



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **2ND DAY OF NOVEMBER, 2016** AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Saltzman presided at 9:30 a.m.; Commissioners Fish, Fritz, Novick and Saltzman. Mayor Hales arrived at 9:45 a.m. and presided, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney; and Jason King and Jim Wood, Sergeants at Arms.

Item Nos. 1212 and 1213 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

		Disposition:
COMMUNICATIONS		
1203	Request of Stacy Denton to address Council regarding a movement vilifying the City for clearing out the Springwater Corridor (Communication)	PLACED ON FILE
1204	Request of Gustave G. Page to address Council regarding pigeons and the spikes they land on and amputation (Communication)	PLACED ON FILE
1205	Request of Stan Herman to address Council regarding City violating ORS 830.035 costing him \$1,500,000 and restore an 1890 warehouse (Communication)	PLACED ON FILE
1206	Request of Crystal Elinski to address Council regarding (s)election (Communication)	PLACED ON FILE
1207	Request of Lightning Watchdog PDX to address Council regarding freedom of speech (Communication)	PLACED ON FILE
TIMES CERTAIN		

November 2-3, 2016

<p>*1208</p>	<p>TIME CERTAIN: 9:45 AM – Approve findings to authorize an exemption to the competitive bidding requirements and authorize procurement using the alternative contracting method of Construction Manager/General Contractor; and authorize payment for construction related to the Portland Open Space Sequence Restoration Project (Ordinance introduced by Mayor Hales; C-10054) 30 minutes requested for items 1208-1209 (Y-5)</p>	<p>188068</p>
<p>1209</p>	<p>Declare intent to initiate local improvement district formation proceedings to construct park improvements in the Portland Open Space Sequence Local Improvement District in partnership with the Halprin Landscape Conservancy (Resolution introduced by Commissioner Fritz; C-10054) Motion to accept substitute Exhibit B: Moved by Hales and seconded by Fish. (Y-5) (Y-4; Saltzman recused)</p>	<p>37245 AS AMENDED</p>
<p>1210</p>	<p>TIME CERTAIN: 10:15 AM – Accept the year one Bond Oversight Committee report on the \$68,000,000 Parks 2014 general obligation bond (Report introduced by Commissioner Fritz) 20 minutes requested Motion to accept the report: Moved by Fish and seconded by Saltzman. (Y-5)</p>	<p>ACCEPTED</p>
<p>1211</p>	<p>TIME CERTAIN: 10:35 AM – Authorize an agreement with Oregon Sports Authority for national and international sports marketing activities and event recruiting services and provide for payment (Ordinance introduced by Mayor Hales) 15 minutes requested</p>	<p>PASSED TO SECOND READING NOVEMBER 9, 2016 AT 9:30 AM</p>
<p>CONSENT AGENDA – NO DISCUSSION</p>		
<p>Mayor Charlie Hales</p>		
<p>1212</p>	<p>Appoint Samuel Rodriguez to the Portland Design Commission for a term to expire November 1, 2020 (Report) Motion to accept the report: Moved by Fritz and seconded by Saltzman. (Y-5)</p>	<p>CONFIRMED</p>
<p>Commissioner Steve Novick Bureau of Transportation</p>		
<p>*1213</p>	<p>Authorize Intergovernmental Agreement with Oregon Department of Transportation for the Portland Bureau of Transportation to bid and oversee the construction of the NE Columbia Blvd at MLK Jr Blvd project (Ordinance) Motion to add emergency clause: Moved by Novick and seconded by Fritz. (Y-5) (Y-5)</p>	<p>188069 AS AMENDED</p>
<p>Commissioner Nick Fish</p>		

November 2-3, 2016

Bureau of Environmental Services

1214	Amend contract with Brown and Caldwell, Inc. for additional work and compensation for the Alder Pump Station Upgrade Project No. E10359 in the amount of \$31,767 (Second Reading Agenda 1194; amend Contract No. 30003063) (Y-5)	188065
Water Bureau		
1215	Amend Intergovernmental Agreement with Tualatin Valley Water District and the City of Tualatin for the Washington County Supply Line Project (Second Reading Agenda 1197; amend Contract No. 30004421) (Y-5)	188066
Commissioner Dan Saltzman		
*1216	Amend a grant agreement with the YWCA of Greater Portland, a non-profit corporation to provide eviction prevention services at the Gateway Center for Domestic Violence Services (Ordinance; amend Contract No. 32000375) (Y-5)	188067
Portland Housing Bureau		
1217	Approve amended application under the Multiple-Unit Limited Tax Exemption Program for 17th and Pettygrove located at 1331 NW 17th Ave (Ordinance)	PASSED TO SECOND READING NOVEMBER 9, 2016 AT 9:30 AM
REGULAR AGENDA		
Mayor Charlie Hales		
Bureau of Police		
*1218	Accept a supplemental grant in the amount of \$1,000,000 and appropriate \$629,306 for FY 2016-17 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance National Sexual Assault Kit Initiative Federal FY 2016 Solicited - Strategic Initiatives to address the issue of unsubmitted sexual assault kits at the Portland Police Bureau (Ordinance) 10 minutes requested (Y-5)	188070
*1219	Accept a grant in the amount of \$393,412 and appropriate \$100,000 for FY 2016-17 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics Federal FY 2016 National Crime Statistics Exchange Implementation Assistance Program for the Regional Justice Information Network to transition to National Incident-Based Reporting Systems (Ordinance) (Y-5)	188071
Commissioner Nick Fish		
Water Bureau		

