council recessed.

At 4:04 p.m., Council reconvened.

Hales: OK, we're back in business. Thank you for your patience. Council will come back to order, and we'll have the last item of the day read, which is 122, please, Karla.

Item 122.

Hales: I won't make for a long introduction because it's been a long day and there's important reporting and discussion to come, but there are a number of ways in which I think Portland as a community has distinguished itself in its response to traumatic incidents in our country and how we've addressed those as a community. Not that we all sit in a circle and sing in three part harmony -- because there are vociferous concerns and concerns and even protests -- but I want to say I think this presentation we're going to hear this afternoon is one more sign of health as a community in how we're taking on difficult issues. And I appreciate the two men who are before to us lead this off. With that, Dante and Chief, welcome.

January 28, 2015

Dante James, Director, Office of Equity and Human Rights: Thank you, sir. Mr. Mayor, Commissioners, I truly appreciate the opportunity to come and present a little bit about what's been going on or what the office was able to facilitate, and I'm truly pleased that the Chief is here with me. I invited the Chief and he was immediately receptive to coming. The conversations that we had and that you'll see and hear from obviously centered around police-community relations. And so, the idea that I would be here presenting recommendations or suggestions without the opportunity for the Police Chief to be here and comment and offer thoughts I thought would be disingenuous. And so, I'm really pleased he readily accepted the invitation to be here.

On three separate dates -- December 3, 10, and January 7 -- a total of about 200 City employees came together to discuss the aftermath of the Ferguson grand jury decision. The topics of discussion centered around institutional and systemic racism, implicit bias, community-police relations, police training, the feeling by people of color of disempowerment and fear as well as how those issues were created and fostered the tinderbox that exploded in days following Ferguson. And then subsequent to Ferguson and the death of Michael Brown came other deaths in other cities that were high-profile deaths of Black men or teenagers at the hands of the police.

The Office of Equity and Human Rights felt it important to provide a space for voices to be heard and frustrations to be expressed. Conversations were happening at the water cooler, in the hallways, and units and cubes, and just really felt the need to provide a place for those voices to be heard. By and large, the people who attended were not out protesting anywhere, they were your employees who felt the need to be able to speak and just to be able to be present in the conversation.

As I said, the meetings and discussions were attended by a wide spectrum of City employees of diverse backgrounds and races. There were also police officers who were in attendance at each of the conversations -- much respect to them -- with their numbers increasing every time.

The discussion began with thoughts of Ferguson and racism globally, and turned to discussion of Portland and how Portland can improve police accountability in its own community relations.

What I'd like to do first is --there's a short, short video that Jeff Selby from my staff put together that I think really sets the tone and the context for this. And you may have seen it -- and if you have, I beg your indulgence because I really think it's important to go on the record that this really set the tone for the conversation. It's about four minutes long. [video playing] It's not all silent. [video playing]

*****: Our goal today is really to allow people to just talk to this from an institutional perspective. The goal isn't to sit here and debate whether somebody did right, somebody did wrong as an individual. Because we didn't want this to be about purely beat up on police day, because police area a part of a large system, and it's not just about one cop and one kid, but it's bigger than that. If we're going to talk about this as a movement, not just a moment in time, it's bigger than those two individuals and any one police department. It's what is created -- the systems and the institutions themselves that create people's lack of trust or fear or whatever it is that's creating the passion that you're seeing now.

*****: And then you have this topic, Ferguson, which is so big. And I thought it was great that the City was kind of walking right into it, you know, knowing that it's hitting a lot of people in different ways, and let's just kind of take it on.

*****: It's not just about Ferguson. This keeps happening. It's not the first time, it's not the first time in the past year. It is about the fact that there is a structure in place that allows it to happen, and allows indictments to not happen.

January 28, 2015

****: One of the questions I asked was, how many of you have had a conversation about Ferguson in the last couple weeks? Everybody raised their hand. But then, how many of you have had an interracial conversation about Ferguson in the last couple of weeks? And about 15 out of maybe 70 people in the room raised their hands, and about 10 were Black folks. And so clearly, we're not talking to each other. And that's another example of what needs to happen -- we need to talk to each other so we can better understand the impacts being felt by folks who don't look like us on both sides of the aisle.

****: I spoke from the perspective of and I think to the white audience in the room about our role in stepping up and facing history and being willing to take off our blinders -- which we have the luxury to choose to do -- but asking folks that it's really time to lean into spaces that are maybe uncomfortable for us.

****: Some of the issues with Ferguson is that yes, there is over 60% Black, but the problem is they don't have the power because they haven't been in institutions to gain power in order to change the rules and regulations that are in place.

****: My commitment is that I would capture this, I will compile it, and I will ensure that it's submitted to and read and heard by each of the City Council and by the Mayor's Office. I just think that's important -- for them to know the impact this is having on employees every day.

****: There was a police officer there, and I was glad to see -- I mean, this isn't mandatory, so it was great to see someone representing law enforcement there.

