

**PORTLAND CITY COUNCIL AGENDA
City Hall – 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, AUGUST 2, 2017**

Disposition:

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5.

COMMUNICATIONS

<p>853 Request of Kristin Bowling to address council regarding police accountability and community rights (Communication)</p>	<p align="center">PLACED ON FILE</p>
<p>854 Request of David Kif Davis to address Council regarding stalking of journalists, whistleblowers and activist by City employees (Communication)</p>	<p align="center">PLACED ON FILE</p>
<p>855 Request of Jamie Burrows to address Council regarding ongoing positive benefits from recreation arbitration and community benefits (Communication)</p>	<p align="center">PLACED ON FILE</p>
<p>856 Request of Jennifer Birt to address Council regarding positive outcomes of the recreation arbitration and Portland’s rising cost of living (Communication)</p>	<p align="center">PLACED ON FILE</p>
<p>857 Request of Sheik Shareef to address Council regarding community prosperity (Communication)</p>	<p align="center">PLACED ON FILE</p>

TIMES CERTAIN

<p>858 TIME CERTAIN: 9:45 AM – Proclaim August 2017 to be International Rose Test Garden Centennial Month in Portland (Proclamation introduced by Mayor Wheeler) 15 minutes requested</p>	<p align="center">PLACED ON FILE</p>
<p>859 TIME CERTAIN: 10:00 AM – Appoint Francesca Gambetti and Peter Platt to the Prosper Portland Board for terms to expire August 1, 2020 (Report introduced by Mayor Wheeler) 10 minutes requested</p> <p>Motion to accept report: Moved by Fish and seconded by Fritz. (Y-5)</p>	<p align="center">CONFIRMED</p>

CONSENT AGENDA – NO DISCUSSION

Mayor Ted Wheeler

<p>*860 Approve grant agreement with WorkSystems, Inc. for the SummerWorks youth employment program and Black Male Achievement Initiative within City Bureaus for summer 2017 for an amount not-to exceed \$550,000 (Ordinance)</p> <p>(Y-5)</p>	<p>188535</p>	
<p>Bureau of Planning & Sustainability</p>		
<p>*861 Authorize an Intergovernmental Agreement with Portland State University for \$8,000 to provide funding for Low-Cost Urban Air Quality Sensor Testing (Ordinance)</p> <p>(Y-5)</p>	<p>188537</p>	
<p>City Budget Office</p>		
<p>*862 Authorize an Intergovernmental Agreement with Prosper Portland for FY 2017-18 economic development activities for a total of \$6,021,910 (Ordinance)</p> <p>(Y-5)</p>	<p>188538</p>	
<p>Office of Management and Finance</p>		
<p>*863 Authorize charitable organizations eligible to participate in the City's 2018 Charitable Campaign and authorize exemptions from umbrella requirement for Portland Parks Foundation and Portland Fire Bureau Toy & Joy Makers (Ordinance)</p> <p>(Y-5)</p>	<p>188539</p>	
<p>*864 Authorize a contract with I-Ten Associates, Inc. for architectural and engineering services for architectural drawing updates, boma calculations, floor plans and egress maps for a total not-to exceed amount of \$144,000 (Ordinance; Contract No. 30005949)</p> <p>(Y-5)</p>	<p>188536</p>	
<p>Commissioner Dan Saltzman</p>		
<p>865 Authorize a grant agreement of \$21,307 with Southwest Trails for the development of the Robert Gray Trail for the period of July 20, 2017 through December 31, 2017 (Ordinance)</p>	<p>PASSED TO SECOND READING AUGUST 9, 2017 AT 9:30 AM</p>	
<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p> <p>City Attorney</p> <p>866 Authorize City Attorney to appeal final opinion and order in Columbia Pacific Building Trades v. City of Portland, Land Use Board of Appeals No. 2017-001 (Resolution) 15 minutes requested</p> <p>(Y-5)</p>		<p>37308</p>
<p style="text-align: center;"><u>WEDNESDAY, 2:00 PM, AUGUST 2, 2017</u></p> <p>THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5.</p>		