November 2-3, 2016

<p>1220 Authorize a contract with the lowest responsible bidder and provide payment for the construction of the SW Vista Avenue Water Main Improvement Project at an estimated cost of \$533,000 (Ordinance)</p>	<p>PASSED TO SECOND READING NOVEMBER 9, 2016 AT 9:30 AM</p>
<p>FOUR-FIFTHS AGENDA Commissioner Nick Fish</p>	
<p>1221 Rescind Resolution No. 37225 and authorize the Bureau of Environmental Services to sell Terminal 1 (Resolution; rescind Resolution No. 37225) (Y-5)</p>	<p>37246</p>

At 12:42 p.m., Council recessed.

November 2-3, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **2ND DAY OF NOVEMBER, 2016** AT 2:00 P.M.

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

Commissioner Saltzman arrived at 2:18 p.m. Commissioner Fish left at 3:45 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Senior Deputy City Attorney and Denis Vannier, Deputy City Attorney; and John Paolazzi and Jim Wood, Sergeants at Arms.

The meeting recessed at 3:16 p.m. and reconvened at 3:51 p.m.

		Disposition:
1222	TIME CERTAIN: 2:00 PM – Proclaim November 2016 to be Native American Heritage Month in Portland (Proclamation introduced by Mayor Hales) 20 minutes requested	PLACED ON FILE
1223	TIME CERTAIN: 2:20 PM – Amend Title 33, Planning and Zoning to reduce regulatory restrictions and processes for short-term housing and mass shelters (Ordinance introduced by Mayor Hales; amend Title 33) 90 minutes requested Motion to accept Saltzman package of amendments: Moved by Saltzman and seconded by Fish. (Y-5) Motion to add to directives a and b “as amended by Council”: Moved by Fish and seconded by Fritz. (Y-5)	PASSED TO SECOND READING AS AMENDED NOVEMBER 9, 2016 AT 9:30 AM
1224	TIME CERTAIN: 3:50 PM – Direct City Bureaus to use the City’s Racial Equity Budget Tool on all budget proposals and base budgets, and report on Racial Equity Plans (Resolution introduced by Mayor Hales) 1 hour requested Fritz amendments to include the ADA Transition Plan tasks and communities experiencing disabilities language were accepted without objection. (Y-4; Fish absent)	37247 AS AMENDED

At 4:31 p.m., Council recessed.

November 2-3, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 3RD DAY OF NOVEMBER, 2016 AT 2:30 P.M.

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

Commissioner Fish left at 5:06 p.m. Commissioner Saltzman left at 5:55 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney and Judy Prosper, Deputy City Attorney; John Paolazzi and Jason King, Sergeants at Arms.

The meeting recessed at 3:08 p.m. and reconvened at 3:12 p.m.

		Disposition:
1225	TIME CERTAIN: 2:30 PM – Recognize City emergency responders for heroic efforts in responding to significant rain October 13-15, 2016 and an explosion in NW Portland on October 19, 2016 (Resolution introduced by Mayor Hales, Commissioners Fish, Fritz, Novick, and Saltzman) 30 minutes requested (Y-5)	37248
1226	TIME CERTAIN: 3:00 PM – Adopt the Open and Accountable Elections Policy (Ordinance introduced by Commissioner Fritz; add Code Chapter 2.16) 3 hours requested	CONTINUED TO DECEMBER 7, 2016 AT 9:30 AM

At 6:24 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.

November 2-3, 2016

Closed Caption File of Portland City Council Meeting

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

Key: *** means unidentified speaker.**

NOVEMBER 2, 2016 9:30 AM

Saltzman: Good morning, everybody. The council will come to order. Karla, will you please call the roll.

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

Saltzman: We are going to start our meeting with a flag lowering statement. Today the flag of the city of Portland is lowered in honor of 2-year-old Reginald Harris, jr. Reginald, known to his family as big dog, and little reg, died October 10th from a lethal dose of methadone a few days' shy of his third birthday. He is survived by his mother Sheila, father Reginald senior and many friends and family mourning his loss. This was a horrible, preventable tragedy that cut short the life of a vibrant young boy, described by his grandmother as a hero, and by another family member as the life of the party. Adding that his favorite line was, "you need help? You got it." it is painful to read about this, and so much more painful for his family. Our thoughts are with them in this horrible time. I am reminded that we lowered the flag just seven weeks ago for two deaths, one of another young boy, Reginald's age, a different toddler whose life was cut short from abuse he was powerless to escape. This is all of our tragedy and we must do our part to bring attention to these cases honoring these young people's short lives, and dedicating our self to making Portland a safer place for all children. This marks the 14th time we have lowered the city flag since passing a resolution in 2009, to recognize and honor children who have died from abuse, neglect, or other violence. Do we have any family members here? I don't see anybody. Well, in that case I would ask my colleagues, that we all observe a moment of silence in honor of Reginald Harris junior. [moment of silence] thank you. So we will move to our communications. Item 1203.