****: I want to try to understand. There's a lot of people wearing this uniform that want to make a change, that are trying hard to make a change. We're not Ferguson, and we're not perfect, but we're trying to move in the right direction. And I really appreciate everybody talking and speaking from the heart today. Thank you.

****: So, I would suggest begin having these conversations. The continuing training that this office does creates a baseline of understanding about some of the issues of the day based on history and historical perspectives and historical aspects to institutionalized racism. And do your own work. Do your own work. It's not always up to somebody else to give you the answer. Do your own work. [end of video]

James: This was the first one, then we hosted two more after this one. So what I wanted to do so that I could figure out --

Fritz: Are the other two posted online, too?

James: No, we didn't video it. This was kind of --

Hales: A compilation.

James: A compilation of those, yes. Thank you, sir. So, what I said I would do is compile what I heard. And they tended to be in categories.

Initially, it was questions about what is it that is causing distrust? What is this creating the racial divide? So it really broke down into themes. Inequity and bias, policing in the criminal justice system, historical and cultural injustice, denial and fear essentially by the power structure. Breaking those down into some of the specific examples that people offered.

Let me also say this. These were City employees, many who don't have much interaction specifically with the Police Bureau or the criminal justice system. And so, these were their perceptions and I am in some sense channeling them. What's here and what you'll see are not examples or suggestions or recommendations coming from my office at all. I committed to honestly presenting what I heard essentially unfiltered. And so, that's what you'll be seeing through these slides.

So, in speaking of inequity and bias, the concern or the commentary was Portland is not representative democracy in terms of leadership not being reflective of the population. Can City Council fix that? I don't know. But it's just a concern that ran through the

January 28, 2015

conversation. The reason my office exists in some sense is because the concern that system in place continues to foster institutional racism just through policies, practices, and procedures.

In regard to policing and concerns -- that there's a continuing disconnect between the police and community and that the police are not considered a part or feel a part of the communities they police. Concerns about police training being insufficient or inadequate. And that words and images are powerful. And language that is often used is often offensive and dehumanizing. And just better need to understand how we say impacts a large number of people.

In regard to cultural and historical -- often, we don't address our history. Certainly the office does our equity training, it's telling how many people do not understand or know the history of the country and certainly don't know the history of the state of Oregon and/or the City of Portland historically and the injustices and discrimination that existed legally and otherwise.

The media does what it does in the way it does it, which is often slanted or does not address systemic issues, it focuses on one individual aspect of racism or discrimination but doesn't look at it -- it's not systemically aware.

Then, generally lack of cultural integration continues to create our inability to hear each other and interact with each other in a way that doesn't create defensiveness or other things like that.

The denial and fear -- the concern was there's often an inherent fear and distrust of African Americans per se -- just because -- we are, they are there automatically creates fear and distrust. So, a conversation about implicit bias and concern about that in general the denial there is in fact a continuing racial problem in the country. It's a difficult conversation to talk about and it's easy to find every other reason why something is happening. But the denial of the fact that there is a racial problem is a continuing difficulty.

So, I didn't want this -- we didn't want this to be just a venting session, but what could we talk about in terms of solutions. As I said, the majority of the people who were there either don't have a lot of interaction with police or don't really understand the criminal justice system, so a recommendation some of them were recommending -- recommendations of things that I know the Police Bureau is already doing, has done, or really just cannot implement. And so, most of those didn't really make it to this slide. I will be offering those to you, but I wanted to really offer suggestions that I thought were specific and something Council could address.

So, the recommendations specific to police about officer training. Bias training is important. Everybody, everybody -- police and everybody -- must accept and own their own bias and recognize that we have it. Have the courage to create those conversations to talk specifically about fear and distrust on the part of both the community and the police, because it's not just a one-sided issue.

And then, continuing education for officers on bias -- de-escalation techniques, and interpersonal skills so it's not just a one-time in service session once a year or every other year -- however those come -- but an ongoing basis for these conversations.

Culture and policy change recommendations. Obviously, the DOJ settlement is highly engaged in this process, but changing policies about engagement and expectations of those interactions.

Internal zero tolerance policies so that officers are visibly held accountable for behavior that is unacceptable. I think it's often that an officer may be disciplined or some type of sanction may occur, but it does not become known. Therefore, the assumption is nothing really happened. So how do we -- certainly understanding personnel issues -- how

January 28, 2015

do we create more transparency in the fact that someone is in fact disciplined for behavior that's unacceptable?

Fritz: Could you talk a little bit more about that? Because you're a bureau director, you know there's a number of personnel issues that if it was somebody in a bureau other than the Police Bureau it might be considered inappropriate to make that transparent that the person had done something wrong and had been disciplined for it.

James: Sure. I think -- and I'm sure the Chief can speak to this as well -- there are -- there are, I think, ways internally where someone can be removed from a particular position, transferred to telephone reporting unit in terms of where they are or what the investigation is so that it's felt and seen that there has been some ramification to doing something inappropriate and wrong. And I think there are ways that it can be done that don't have to specifically describe and tell what the discipline was, but there are things that can be visibly seen that tell that story.