<p>S-867 TIME CERTAIN: 2:00 PM – Comply with Oregon Health Authority's order to treat drinking water from the Bull Run Watershed for Cryptosporidium by submitting a compliance plan and proceeding with planning, design and construction of a filtration plant (Resolution introduced by Commissioner Fish) 2 hours requested</p> <p>Motion to accept Substitute Resolution to reflect change from UV+ to Filtration: Moved by Fish and seconded by Fritz (Y-5)</p> <p>Motion to accept amendment to enhance Bull Run environmental protections: Moved by Fish and seconded by Fritz (Y-5)</p> <p>Motion to accept amendment to enhance low-income discount program: Moved by Fish and seconded by Fritz (Y-5)</p> <p>Motion to accept amendment for annual reporting on filtration project: Moved by Fish and seconded by Fritz (Y-5)</p> <p>(Y-5)</p>	<p>SUBSTITUTE 37309 AS AMENDED</p>
<p><u>THURSDAY, 2:00 PM, AUGUST 3, 2017</u></p>	
<p>THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5.</p>	
<p>868 TIME CERTAIN: 2:00 PM – Appoint Ben Bortolazzo to the Planning and Sustainability Commission for a term to expire August 31, 2021 (Report introduced by Mayor Wheeler) 10 minutes requested</p> <p>Motion to accept the report: Moved by Fish and seconded by Fritz.</p> <p>(Y-5)</p>	<p>CONFIRMED</p>
<p>869 TIME CERTAIN: 2:10 PM – Accept the Portland Recycles! Progress Report and Action Plan, dated August 2017 (Report introduced by Mayor Wheeler) 1 hour requested for items 869 - 870</p> <p>Motion to accept the report: Moved by Fritz and seconded by Eudaly.</p> <p>(Y-5)</p>	<p>ACCEPTED</p>
<p>870 Direct Bureau of Planning and Sustainability to review Portland's franchise system for collecting residential solid waste, recycling and composting (Resolution introduced by Mayor Wheeler)</p> <p>(Y-5)</p>	<p>37310</p>
<p>871 TIME CERTAIN: 3:10 PM – Adopt new Post Deadly Force Procedures for Police Bureau and authorize legal proceedings to determine validity (Ordinance introduced by Mayor Wheeler) 90 minutes requested for items 871 – 873</p>	<p>PASSED TO SECOND READING AUGUST 9, 2017 AT 1:00 PM TIME CERTAIN</p>

<p>872 Approving amendments to Settlement Agreement between the United States and the City of Portland in United States District Court Case No. 3:12-cv-02265-SI, and Plan for Portland Commission on Community-Engaged Policing (Ordinance introduced by Mayor Wheeler)</p> <p>#1 Eudaly amendments 1-5: Moved by Fish and seconded by Fritz. (Y-4, Saltzman absent)</p> <p>#2 Fritz amendments 1-12: Moved by Fish and seconded by Eudaly. (Y-4, Saltzman absent)</p> <p>#3 Amendment to Fritz Amendment 9: Moved by Fish and seconded by Eudaly. (Y-4, Saltzman absent)</p> <p>#4 Amendment to Fritz Amendment 11: Moved by Fish and seconded by Eudaly. (Y-4, Saltzman absent)</p> <p>SEE ATTACHED FOR AMENDMENTS</p>	<p>PASSED TO SECOND READING AS AMENDED AUGUST 9, 2017 AT 1:00 PM TIME CERTAIN</p>
<p>873 Amend Independent Police Review Code to revise filing process, investigation and appeal provisions of complaints of police officer misconduct (Ordinance introduced by Auditor Hull Caballero; amend Code Sections 3.21.070, .120 and .160)</p>	<p>PASSED TO SECOND READING AUGUST 9, 2017 AT 1:00 PM TIME CERTAIN</p>

NOTE: "Time Certain" indicates that an item will not be heard by Council **prior** to the time specified.

Communications items are three minutes each. Regular Agenda items taking longer than five minutes have the time estimate noted next to the item.

The * indicates an emergency ordinance, which takes effect immediately if passed. Non-emergency ordinances require two readings and a 30-day waiting period before taking effect. Resolutions, reports, etc., adopted by Council are effective after adjournment.

The above summary is published by the City Auditor as provided by Section 2-113 of the Charter and Ordinance No. 130672.