Item 1203.

Saltzman: Is Mr. Denton here? Ok. Let's move on to the next item. Item 1204. If Mr. Denton shows up, we will take his testimony when he shows up.

Item 1204.

Saltzman: Mr. Page? Ok. Let's move on to 1205.

Item 1205.

Saltzman: Mr. Herman? Ok. Welcome. Give us your name and you have three minutes and there's a clock in front of you that will keep track of the time.

Stan Herman: My name is Stan Herman. She has some handouts for you. I've been here the last five or six weeks, just getting to learn your process and so forth. I just want to say one thing about you guys up there. You got a tough job and a lot of people don't respect you. But you guys work hard. I know you do a lot of decision-making and fact finding ahead of time. But it's been an interesting being here the last five or six weeks watching you. So you do a good job.

Saltzman: Thank you.

Herman: But I actually gave everybody a handout, too, for alternative for homeless people. I put that on your desk a few weeks ago. I didn't get a call back from anybody. But if that's something you want to discuss later, I can open that back up. But I own a piece of

November 2-3, 2016

property on the river. I think, Amanda, you might have been one there one time, 7700 square foot warehouse by the Fremont bridge. I got hit by ross island sand and gravel about '08. I been begging and asking people from the city, who's got the authority to investigate this hit and run? You will have in your handout a list of all the people I've talked to and everybody denies responsibility to investigate this hit and run from the coast guard, the Multnomah county sheriff, the city police, state police, harbormaster, fire and rescue. Nobody has stepped up and said, hey, we got authority. So I had to bring in that ors number and say, hey, you guys have been in violation of this thing and I just don't get any attention on who's going to do the investigation. And I know it's been going on for years but I got to bring it to your attention now. Anyway, since then it's collapsed a little bit. I been shut down. I got probably \$200,000 in city fines and so forth. And I need to move on with this project. With that being said, you know, there is a little bit of lemon there. I am going to put some sugar to this lemon and make it lemonade. In your packet you will have some information on what I want to do with this building. It's a great opportunity to, for the parks and recreation to put canoes and kayaks for kids in that building. I have a nonprofit group that I have started a couple years ago, we are starting to raise money for that canoes and kayaks for kids in your packet. You will have a picture of the canoes and kayaks. You'll have a little bit about what we need to do to save this building. It was built in 1890. It was the last working warehouse on the Willamette river that's saveable and usable and workable. And we can put it to good use for the city and the community. So you have a little bit of historic information in that packet. You have a little bit about what the parks and recreation is looking for promoting river use, boating, recreation facilities they're looking for on the Willamette river and so forth so there's a little information there. There's some architect drawings on what the building could look like. You may be familiar with the pt boat and the lci 713. They wish they could be in front of that building to get a little bit more exposure.

Fish: Mr. Herman, when did you acquire this building?

Herman: About '05, '06.

Fish: About 2005, 2006?

Herman: Correct.

Fish: And when you bought it, did you have a vision for what you would do with it then?

Herman: No. I had a piece of property in Lincoln city that I sold and there was not a better opportunity to buy something downtown on the Willamette river so I 1031 into the building to postpone taxes. You don't want to avoid them. You postpone them.

Fritz: And I see in the packet you've given us you referenced a zone change to cx.

Herman: What was that?

Fritz: And I see in the packet you've given us you reference a zone change to cx.

Herman: I'm sorry. What was that?

Fritz: You reference a zone change to cx. Was that request put in in the comprehensive plan?

It was. It was, yeah. I did that as well.

Fritz: And is it currently industrial zoned? Industrial marine?

Herman: Industrial, yeah.

Fritz: Unfortunately, this experience on another piece of land as it's almost impossible to change an industrially zoned property to anything else because of the rules the state has set up on industrial lands. And because of our comprehensive plan. So that piece of it, as I say, I know from my experience having tried to do it on a different piece of property, it just can't be done. So I am not sure, it is difficult to know how to follow up on the information that you have given us. I see that you did talk to Jillian detwiller in the mayor's office or was that when she was in the Portland development commission?

November 2-3, 2016

Herman: I have been to the Portland development commission. And maybe it seems like I wasn't providing enough jobs and so forth but I didn't really get their attention. So that didn't go very far.

Fritz: Since the main request here is about police officer action, I would suggest you talk to Rachel Wiggins, who is sitting right over there from the mayor's office.

Fritz: I would suggest that you ask them from the mayor's office and see.

Herman: It will be a good opportunity for the city for parks and recreation for boating and canoeing for kids in that river.

Fritz: I'll ask my staff to look into that.

Saltzman: Thank you.

Herman: Any more questions?

Saltzman: No, thank you very much.

Saltzman: Item 1206.

Item 1206

Crystal Elinski: I really appreciate that Karla.

Saltzman: Give us your name and you have three minutes.