Culture and policy change recommendations or thoughts from the employees. Any bureau -- this is the City, I mean, turning the City is a big ship in talking about culture change -- but how do we create an environment where peer reporting does not lead to ostracizing when you try do that?

Conduct psychological exams more often, instead of only upon hiring or after a police-involved shooting in order to root out possible changes in officers' psyches after several years on the job and the work that they -- certainly the hard work and hard interactions they have to go through.

Fritz: State Representative Lew Frederick talked about that in our legislative breakfast this morning. He may introduce legislation to require that. Great minds think alike.

James: OK, thank you. Community and police relations. Certainly, the Chief has made it top priority to really focus on that. So, much respect to the chief in that regard. Obviously, some of these occurred prior to the Chief even coming into his position.

Speaking about community engagement -- meeting communities face to face regularly, not only after an incident or event but engaging true community policing, no definition provided.

And then create requirements or incentives to police for police to live in the communities they serve. It's my understanding this recommendation used to be in place which was Portland used to have a home-buying incentive for officers who wanted to live in the City of Portland in particular communities. And so, is that an opportunity that exists to create something again similar to that?

Other ideas in terms of using a ranger program or Fire Bureau and create relationships in schools and through other grassroots efforts to attract officers of color. And I know many officers individually do that; I don't know that there's a strategy or structure specifically systemically within the bureau that would create those relationships with schools or through the ranger program to use that as a pipeline for officers. And engage neighborhood structures, organizations, or groups more in the community policing.

Diversifying the Police Bureau. And I know that's always been a huge issue, and there's been a great amount of success in that regard in the last couple of years.

A question about the criminal background investigations, criminal background checks, and policies. And I know this has changed some, so it's not quite as strict as this in terms of -- somebody's example was if my cousin sold drugs years ago, it can prevent me from being hired by the City for public safety jobs. I know the investigators and the personnel department, the personnel bureau are really looking independently on each of those cases. So, this is not an automatic disqualifier as maybe it used to be.

Fritz: Then we need to publish that, right? Because there's obviously still employees that believe that's still the case.

January 28, 2015

James: Right. And I think overall, Commissioners -- and I know I said this to the previous chief -- the police don't tell their story well. Many things that are being done well don't get translated into the community's hearing. And so, how do we tell that story better? How do we help them so that folks can have a better understanding of the good works that are happening? If you go to the awards or promotional aspects of ceremonies, you see the good works that happen. You know, buying tires for somebody living out of their car. I mean, it's amazing things that happen. The stories don't get told as broadly as I think they could.

Fish: Can I ask you a question about that? Because it goes back to something earlier in the PowerPoint about the views that people you talk to about the media.

My guess is that if this chief had a great story to tell, the biggest challenge he would have is finding someone to put it above the fold on the front page.

James: Mm-hmm.

Fish: I think we get in the habit of saying -- you know, we collectively don't do a good job telling our story, but I'm going to offer slightly provocative twist on that which is how reflective of our community are the decision-makers who decide what goes in the newspapers, the radio, and the TV? You're the head of the Office of Equity, so you would be aware, for example, of distinguished African Americans or Latino leaders in senior management positions of our newspapers, our radio, TV, people with community roots who have an interesting in telling stories that reflect their values, or perhaps people you pick up the phone when you get agitated about something in the newspaper and you want to talk to somebody who is culturally competent and has some history, and you want to have that conversation. I don't know. I've been looking at mastheads lately, I've been looking at websites. It seems to me somewhat hidden.

James: Oh, I don't -- it's not hidden, it's not there. [laughter]

Fish: So, I get that this Chief -- you could probably say in this environment he's responsible for content and delivery. But why are we as a community accepting of that? That there aren't people with broad range of experiences who are making decisions about what's newsworthy and what isn't, what's important about what he's doing or not? I've always been struck by the fact I don't know why that whole sector gets a pass. I welcome the spotlight on us. I mean, we are elected officials. But we are not -- we have very little control over the filters that deliver the stories about what law enforcement is doing.

Hales: Good point.

James: Great point. I wish I had an answer. We have tried to solicit media engagement with many of the things that we've done, and I'm sure I know the Chief has as well. But good work isn't always sexy, and it doesn't always make it above the fold. So, what do we do with that? You have more of a bully pulpit with the editors than I do. So, I don't know how.

James: I just don't know -- I mean, Joe is sending me a signal about freedom of the press. I support freedom of the press. I'm talking about something else. I'm talking about some of the concerns that you're raising, this PowerPoint applied to institutions in our community that have equal standing to the people here or the people at the table that somehow get a pass in this discussion. How do we make it a broader discussion? That's not your job description, I get it. But I'd be curious to talk to you offline about who do you call to talk about a story you think may be rude or insensitive or misses a narrative, and what's the experience of that person that you're able to share and relate to?

James: I will get on your calendar, I would love that conversation because I don't have a great answer. I think it's a conversation we need to have. Thank you.

Kind of finishing up -- again, in terms of diversifying -- going back again to the park rangers program, create that pipeline. And also, there was a comment -- because there

January 28, 2015

were a couple of Park Range there's were in attendance and they suggested the police could greatly benefit learning some of the rangers' non-weapon carrying tactics of addressing difficult situations.