Council Chambers is equipped with a sound system for the hearing impaired. Assisted listening devices are available from the Clerk.

The City of Portland will gladly accommodate requests for an interpreter or make other accommodations that further inclusivity. Please make your request at least 48 hours before the meeting to the Council Clerk 503-823-4086. (TTY 503-823-6868).

City Council meetings can be viewed at <http://www.portlandoregon.gov/video>. The meetings are also cablecast on CityNet 30, Portland Community Media television.

Mary Hull Caballero
Auditor of the City of Portland

=====

Testimony is taken on Reports, Resolutions and Ordinances (first reading). To testify, sign up on a testimony sheet as you enter Council Chambers on the day of the meeting. Individuals have 3 minutes to testify, unless otherwise stated at the meeting. Testimony is not taken on Communications, Second Readings, Proclamations or Presentations in accordance with Code 3.02.040 F. and G.

Written testimony may be emailed or mailed to the Council Clerk prior to the meeting.

To schedule a Communication, email or mail your request to the Council Clerk. Include your name, address, phone number and a brief description of the subject you will be addressing. For full details, see Testimony Policies and procedures. <http://www.portlandonline.com/auditor/index.cfm?&a=63123&c=34447>

Clerk Email: karla.moore-love@portlandoregon.gov
Council Clerk Testimony: cctestimony@portlandoregon.gov
US Mail: Council Clerk, 1221 SW Fourth Ave., Room 130, Portland OR 97204

=====

Declaration Required by Lobbyists. Portland City Code 2.12.060 states: Prior to offering public testimony before City officials, at the beginning of any meetings or phone calls with City officials, or in emails and letters to City officials, a lobbyist must declare which lobbying entity he or she is authorized to represent for that communication.

=====

“Get involved! Have a voice in city government! Join a City Board, Committee or Commission!” For more information, a brochure, or a volunteer application stop by the Office of Neighborhood Involvement in City Hall or call 503-823-4519.

Also online at <https://www.portlandoregon.gov/oni/37423>.

**Item 872. Approved amendments 8-3-2017
Settlement Agreement Ordinance**

EUDALY PACKAGE

Eudaly Amendment 1: Increase membership of PCCEP from 5-9 members to 9-11 members.

Eudaly Amendment 2: Change Item No. 2 in the “Selection Process Framework” section of the PCCEP Plan (Ex. 4-1) from “initial screening of applicants by mayoral staff” to *“initial screening of applicants by mayoral staff and a representative from any council office who wishes to participate.”*

Eudaly Amendment 3: Change Item No. 4 in the “Selection Process Framework” section of PCCEP Plan (Ex. 4-1) from “candidate interviews with Mayor” to *“candidate interviews with Mayor after soliciting feedback about final candidates from each Council office.”*

Eudaly Amendment 4: Add the following to the “City’s Responsibilities” section of the PCCEP Plan (Ex. 4-1): *“The Mayor’s Office will publish on the City website an annual report commencing from the date PCCEP begins meeting through the duration of its existence that will include updates on progress made by the City in key areas of concern and community engagement recommendations.”*

Eudaly Amendment 5: Add the following to the “Member Responsibilities” section of the PCCEP Plan (Ex. 4-1): *“Agendas and minutes from all PCCEP meetings will be published on the City website within 30 days after the meeting date.”*

FRITZ PACKAGE

Fritz Amendment 1: Reorder subparagraphs under Paragraph 131 of the *United States v. City of Portland* Settlement Agreement to move subparagraph *i* to become subparagraph *d*, with other subparagraphs adjusted accordingly (i.e., current subparagraph *d* becomes subparagraph *e*; current subparagraph *e* becomes subparagraph *f*, etc.).