Elinski: My name is still crystal elinski and I represent 10,000. That's as many people who are, well, they probably have a similar story but this is from last time, actually, and you would think that these people would take them back but there you go. These ones they use in Hungary, and you reuse them and they have pumps everywhere. That was horrible. We have got the Benson -- anyway, onto my topic. It's selection time, and this election includes ballot measures, fascinating topic, two of the measures that the media are not covering, the fact that they are redundant and we have had them before. 97 is like 67, and I am going to muffle the numbers so you remember, and 2182 is similar to 28192, so this is the voter-owned elections. I am getting big money out of Campaigns. Back a few five election cycles, 56, 57 was supposed to tax the rich, but details on implementation were murky and ultimately never got sorted through public mass amnesia and, of course, the government laziness took over, and we never heard about it, and they were supposed to make voter-owned elections more permanent, that got Eric sten and Amanda Fritz elected, and unlike other measures, that I have known ever since I started voting, when you change the constitution, you usually vote yes but in this case it was flipped and was too confusing so complete opposite so the -- for the voters it's the trickery that makes people unable to vote. Speaking of big donor financing, big business spent the most in Oregon history for this 97. More than Monsanto and kraft did to stop the food labeling and more than Phillip Morris did to stop the cigarette taxes, if tobacco had just given that money to the schools in exchange for pulling the measure off the ballot, they could have called it a day and appeared less evil but they are smarter than me and got a tax write-off. They paid big numbers. I know probably more than the nine, Chuckie hills holes isn't here today but the mesa nine has a \$9 million loan from the city and as soon as he got into office he let it go, it's less than what moda paid to get their name on the rose quarter, and I was wondering if I could have a couple more because I wanted to hear about the pigeon this is morning. If we could have more people show up and sign up as we go. 9:30. For communications, I would be really appreciative because I think we should have more and I don't know if steve novick's office is spending as much time on his campaign. I understand he's being recalled now but back then they spent their time on his campaign and I think they would like to know that.

Saltzman: Your time is up. Please take your cans with you. [inaudible]

Saltzman: Could you take your cans and bottle with you?

Saltzman: Could you read 1207?

Item 1207.

November 2-3, 2016

Saltzman: Give us your name and you have three minutes.

Lightning: My name is lightning and I represent lightning watchdog pdx, pertaining to measure 26.179, like I say, my position is a yes vote on that. One of the concerns I will state is that when the discussions on the bond number one, when certain properties are out there, are being purchased, I would like the, since there will be no debt on these properties, I would like the property taxes still to be paid. Let's just say I use Joe Weston as an example, if you buy 100 units from Joe Weston and there is no debt on that property and it's the understanding that people will move out down the line that are currently at market rent, there will be a considerable amount of cash flow, and with no debt I think that the property taxes should still be paid, go into a general fund and be divided between all the different bureaus. I don't think it will be in my mind justified that you will be paying 50% of the overall gross income, net income on these properties towards maintenance and repair. I want that to be looked at because I think that then again the taxpayers and the public definitely win by those taxes still being paid even though we're using bond money to purchase those properties, and again it can be divided up on the bureaus on what they want to do with that additional tax revenue off the property tax, and I think that in my opinion that's the way it should be done. Issue number two on the Clinton foundation, I still want to have the Clinton foundation completely separated and removed from the White House. Again with the special government employee rule, the agreements signed to allow certain people in the White House simultaneously to work at the foundation, I think is inappropriate due to the fact that we currently have three FBI investigations, one on the Clinton foundation alone and two on the public servers and three on the course, Anthony Weiner, on his sexting. So we have three FBI investigations going on. I want this Clinton Foundation removed and separated from the White House. Again, my position is the director James Comey has a great reputation. He's an ethical and honest and trust worthy individual, and he will prevail over Hillary Clinton, and in my opinion she will be elected possibly and she will be impeached. Mr. Comey will stand by that and remove her out of office.

Hales: Thank you. Good morning. Sorry I was late, and I just wanted to report back. I was at a community meeting still underway on Northwest 23rd. Two weeks ago today we got the news during the city council meeting about the explosion there, and Commissioner Saltzman was on the scene right away with the fire bureau who did a great job. And just a quick assessment, I would say that I am very pleased with not only proud but pleased with the city's response as an incident responder. We were a little slower out of the blocks, I think, as a post incident support network for that neighborhood. And so that's why I convened all the bureau directors that were relevant to that question last week, and got us working together, and of course pbem Jonna Papaefthimiou has stepped up to be our project manager for Northwest 23rd recovery so she is on the job and literally there conducting that meeting this morning. The gas company is there and Clark pipeline is there. There is a lot to think about, about how do we deal with the next two months and do we have a different parking scheme in Northwest Portland for this holiday season. I don't know but the subject came up. Do we put walking patrols there? There was one incident of looting. I think so I will talk to the police chief about that so we might want to think about what do we do to flex and support over the next couple of months and what's the community going to do in terms of fundraising and support and for small businesses so I think that there is a lot of questions about the near term the next 60 days, and then there is the next year or two, there we'll be back a lot of construction and reconstruction in a walkable pedestrian district so a quick update, Jonna is on the job doing a great job and connected to the folks at various bureaus going to need to be helpful whether it's police or transportation on parking and pedestrian circulation but I'm pleased that she stepped up

November 2-3, 2016

and that pbem are leading that effort and I think that we are moving forward nicely now. I want people to know it's going well now so I appreciate everybody's good work. Let's move to the consent agenda. I think we had one item pulled, 1212, and 1213, as well. Any others moving to the regular agenda? So let's take a vote on the balance of the consent calendar before us.