And then there were just a few suggestions that I thought related to all City employees that Council could possibly comment on. An extension of a program to aggressively diversity the entire workforce.

Every bureau has an affirmative action plan but they're not typically evaluated, reported on. They get done, they get handed in, they go on the shelf and they come out again next year. So, what do we do with those? How do we report on those?

And then, hold managers and bureaus held accountable for outcomes in outreach -- certainly outreach -- in order to hire more broadly. And then, how do we engage and put performance measures in place for those folks engaged and involved in hiring?

And then, suggesting cultural awareness in the workplace should be evaluated. Bureaus should conduct climate surveys to understand the impact of race at work. Some bureaus are in fact doing that. Some bureaus have in fact done that. And certainly as my office is working now, each bureau will complete its own strategic racial equity plan to be completed this year. So, in some sense, each bureau will be engaged in that, but this is a little bit more of a request for something more in depth -- specifically culture and climate of the individual bureaus.

That kind of concludes the suggestions and recommendations as well as some of the concerns expressed. And as I said, there were about 200 people over the time that came, but there were I think a lot more people having that conversation and didn't know how to engage in it and didn't know who to engage in it with. And so, this was really about trying to create that space for the conversation and it was only expected that there would be one of these meetings. We had three because they asked for more. And we continued to do this because there's that much need for some type of conversation and communication and ability to just be in a space where we can talk about things that we can't usually talk about comfortably.

So again, my goal was to present to you some of the thoughts and concerns and feelings and suggestions from your employees, and I hope some of these maybe resonated with you and create a continuing conversation when we go off of camera.

At this point, I would just like to ask the Chief for his thoughts and comments. He's seen this and I know he has his own thoughts and feelings on this. And he's doing good work and just getting started for all the good work he's going to continue to do. So, I look forward to working with him some more. Chief?

Larry O'Dea, Chief, Portland Police Bureau: Thank you, sir. I want to thank Director James for his initiative and his thoughtfulness around hosting these three sessions around the Ferguson event. It really gave a place for City employees to have their thoughts, their pain, their concerns heard. I think all too frequently, the opportunities for those conversations are ignored and it's really time to lean into the difficult conversations and not shy away from them because they can be hard.

This is a transformative time for the country and for my profession. The events and conversation following Ferguson are a clear reminder that our country is still struggling with how race impacts all of our major institutions such as education, employment, health care, housing, and all parts of the criminal justice system to include the police. It's my belief that government needs to get this right; above all, that police profession needs to be at the front line of government getting it right first due to our tremendous responsibility and authority that we have.

Where am I taking the Police Bureau to address this in? My focus for the Police Bureau is to build trusting relationships in all parts of the community -- not just some parts

January 28, 2015

of the community, not just most parts of the community -- and have them work together on community priorities together to build safer and healthier neighborhoods.

Another priority for me is to diversify the bureau and diversify the leadership of the Police Bureau, as well as to improve our knowledge and our action around equity. I'm fully committed to the bureau achieving all points in the Department of Justice settlement agreement. I've hired an equity and diversity program manager who will work directly for me and have the responsibility and the authority to go anywhere in the Police Bureau and advise me on changes in policy, practice, and training that I need to make to ensure that we are inclusive and equitable. This kind of position is unheard of in a police department, but so critical. Our person starts next week.

I'm also hiring an analyst who will be entirely dedicated to looking at all of our stops data. This analyst will have the background to understand some of the nuances behind that data, such as criminal justice inequities and implicit bias, and then together with that program manager, break that information down, share it as we come together as a community to discuss it.

A diverse, well-trained, and educated work force working together on community priorities is our path to continue to build trust in our community as well as meeting the public safety needs that each part of our community needs.

Know that the Police Bureau has hundreds of good, caring members who have dedicated their lives to community service and that I am very proud of them. Every week, they risk themselves while saving lives and keeping people safe. I'm honored to be Chief of Police of an organization filled with such great people who do this work every day and are committed to providing exceptional public service, and I'm confident in the path we've chartered, excited about the future, and ask that all of you be alongside us working with us and helping to make a difference. Thank you.

Hales: Thank you both. Questions? Good work.

James: Thank you. I don't know if it's appropriate to ask if you'll accept the report.

Hales: There are probably some folks who would like to speak, and then we'll do that. Anyone want a chance to comment, you're welcome. Chief, Director James, thank you very much. Anyone like to comment on this?

Moore-Love: I have nine people who signed up. The first three, please come on up.

Hales: Good afternoon, welcome.

Mark Pomeroy: Thank you very much. Mr. Mayor, Commissioners. I don't take this opportunity for granted. Thank you very kindly. I'm here to --

Hales: Oh, just put your name in the record -- I'm sorry.