Fritz Amendment 2: Amend Exhibit 4 (Proposed Amended Settlement Agreement), item (b) of Paragraph 142, to read the following: *“make recommendations to the Chief, Police Commissioner, the Director of the Office of Equity and Human Rights, and community and, during the effective period of this Agreement, to the DOJ;”*

Fritz Amendment 3: Under the “Scope of Work” section of the PCCEP Plan (Ex. 4-1), amend the second item to read: *“Gather and synthesize information from the community and make recommendations based on that information in key areas of concern to communicate to the Mayor, PPB, the Office of Equity and Human Rights, the DOJ, and the public at large.”*

Fritz Amendment 4: Under the “Membership and Reporting” section of the PCCEP Plan (Ex. 4-1), amend the last sentence to read: *“The PCCEP will report directly to the Mayor (Police Commissioner) and, separately and at least quarterly to, the Director of the Office of Equity and Human Rights.”*

Fritz Amendment 5: Under the “Selection” section of the PCCEP Plan (Ex. 4-1), add the following language: *“The Mayor, in consultation with the other Council offices, shall develop selection criteria and public outreach strategies for the PCCEP selection process.”*

Fritz Amendment 6: Under the “Selection” section of the PCCEP Plan (Ex. 4-1), add, as a final step to the selection process framework, Council confirmation.

Fritz Amendment 7: Under the “Removal” section of the PCCEP Plan (Ex. 4-1), amend the language to read: *“The Mayor, after consultation with the Council, the PCCEP Program Manager and PCCEP Chair (absent a conflict of interest) will have sole discretion to determine when PCCEP members are no longer fit to serve on the commission on account of misconduct.”*

Fritz Amendment 8: Under the “City’s Responsibilities” section of the PCCEP Plan (Ex. 4-1), replace “PPB’s Office of Equity and Diversity” with “PPB’s Equity and Diversity Manager.”

Fritz Amendment 9: Under the “Deliverable Product” section of the PCCEP Plan (Ex. 4-1), amend first sentence of paragraph 1 to read: *“PCCEP shall consult with community members and hold at least two (2) public hearings, to be completed, if practicable, within 120 days of PCCEP members being seated.”*

Fritz Amendment 10: Under the “Deliverable Product” section of the PCCEP Plan (Ex. 4-1), amend paragraph 2 to read: *“PCCEP shall meet at least quarterly with the Director of the City’s Office of Equity and Human Rights and PPB’s Manager of Equity and Diversity, including a review of PPB’s current Racial Equity Plan, and evaluate PPB’s ongoing efforts to implement that plan.”*

Fritz Amendment 11: Under the “Deliverable Product” section of the PCCEP Plan (Ex. 4-1), amend paragraph 5 to read: *“PCCEP shall strive to submit its recommended strategies for the Community Engagement Plan to the Chief, in writing, within 180 days of PCCEP members being seated.”*

Fritz Amendment 12: Under the “Deliverable Product” section of the PCCEP Plan (Ex. 4-1), amend last sentence of paragraph 6 to read: *“The Chief’s Office shall present the final proposed Community Engagement Plan (with implementation timeline) to the PCCEP for its final review and comment within 45 days of receiving PCCEP’s recommendations.”*

Amendment to Fritz Amendment 9: Amend to read: *“PCCEP shall consult with community members and hold at least two (2) public hearings to be completed within 180 days of PCCEP members being seated.”*

Amendment to Fritz Amendment 11: Amend to read: *“PCCEP shall strive to submit its recommended strategies for the Community Engagement Plan to the Chief, in writing, within 180 days, but no later than 270 days, of PCCEP members being seated.”*

OFFICERS OF PORTLAND CITY GOVERNMENT

TED WHEELER, MAYOR

Commissioner of Finance and Administration
 1221 SW 4th Ave, Room 340, 97204
 (503) 823-4120
 website: www.portlandonline.com/mayor/
 e-mail: mayorwheeler@portlandoregon.gov

Bureau Portfolio	Liaison Responsibilities
Bureau of Emergency Communications Bureau of Planning and Sustainability City Attorney City Budget Office Government Relations Office of Equity and Human Rights Office of Management & Finance Portland Bureau of Emergency Management Prosper Portland Portland Housing Bureau Portland Police Bureau	Travel Portland Regional Disaster Preparedness Organization – Policy Committee Home Forward A Home For Everyone (with Commissioner Eudaly) Local Public Safety Coordinating Council Mt. Hood Cable Regulatory Commission Portland Community Media/Open Signal Human Rights Commission BOEC User Board