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

Hales: Aye. Let's move to time certain 1208 and 1209.

Item 1208.

Item 1209.

Hales: So this is the long awaited launch of this joint venture between the city and a bunch of property owners to improve some great community assets, and we have a formidable team here to walk us through these two ordinances. So I am not sure who is on first but take it away whoever is.

Lauren McGuire, Portland Parks and Recreation: Good morning mayor hales and members of the council I am Lauren McGuire, and I am the parks program development program manager, and with me is Sandra Burtzos, the capital project manager, Larry Pelatt, purchasing manager, and Andrew Aebi, local improvement administrator with the Portland bureau of transportation. We're here today to request council authorization pertaining to the restoration of the Portland open space sequence, that's an ordinance to findings, authorize the competitive bidding requirements and contracting method, and for construction manager general contractor, and cmgc and to authorize the payment for the construction of the Portland space open space sequence restoration project. We're also here for council to declare intent to initiate the local improvement district formation proceedings. A bit of history about the Portland open space sequence. 50 years ago the Portland development commission redeveloped the 55 block area of the city and as the first large urban renewal district. In what would become a tradition of making public space a part of the Portland's urban fabric the pdc set aside three blocks of park and the adjoining streets for parks and garden line pedestrian walks. And to design the parks pdc hired one of the most visionary architects of the time, Lawrence halprin and associates from right to left on the screen we have the source fountain, the love joy fountain and petty grove park and the fountain and the adjacent pedestrian mall shown in light green. And collectively called the Portland open space sequence, they changed the history of American urban design, actually, pioneering a path from the parks to more participatory dynamic parks. The street grid was retained as a framework for the south auditorium district and helped them to redesign the first two spaces, love joy fountain and petty grove park shown on the screen here, and then integrated a tree line grid pedestrian promenade between them. They designed this between 1962 and 1970, and the idea was to echo the mountain landscape, in particular, the dramatic rushing alpine landscape of love joy fountains which you can see in the upper part and the more contemporary rolling hills of petty grove park. They designed the third fountain, and in 1966 did that, and was later commissioned to design the ira Keller fountain. Also shown on the screen on the left. He described the entire sequence, the plaza and the fountain sequence as a watershed metaphor for the landscape. So they can be seen as precedence for subsequent halprin sequences throughout the country's and in other cities such as Washington dc. As the first new downtown public spaces in Portland in decades, they have inspired many generations of parks in Portland such as tom McCall waterfront park and pioneer courthouse square and Jamison square, director park and others. The conservancy nominated the Portland open space sequence to the national register of historic places, and in 2013 the sequence was designated on the national historic registry district. And the conservancy is pushing for the national historic landmark designation which is a higher designation, and that will help

November 2-3, 2016

recognize the international significance and the architects associated. But now we have 50 years of aging that we are trying to address. Lack of maintenance funding and we're here because that needs to be done. The conservancy has been actively working over the last 15 years to increase awareness of the sequence as an important city and national cultural resource and they have been working with area property owners now to purchase in a local improvement district to help restore the crumbling sequence.

Sandra Burtzos: Portland open space sequence restoration project will make critical repairs to the four parks infrastructure, and restore key elements to the original design intent, enhance night time security and safety, and enhance the site accessibility, and install energy efficient electrical systems and improve the site drainage and plumbing. Restoration of the sequence is funded by a voluntary local improvement district, and the city of Portland general fund, and the current low confidence estimate is approximately 2.4 million. The overall project budget including the construction and the design services and the insurance and project management cost contingencies, escalation comes to 3.85 million. The two council actions that we're here for today for this project are first an ordinance to authorize an exemption for the competitive bidding requirements, and authorized procurement using the contracting method of construction manager general contractor and authorize payment for construction related to the project. Second a resolution to declare intent to initiate local improvement district formation proceedings to construct park improvements in the Portland open space sequence, local improvement district, and in partnership with the Halprin landscape conservancy.

Larry Pelatt, Procurement Services: Good morning. I am Larry Pelatt from procurement services. Portland parks and recreation in conjunction with the procurement service is requesting an exemption from the low bid competitive process, the most standard construction projects, the ordinance requests an approval to use the construction manager general contractor or abbreviated cmgc method of competitive bidding. This is a competitive process which engages the constructing contractor in the overall project while design documents are being developed. The process allows the constructing to have usable input into the document development and bring to light problems and solutions earlier in the process in order to design them out of the project. The exemption request allows the city to engage in competitive bidding process under ORS 279C3552, and Portland city code 5.34, and pursue a cmgc competitive bidding process. The council through its parks and recreation bureau is required to make findings in support of this competitive process. These findings are listed in the body of the ordinance and on the slide show, too. The bureau in conjunction with the procurement services and the city attorney's office has determined the requirements of the findings were met and the project is available to be approved for the cmgc process, this allows the city to increase participation of the dmwesh certified contractors and subcontractors as the city is negotiating the guaranteed maximum price for gmp and other attributes of the contract as the project is being developed. If you have any questions about that process, I will do my best to answer them.