Pomeroy: I'm sorry, Mark Pomeroy is my name. I am here to ask the Portland Police Bureau and the applicable agencies to establish good, effective policies surrounding the use of deadly force. To solve this problem at hand, maybe we insist that the first three bullets in an officer's pistol are rubberized. Maybe this is a bad idea, but it's a compromise to disarming a truly effective community policing agency. If the Police Bureau insists on its cowboy culture, training and education for the officers should include the highest standards of this cowboy culture. For example, when I was young, it was murder one to shoot my little brother in the back with a squirt gun. I ask that the policies be changed subject to the following test. Please think on this, for I think the ramifications go quite deep. As long as it is possible to commit suicide by cop, we still have work to do. Thank you.

Hales: Thank you. Ms. Eng, welcome.

Mary Eng: Hi, my name is Mary Eng. It's nice to see you all again. A few points I want to hit are Jason Sery, James Jahar Perez, and the OPB interview with the Chief in which he discussed the utility of the white supremacist on the force. And then, I want to point out that Don't Shoot PDX has made it into the Daily Mail, the U.K. newspaper, which to me -- it

January 28, 2015

really needs to happen there in England. My Black friends in England said that the slaves were deported after they built the beautiful architecture, and that they were chased down the streets of Manchester being called the n-word. And they couldn't have a black barrister, they had to have a white male barrister. And so, I think the fact that Portland is taking an international leadership role on the issues of racism is something we can all be proud of and continue to push towards.

Unfortunately, Senator Wyden's event in Beaverton was secured by a Portland officer who killed James Jahar Perez, the African American here in Portland, and I wanted to draw attention to the larger issue of when we face undisciplined officers and a failure of proceedings towards unjust killings with a racial nature, and then we just sort of dump that officer over in another jurisdiction, we are perpetuating the problem and just sort of displacing it slightly.

I tried to get some accountability from Wyden on how we can guarantee that we have a killer-cop-free town hall in the future, and as the mayor or City Council, I suggest you offer Senator Wyden a promise that his events will never be secured by an officer involved in killing an African American, because I think it sends a strong message of Jim Crow. I slipped a memory card to Fox news and then Fox News of course did their drastic, terrible spin about Don't Shoot PDX, but I felt like Andy Warhol said, all publicity is good publicity, and it was worth the risk. And it got to the Oregonian, and they called the activist class-less, once again, with Montel Williams jumping into the fray.

The issue of describing the utility of the white supremacist, I think the City deserves an apology. I understand you're dancing around --

Fish: Mary, just my edification -- you said the Police Chief talked about the utility of the white supremacist. Who are you referring to?

Eng: Our new Chief O'Dea, who -- I like hi.

Fish: And just for those of us who didn't hear the interview --

Eng: Kruger. It was regarding a character called Kruger who evidently wears swastikas on mountaintops when he worships Nazi leaders.

Fish: What did Chief O'Dea allegedly say?

Eng: Well, if you'll allow me a bit of little extra time, he described the utility of the officer. I was able to ask your wonderful spokesperson later on about how -- what was meant, and do we all stand by that? And evidently, Kruger works in Drugs and Vice and vice is no longer applicable to that department because that's now in a human trafficking area. But that praising of the officer's work to me is -- to me it just cuts too close to the bone. It gouges us, it makes us feel uncomfortable and unsafe.

And whether or not you agree from a freedom of speech or freedom of thought perspective, think of it as more a public relations nightmare. The Stormfront Neo-Nazi website is promoting Portland's wonderful opportunities for neo-Nazis in policing to me is really disturbing. And we need to be aware that we're in an internet age that these scandals are not going away and that we owe a duty of respect to the people who for the civil rights movement. It's not enough to go to a white man diversity retreat. We must renounce our white skin privilege, which the Black Panthers said at an event my brother put on in Los Angeles. And I was really impacted by that. It's not enough to say you care. We really need to renounce the privileges, do away with the at-large system and get some representative government here at City Council, some Black people in leadership. Thank you.

Hales: Thank you. Mr. Walsh?

Joe Walsh: My name Joe Walsh, I represent individuals for justice. I would like to congratulate Dante and also the Chief of Police. The report itself I read, and I saw the video a number of times. And it's impressive. Good stuff.

January 28, 2015

Unfortunately, I saw it in 1971. Same stuff. Same video. Except it was not as easy as this time, but we used the same words. We said, we have to have accountability. We have to have police training. These were seminars in 1971 when we sat around and we tried to figure out what's wrong with our police department in San Diego, California. 1971. Just before I was released from the navy. We have moved one inch in what -- 40 years? We're going to have this 40 years from now or are we going to do something?

What we have here, folks, is four white people sitting out there making decisions. That should concern you. We have one woman out of five. That should concern you. We do not have equity here. We have racism. Racism. You have 200 of your employees gathered together who never have any dealings with the police or they'd be fired to tell you what it's like to deal with the police. 200 out of 9000 -- if my math is right, 2%. That's what you got. 2%. And you make these decisions. That's why we can't move because you do these things.

And to answer your question, Mr. Fish, it is the freedom of the press. We don't mess with the press. If you don't like what they write, call them up. "Commissioner Fish, here, knock it off." Look, no matter what I said makes no difference. We have to do something different and this is not it. This is not it. It's not equity, it's racism. All of us have to look in the mirror in the morning and say, where am I in this whole crazy thing? Including activists, including politicians, and including people that are on the streets. Thank you.