CHLOE EUDALY

Commissioner of Public Safety
 Position Number 4
 1221 SW 4th Ave, Room 210, 97204
 (503) 823-4682
 website: www.portlandoregon.gov/eudaly
 e-mail: Chloe@portlandoregon.gov

Bureau Portfolio	Liaison Responsibilities
Office of Neighborhood Involvement Bureau of Development Services	A Home For Everyone (with Mayor Wheeler) Public Involvement Advisory Committee New Portlanders Policy Council Metro Policy Advisory Committee (MPAC) Multnomah County Animal Control Portland Commission on Disability Multnomah Youth Commission

NICK FISH

Commissioner of Public Works
 Position Number 2
 1221 SW 4th Ave, Room 240, 97204
 (503) 823-3589
 website: www.portlandonline.com/fish
 e-mail: Nick@portlandoregon.gov

Bureau Portfolio	Liaison Responsibilities
Bureau of Environmental Services Bureau of Hydroelectric Power Water Bureau	Regional Arts & Culture Council Rose Festival Foundation Royal Rosarians Venture Portland Portland's Centers for the Arts Metropolitan Exposition and Recreation Commission (MERC) Visitor Development Fund Board (VDF Board) Elders in Action Portland Utility Board (PUB)

AMANDA FRITZ

Commissioner of Public Utilities
 Position Number 1
 1221 SW 4th Ave, Room 220, 97204
 (503) 823-3008
 website: www.portlandonline.com/fritz/
 e-mail: amanda@portlandoregon.gov

Bureau Portfolio	Liaison Responsibilities
Bureau of Parks & Recreation	League of Oregon Cities (with Mayor Wheeler) Metro Policy Advisory Committee (MPAC) Visitor Development Fund Board (VDF Board) Portland Parks Foundation

DAN SALTZMAN

Commissioner of Public Affairs
 Position Number 3
 1221 SW 4th Ave, Room 230, 97204
 (503) 823-4151
 website: www.portlandonline.com/saltzman
 e-mail: dan@portlandoregon.gov

Bureau Portfolio	Liaison Responsibilities
Portland Fire & Rescue Portland Bureau of Transportation Fire & Police Disability & Retirement <u>Oversight Responsibilities</u> Portland Children's Levy The Gateway Center	Portland Streetcar, Inc. Portland Mall Management, Inc. Portland Aerial Tram Board Joint Policy Advisory Committee on Transportation (JPACT)

MARY HULL CABALLERO

Auditor of the City of Portland
 1221 SW 4th Ave, Room 140, 97204
 (503) 823-4078
 website: www.portlandonline.com/auditor/
 e-mail: AuditorHullCaballero@portlandoregon.gov

Portfolio
Assessments, Finance & Foreclosure Audit Services City Elections City Recorder -Archives -Council Clerk / Contracts Division -Records Management Hearings Office IPR - Independent Police Review Ombudsman Portland Multnomah Progress Board

BUREAU DIRECTORS

Bureau of Development Services	Rebecca Esau, Interim
Bureau of Emergency Communications	Lisa St. Helen, Interim
Bureau of Emergency Management	Carmen Merlo
Bureau of Environmental Services	Michael Jordan
Bureau of Human Resources	Anna Kanwit
Bureau of Internal Business Services	Bryant Enge
Bureau of Planning & Sustainability	Susan Anderson
Bureau of Police	Michael Marshman
Bureau of Revenue & Financial Services	Ken Rust
Bureau of Technology Services	Jeff Baer
Bureau of Transportation	Leah Treat
City Attorney	Tracy Reeve
City Budget Office	Andrew Scott
Fire & Police Disability and Retirement	Samuel Hutchison
Office of Equity and Human Rights	Dante James
Office of Government Relations	Elizabeth Edwards, Interim
Office of Mgmt & Finance –Chief Admin Officer	Tom Rinehart
Office of Neighborhood Involvement	Dave Austin, Interim
Prosper Portland (fka Portland Development Commission)	Kimberly Branam
Portland Fire & Rescue	Mike Myers
Portland Housing Bureau	Kurt Creager
Portland Parks & Recreation	Mike Abbaté
Revenue Director	Thomas Lannom
Water Bureau	Michael Stuhr

Updated 06-15-2017