Hales: I think it might be good to -- you have done it here but maybe with a little higher altitude and why do we do this and go to the cmgc process on some projects versus the traditional competitive bidding? What's the justification for that, going down that path and why do you think it applies here?

Pelatt: The standard typical low bid is designed, design bid build, basically, you design the project, you bid it, and then you build it. And anything that's in kind of in the middle, problems, issues come up, you know, handled by change order, and the cmgc process, we are trying to bring the constructing contractor into the process significantly earlier. We get the -- we try to get the g.c. into the process at 30% completion of the documents. We have got a great deal more time and effort. The general contractor is actually there participating

November 2-3, 2016

in the development, working with the architects, and if they are coming up with the thought process that may be particularly difficult in a location, things can be made, brought to light ahead of time. You can work with that system. We look at these for projects of significant, kind of one of for things, looking at them for significant dollar value, and where we really believe that getting that constructing contractor involved much earlier will benefit the project significantly.

Fish: I have a follow-up question, given this is a historic sequence and given the specialty nature of this, is it likely that the contractor will have a specialty focus on this kind of work or is any contractor technically considered for this kind of work?

Pelatt: That's an excellent question, and part of the process in the cmgc. We use an rfp process, a request for proposals rather than getting a low bid that says I will build it for \$6.19. It is designed around give them the project, they have specks and part of the -- they are going to be part of the whole design process, and so we use the process where they see where we're at and they bring to us proposals. It's still a competitive process, so we're getting people involved but part of what they present is their qualifications for actually doing the process. We do tend to get more specialized people.

Saltzman: Questions?

Fritz: On the two parks in east Portland, both of you are very involved in the specs, in choosing the contractor. There was there lots of emphasis on using local contractors and trying to increase above normal the number of minority businesses women owned businesses. Is that part of the specs for this one?

McGuire: So for example for the bond project, pioneer courthouse square, we also did a cmgc process. We did not have a community benefits plan per se. We had the targets we worked with procurement on and did many outreach events. We're ending up at 39%, which is pretty high relative to our target of 20% so we're happy with that. So I think that we can do that same kind of thing with this project as well.

Fritz: Thank you. I don't know what I expected to hear. We're all learning how to do this better and in comment to your question mayor, I think that more and more we need to be looking at this kind of approach because it does save money, and in the long run it's, it makes this a more qualitative bidding process, application process rather than just whoever can do it for the least money.

Hales: I think, and also I agree and it helps to control the costs in my experience involved in this using this tool for the Portland streetcar. The original \$55 million project and the message to the team, the cmgc team was very clear, not just from me but from don Magnusson, who is this wonderful first chairman of the Portland streetcar, inc. You have 55 million. That's it and never going to get another dime and don't ask the city or property owners for more. Same situation where we are forming an lid so some of our money, private property money, and so it does help to clarify everybody's understanding that that's the deal. If you have to change specifications to stay within the budget do that. So I think that it quipts you as manager with whoever you select as the cmgc contractor to pound on the table as needed. Other questions? Andrew?

Andrew Aebi, Portland Bureau of Transportation: Thank you, Andrew Aebi, the city's local improvement district administrator, to briefly walk you through the lid component of this. The halprin landscape conservancy in the city has been in discussions about the local improvement district and the partial funding mechanism for the restoration of the sequence since august of 2012. So it's been about a four-year discussion, and there have been extensive public outreach efforts with the halprin landscape conservancy since December of 2012. The conservancies have had extensive outreach with property owners who to date have tended their petition support to date, and individually and having determined on their own the amount of their contributions. I really want to emphasize that, so this is not a

November 2-3, 2016

traditional lid based on the footage or the square footage of the property or anything of that nature. And we just said here's how many equal shares and lots that we need to raise and we went to the property owners and we asked them to tell us how much they would like to contribute to the lid. The valid petition from the owners of the property within the proposed lid were filed with me, and I reviewed the petition and determined them to be valid. Verify the exhibit a to the resolution before you today. And this is a historic lid, in the sense that Portland parks and recreation is the responsible bureau for the proposed improvement, so what that means is the parks bureau identified the capital project owner for this lid which would be the first one in the history of the city of Portland so there is a recommendation to move forward with lid formation proceedings. The advantage of the lid leveraging, the funds include the funding mechanism for the property owners to join together to invest in the restoration of the sequence and as I mentioned the volunteer methodology. The contributions can be financed for up to 20 years following the final assessment. We have generous contribution amounts here. Here's a map of the lid, and I do want to emphasize that the conservancy with continued discussions with other property owners, and any property owner within the boundaries of this map could join the lid at a later date, and I will talk more about that on the next slide. As shown in exhibit B we do have 1,268,800 in petition support received so far, and we have written commitments of another 275,200 in pending petition support. So just to briefly clarify the mechanics of this. If council approves this today the auditor will provide notice to property owners in the amount of 1,544,000. That is 606,000\$ short of the 2,150,000 that we are aiming for, and the auditor can only notify the properties identified in this exhibit. What we will be coming back with on December 7 is the amendment to add additional properties into the lid and in some cases depending on what people voluntarily want to do would increase the amount of the lid contributions, maybe bringing those to council on December 7 with an amendment.