Hales: OK. Next? Mr. Johnson, I think you're first.

Charles Johnson: Good morning, Commissioners.

Hales: It is definitely not morning, but --

Johnson: Oh yes -- I know, not my usual time. Good late afternoon, Commissioners. For the record, my name Charles Johnson.

I was glad to see the OEHR and Dante and this conversation was facilitated. I think that we can be a little bit self-satisfied that we have hopefully been proceeding better than other jurisdictions -- Ferguson, Staten Island, the whole of New York -- on this issue. Of course, we won't really know unless we go a long period without having anyone but especially people of color killed or injured by the police.

And I think that the conversation may have been even more interesting if particularly you, Mayor Hales, as Police Commissioner, worked with the Chief to have the facts more in our face about the time. You know, in some workplaces, you walk on the job and there's a sign that says certain number of days without injury. I may move to pressure you to work with the Portland Police to have Pete Simpson keep it right up in front of our face how many days the City has gone without having a situation where citizens had to litigate against the police department; how many days we've gone since a citizen was injured or killed by police; and also, how many days we have gone that officers have been kept safe or not injured or targeted by violent suspects. I think sometimes we're caught up in a national drama where we're facing the real serious challenges of racism, but we're not addressing the factual issues. I hope that Chief O'Dea and yourself and other staff there will work to have the information out there so when we have success we can look at it and not gloat over it but see how we can broaden that success to make it stronger and better and have Portland be the community we would like it to be. And I'm sure we're going to hear more specific facts as my testimony yields to Mr. Handelman.

Hales: Thank you.

Dan Handelman: Good afternoon, Mayor, Commissioners. I'm Dan Handelman with Portland Copwatch. I, too, was very glad to learn these conversations were happening and that the end result was published and reported here publicly. I'm disappointed in the turnout this afternoon; I think more people should have heard this, and I'm hoping that there will be a continuation of this discussion. And I hope that the City employees can feel

January 28, 2015

comfortable talking with members of the community as well as police officers because I think that a lot can be learned from that.

I think it's interesting that the Chief mentioned the racial profiling statistics that came out shortly after these discussions. I wonder if the discussion would have been any different if people had seen those numbers are not really moving, that 12.8% of traffic stops are still African Americans in 2013 when we've been at that number more or less on and off for the entire 2001 to 2013 period. So, we haven't really moved those numbers despite all these discussions.

In terms of the good news -- unfortunately, Nick Fish isn't here to hear this -- but you know, one of the early things we learned when working on police accountability as an issue was the similarity between police violence and domestic violence where people will say, I know him, he'd never do anything like. And people say that about the police until it happens to them or somebody they know. And so, sometimes it comes off as ignoring the violence that we know the police are doing in the community when we put out these happy stories. So I just want to make sure people bear that in mind, that there's an element of post-traumatic stress out there by people who've been victims of police misconduct and violence when they see any stories about the police.

This morning, you had an item on your agenda about the office space for the COCL, and discussion came up here about the DOJ agreement. As a side note, our group's name is mentioned in the paperwork for that item as people that might testify, but we weren't reached out to by your office, Mayor Hales. I don't know why our name would be mentioned if no one asked if we knew about the agenda item or were willing to testify.

But I need to take the opportunity as always to mention that this appeal is still sitting there in the Ninth Circuit and this paragraph that you, Mayor Hales, held up the last time we talked about this -- it specifically talks about how the judge does not have the authority to hold the annual hearings. And no matter what your spokesperson or staff says to me, I know how to read and I know that's what it says.

Some of the good things in this report include a discussion about park rangers not having weapons and to be able teach the police how to patrol without weapons. Very often in these discussions -- like the discussion we had about the crowd control -- there's not enough focus on police violence. But it looks like City employees weren't afraid to bring up those issues. And they talked about psychological testing after shootings, but there should be more focus on how to reduce the incidence of violence.

In terms of releasing the names of officers disciplined -- there is exemption in state law for when it's in the public interest to release names of employees, so I'm not sure why the City just doesn't take advantage of that and say, this is in the public interest. But the Police Review Board report that came out a couple weeks ago is humorous almost example of redacting information where the genders of people were blocked out. And we played madlibs with that report and we sent out our analysis of that yesterday. I hope you had time to read it.

Hales: Thank you.

Steven J. Entwisle: Hi, Council. My name is Steven Entwisle, I represent Healing Man's Sanctuary, individuals for justice, and 100 million friends.

It's just a shame I couldn't give my other three minutes to Dan Handelman here because he had a lot of good information. It's also a real shame that Nick Fish and Dan Saltzman, our Commissioners, aren't here on this very important issue. I think that tells a lot.

Racism started here in this country in 1492 and has not left. All the infrastructure of America that is loved so much was built on racism. Everything you see in front of you. The

January 28, 2015

clothes that you wear, the chairs that you're sitting on, the table that you're at was built on racism. The racism has not left here. It's still here.

Portland is a racist town. I'll say that again -- Portland is a racist town. Always has been. I have lived here 55 years, I know. I've seen it. Why do I know? I'm a white person -- I just happen to have four Black children and six Black grandchildren. I've seen a lot of.

Also inside, outside. We're on the outside now. On the inside of the system details - - the jails -- where anything goes for these folks. Why are we hiring racism as law enforcement? That does us no good. Do I have to prove it? You don't believe it. You look like you don't believe it. Well, it's true. We're going to have a meeting tomorrow in the county and we're going to expose a lot of this because there's a lot of issues with county jails, county jail system, the whole thing needs to be abolished as we know it. Abolished, not reformed. You can't reform this.

Capitalism equals racism. You guys are capitalists. It's like Noam Chomsky said, let's take a big picture and let's focus it down into one little small little and have a lively discussion on this -- small tiny little point. That's what we're doing here.

Anyway, we've got a wealth disparity here. Billionaires not paying their taxes. You wonder why we have a housing problem. Big corporations so corrupt reform is out of the question. Abolishment of the prison system is absolutely necessary. Politically-motivated racism, new Jim Crow laws are alive and well in Portland, and so is white privilege. Good cops need to blow the whistle on the racist cops. They should not be afraid to. They should not be afraid for their jobs to explain and you shouldn't be afraid for your job to expose racism yourself. All of you. Thank you.

Hales: Thank you. Anyone else? Good afternoon.

Paul Stewart, Portland Housing Bureau: Good afternoon. Thank you, City Council. I'm Paul Stewart, Portland Housing Bureau. I'm also a member of the Citywide Equity Committee.

First, I want to thank you for your contributions to allowing the conversation to happen that we had over the last couple of months led by OEHR. Appreciate that. And while it may not represent necessarily a palpable change, I think it represents something and it's worth pointing out.

I guess what I want to offer here today was that -- well, I wanted to point out it was interesting that this hearing came after the Portland Housing Bureau's North/Northeast report. That was interesting -- kind of that connection between Ferguson and Portland, a lot of the same things we're talking about here.

What I want to do today is just humbly challenge the City Council to challenge your workforce. I think we can do a better job of bringing you all brilliant ideas, strong analyses. I think you can challenge your directors, senior management, middle management, staff to do a better job of seeing the equity angles, the racial equity angles that exist in all of our work, and to do a better job of normalizing that conversation at the bureau level so that we can ultimately be better partners with the community and accomplish the ends that we really need to get to. So, I think I'll leave it at that.

Hales: Thank you for participating.

Fish: I think you're officially last person testifying. You're also in the video.

Stewart: Yes, I am.

Fish: And what do you do for the Housing Bureau?

Stewart: Financial analyst. So, I should be trying to balance the requested budget, but I felt compelled to be here.

Fritz: Thank you.

Hales: We appreciate you being here.

Fish: Thanks for takin the time.

January 28, 2015

Hales: Thanks very much. I believe we have heard the list. I'm looking for a motion.

Fish: Motion to adopt the report.

Fritz: Second. Could we have Director James back?

Hales: Yes, please. Director James, come on up. Pepper you with a question or two.

Fritz: First, thank you for bringing this report, for hanging in there while our previous report went over an hour. The four of us who are here are very much appreciative of having had this opportunity for discussion for people to come. So, good work. What are the next steps?

Dante: The next steps are I think a couple. One -- some version of this conversation will continue for City employees. I think Paul expressed it well in terms of the overall feeling of what was in the room each time was that employees' desire for their seniors, their management, their electeds to challenge the bureau to do better and create expectations of directors and managers to do better. I think that clearly that was the overall context for most of these conversations. Certainly as it related to the Police Bureau, but specifically broadly as it relates to equity to do that and to challenge your staff to do better.

And then, the office will be bringing -- we're doing varieties of things related to equity -- budget equity tools, strategic road map for the bureaus, other things through the Budget Office and across -- but we'll be coming with a set of overall umbrella equity goals that each of you would be able to hold your bureaus accountable to. And really, that's hopefully what we can then get to so that there's some very concrete specifics where you would be able to say to your directors, "how are you helping us achieve this equity goal in the City of Portland?" And it should be a very concrete answer or not.

Fritz: And that strategy will come within the next few months?

James: Yes, ma'am.

Fish: And ideally, this would be a consistent standard we work into our annual letters of expectation with the measurements around performance linked to success in those areas as well as the other things that we identify as priorities for our bureau directors.

James: Correct.

Fish: That's about as tangible as you can get.

James: Trying to do something.

Hales: Other questions? Anything else for Dante before we vote?

Novick: Director James, I just wanted to say that I really appreciate the fact that this conversation took place. I appreciate the suggestions. I wish that we were having this conversation earlier in the day, because to be honest after an early morning meeting and being here all day, I don't think I'm sufficiently engaged. And I just made a note to myself to email you next Friday, which is the day [inaudible] to ask you to send again the list of employee suggestions because I want a chance to look at it when I'm not exhausted.

James: Great. Thank you, sir.

Fritz: And a good point; let's schedule that follow-up presentation at a time certain in the morning.