Fish: You said it's unprecedented for the city to be in this position it's in, in this lid so if we are making history, can you just flush that out a bit as to why it is unprecedented but not something that gives you any heartburn?

Aebi: Yes. So the vast majority of lids that we do are street lids. We have done a few water main lids for which the water bureau has been responsible we've done a couple sanitary sewer lids for which bes is the responsible bureau. Park improvement by the general nature offer systemic and community-wide benefits. So when we look at park improvements, those are improvements built by the community at large. When I was first approached to do the lid the parameters that I laid out were that we have not done this before but I am willing to, you know, to have an open mind, take a fresh look and that resulted in us discussing this with the procurement services in terms of the procurement aspects of this which is well beyond my area but the other piece is just making sure that what we were finding, met the statement requirement of being a capital improvement. So without getting too deep into the weeds, we wanted to make sure that we were not just funding maintenance but a capital improvement that met the definition under state law, and most importantly that we were really looking into the property owners to come to us and be part of finding this. I did not want to be in the position of trying to determine what everybody's individual amounts are and having to make the case for it. It made more sense to me that we had a group of willing property owners that were willing to step forward and have them to tell us how much we wanted to contribute. We have the 1.5 million in general fund, and I am not a parky, although I hope to be an honorary one when this is done.

Fish: You are an honorary pilot, the next logical step.

Aebi: My sense is that we have a depreciated series of assets, the parks bureau would have to fund some sort of upkeep and replacement. I would just, I am happy to join in the

November 2-3, 2016

effort to get together the funds sources so we are not relying on any one funding source and we can put together more than one funding source that would really have significant financial leverage.

Fish: Not for today but at a future date I would like to better understand the lessons of this creative use in terms of its application for other challenges that we have. The challenge of keeping pace with capital spending is not unique to parks or transportation or to our utilities or any bureau. This seems like an innovative solution to a problem.

Aebi: Thank you, commissioner.

Fritz: So I appreciate the conservancy for their ongoing work on this project as well as looking after the sequence and I am concerned about the 606,000, it is my understanding that the 1.5 million, that the council allocated in the fall budget adjustments is dependent on the whole project getting done. And so where is the 606,000 going to come from?

Aebi: I think I could have the conservancy address that, if you approve this resolution you are not forming the lid so there is no commitment until council approves the subsequent formation ordinance so this is a necessary first step and I would just also add that the counselor knows we're in a hot real estate market, the velocity is high, so speaking strictly of the, as a Lid administrator I have an urgency of getting these created and going onto the next step and kind of dialing in what we have gotten to date. It is a challenge and I think that factors into this 606,000.

Fritz: And just piggy backing on what the mayor mentioned about the streetcar. It was quite a stretch to get to 1.5 million in general fund, and to allocate to this lid, and there is not any more from the city. So I wanted to be very clear that we are very appreciative of the partnership and that your work can make it happen as well as our community partners. Thank you.

Hales: Anything else? Any other questions for our team? Thank you very much. Let's turn to -- I think the representatives of the property owners here.

Moore-Love: I show six people signed up. Good morning and welcome.

Don Stastny: Good morning, Mr. Mayor and council. I am don stastny, 2309 southwest 1st avenue. And I am a director of the halprin landscape conservancy. I am an architect and urban designer and have been involved in the rebirth of Portland over the last 40 years as a professional within the city. The halprin sequence was established before I came back to town, I'm a fourth generation coming back to Portland to work. I am standing in for randy greg, our president. Who could not be in attendance but I am also supported by a number of directors who are in the audience. Would you stand?

Hales: Let's hear it. [applause] you have labored long to get to this day.

Stastny: I think the staff report to you all was excellent, I think covered a lot of bases that I may have covered. Since this was first, this concept of the lid was first introduced by commissioner fish three years ago, we realized this is a pioneering effort, in the same way that we originated the public partnerships as a way to originally build a auditorium renewal district which is, which has been our mode of operation. This is another step towards moving in that direction, especially I applaud commissioner Fish's question about, let's find out how this works and how it can be applied to other projects. We have been continuing to develop the support for the concept and commissioner Fritz we appreciate the grant of 200,000 which allowed us to go further into the underground as well as what was on the surface. We have a good picture of not only the aesthetics of the place but the infrastructure of the place and I wanted to thank the council for the inclusion of the 1.5 million within the general fund as far as moving this project forward. In the end what we will have is an improved open space sequence but this is not the end of our efforts. We will get the -- this particular part done but we will continue to improve the area both as an open space sequence but also a very important part of the city, the last thing, as a part of the

November 2-3, 2016

efforts of the business owners in this area, we have developed an idea for this area to become the fountain district. But giving it a brand so it occurs within the district and will recognize the idea of the fountains of the water with that I would like to introduce bob.

Hales: Let's take the first three folks and then we'll bring him up.