James: Earlier, yes.

Hales: Be a mercy to Dante.

James: Yeah, I think so.

Hales: As well as others. Any other comments before we take a vote? Then a roll call, please.

Item 122 Roll.

Fritz: Thank you to the 200 employees who dared to participate, including the officer that we saw in uniform. That must have been somewhat challenging to show up and to be real. And so, I very much appreciate. I like what Paul Stewart said -- don't underestimate your employees to come up with brilliant suggestions. Time and time again, our employees do

January 28, 2015

come up with wonderful suggestions, and we need to hear them and challenge our directors and managers and employees to do better.

I am seeing throughout the City a growing awareness that we are not the city government that we need to be, and we are willing to change. I went to the Angela Davis lecture at Martin King, Jr., memorial lecture at Portland State University last week. She was one of my heroes growing up in England and seeing the work that she was doing, so I was pretty thrilled to be there. She said, some people think that it's up to Black folks to change the system and that is wrong. So to the charge that we're five white folk or four white folk sitting up there and one woman, yes that is true. And historically, there have been two people of color on the City Council, I'm the seventh woman to serve. And I'm an immigrant. So, we do not reflect the community as a whole, and it is still our responsibility to make our community better. It is actually us, we, the majority culture, who have the power to make the changes, and it shouldn't be up to only folks of color to do that advocacy, to be partners.

We need to be partners to work together, and I'm very pleased with the work of the office of equity and human rights in fostering these really courageous conversations throughout the city. It's very important work and it's informing our work for the Department of Justice settlement agreement which we now have this wonderful Community Oversight Advisory Board and a team of compliance officers who are going to be working with us on police specifically. I'm hoping there will be some overlap with other bureaus to look at the issues of institutional racism and what we need to do about it then Parks, what we need to do about them in Development Services, what do I need to do about them in my office? Thank you very much for this important work. Aye.

Fish: Dante, I have launched a process, a national search for new director of the Bureau of Environmental Services. And one of the things that we have put in place is focus groups at the front end to ask people what kind of leader we are working for and what are the qualities we're looking for? Then we'll have a process at the end where finalists are exposed to a diverse group of people.

We've asked employees to participate in the front end piece to say, what kind of leader are we looking for? What are some of the qualities? And I haven't been at the helm of this bureau for that long. So, one of the things I want to do is engage the employees in identifying what are our strengths or weaknesses and then how does that inform the decision for the next leader? This idea of engaging our employees more dynamically and the challenge from our friends at the Housing Bureau I think is very well taken.

In our work, sometimes it's figuring out the right way to do that. And probably we need to be spending more time listening to our employees telling us the right way to do that. I appreciate very much this dialogue. And look, there are always going to be critics who say you haven't done enough or you've done too little or this isn't going to solve the problem overnight or whatever -- I actually think we have to get out of the habit of reacting to all that nonsense. I think we should take what comes before us and engage it seriously and say, what has happened, what can we learn from it, and -- as you're constantly telling us -- how can we incorporate what we have learned in how we lead? Because we have a huge platform to lead in this effort. We hire people -- our own staffs. We hire bureau leaders. We review the hiring within the bureaus. It's a big deal. I appreciate this. And who did the video, by the way?

James: Jeff Selby from my office.

Fish: It's quite a video.

James: He's excellent.

Fish: I want to borrow that camera some time. Thank you for your work, and I appreciated the discussion. I thought it was very constructive. Aye.

January 28, 2015

Novick: Yeah, thanks to the 200 employees who participated. Thanks to you, Chief O'Dea, for this presentation; thanks, Jeff, for the video. I think we've all made it clear that we're going to follow up on this discussion, and I will send you that email next Friday. Aye.
Hales: Well, I appreciated these comments and the presentation -- this discussion and the employees who participated, a number of whom are here. Thank you for being those kinds of colleagues to each other and there's more of that good work to do.

Amanda, I really appreciated your comments about the Office of Equity. As I was listening to this presentation, I was believing and hoping that you felt likewise that this is one of the reasons why having an Office of Equity and Human Rights is a good idea. This was really a great example of what we can do with a great leader in this position -- the person of Director James -- and the cooperation of other people in the City's leadership and workforce to change the organization. So, the combination of this presentation with you and the Chief I think is a powerful indication of why we're doing this and why it matters. So, thank you. Well done. Aye. We are recessed until tomorrow at which point we will have a less than one minute hearing because we're referring it over to the following month. Thank you.

At 5:06 p.m., Council recessed.

January 29, 2015
Transcript of Portland City Council Meeting

JANUARY 29, 2015

2:00 PM

Hales: The Thursday January 29th session of the Portland City Council is open. Please call the roll.

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

Hales: Read the one item, please.

Item 123.

Open and close public hearing on Proposed Urban Renewal Area Amendments and postpone first reading to February 26, 2015.

Hales: So, because the work is still underway on this proposal, we will wait a few weeks before the hearing. If there is no objection, it is rescheduled to February 26th. We are adjourned.

At 2:03 p.m., Council adjourned.