****: Go ahead.

****: You go ahead.

****: Ok.

****: Ok, go ahead.

****: All right.

Charles Johnson: Good morning to the point, I hope that you have no problem approving this lid. We have done some other creative things with lids, and I think that amongst some there are concerns that the lids can lead to a form of gentrification, only finance the open space for, well, in parks, for wealthier neighborhoods so we always need to be mindful that when we have constructive lids, that we see that as almost freeing up money to improve parks and recreation services in more distressed communities, and I never knew it connected south from Keller fountain. I think that there is any signage or expiration. I didn't think that there was an architect named Halprin that or that I could walk blocks south so I hope that simultaneously, with the approval of the lid and moving forward with this project that there might be some work between the conservancy and the parks department to already begin increasing the public awareness, so for those people at home, halprinconservatory.org it is on the internet, just search it around, and but I think that I will let the city targets landlord bob come up and take my seat and move on with The presentation.

Hales: Do you want to go next? Call Mr. Naito? Come on up.

Stastny: He is the treasurer of the halprin and landscape conservancy.

Hales: Good morning.

Bob Naito: Good morning. Thank you. Commissioners. I always seem to get the I seem to get the less --

Karen Whitman: More dramatic?

Naito: Emotional. I get the money end and I want to address the 606,000 first. Thank you for the comment that there is no more money coming from the city. It is important to where we are in this campaign. And thank all of you for the commitment of the 1.5 million. This is a city halprin landscape conservancy property owner partnership, and you pulled your share and we recognize that and I think that the property owners recognize that. We have 606,000 not signed up right now, and two properties represent 425,000 of that. Right now. Mayor hales has been very helpful, he can open doors with the institutional investors and corporate out of town owners that don't answer randy gregs or my phone calls or Karen Whitman's phone calls.

Fish: That's a mistake.

Naito: They return the mayor's office calls and he has been opening doors and he has been gently twisting arms and one of those is one that he's talking to and the other is a property owner that -- both of these are typical of the -- the easy ones where the local property owners, the suspects, who signed up right away because they understand the benefit. The hard thing is to talk to somebody in New York with Goldman sachs or a pension fund that does not understand the need and finally says we have a fiduciary duty to our shareholders or our pension fund so we cannot do anything but maximize the return on the property. I don't know who made the comment about this being a hot market but I will give you one example. We sold the contribution to the lid three years ago to a property owner, owns an apartment project next door to ours. We resold it two years ago after that sold, and just sold it for the third time thanks to Karen Whitman two weeks ago so what we

November 2-3, 2016

need is we need this deadline, we need to be close to the end. We need to go to these three or four properties. The other property that we're dealing with right now is, and I don't want to disclose them, but it's under contract, so we have a seller who is in and a buyer who is out. And now they are pointing fingers at each other going you did not tell me about this before we did our due diligence so we're going back and forth and I think we will get them, we will get some others. We have a property worth around, you know, in the 50s and 60s and 70 million when it's built but not built yet so we're talking to an owner that is going to make an investment on a property that they have not rented the first apartment to. So these are -- the last ones are the hardest ones and having the deadline and being able to say that we have all of the contributions and you are the guide and, the guy and gal and we need you to sign up will get us over the top. I would like to thank commissioner, commissioner Fritz and the park bureau staff, mike abbate and Sandra Burtzos who worked with us for four hard years down in the weeds, and figuring out the real details of this. And Andrew Aebi, who has helped us, we pioneered something that nobody has done before. And I would like to thank commissioner Fish who first put the idea of the lid in our head and also for coming up with the name fountain district which you copied and now John Russell and the neighborhood is fully has adopted so we thank you for the name and for the idea. I want to thank the mayor. I've been on two other campaigns like this in my career, the first was with mayor Katz on the classical Chinese garden, and she championed that, and really kind of took it on after my dad passed away and the other was with commissioner Kafoury who wanted to see her last, in her last term to get this house moved. We did that by hook and by crook. We are going to get this one done.

Hales: We are. Thank you very much.

Whitman: That was good.

Hales: Not just the money guy.

Whitman: I am Karen Whitman the executive director of house and halprin landscape conservancy, and 608 Sw arboretum circle in Portland. I am here to read a letter from Randy Craig so I do get a bit of the drama and it is in your packet. To the members of the Portland city council, thank you very much for your continued support of our efforts to restore the Portland open space sequence. I apologize for not being able to attend. And at a recent convening of the American association of landscape architects, I offered to the 200 plus architects an overview of the partnership that is enabling our 3.85 million project. Not only is this a precedent-setting effort but has national effort in particular for a modern era landscape. It is on the landscape website and in conjunction with the opening of the major exhibit of Lawrence Halprin, for his centenary year at the national building museum in Washington. The Portland fountains are prominently and beautifully represented. We are receiving inquiries by other groups working to restore the modern landscapes, and for many of us, this effort is personal. At the conference I shared the stage with Lori Olin, one of the most prominent landscape architects of his generation, who eloquently spoke about how it influenced his move from designing buildings to making urban landscapes and before our presentation, we spoke with Portland parks and recreation Director Mike Abbate, and who shared how the plaza simply inspired his own move to landscape design and a move to Portland, and our fountains have drawn many of our most talented landscape architects to move here and for native sons such as Doug Macey co-designer of the pioneer courthouse square, and empowered them to set precedence of their own, the reason we take these fountains personally is because Lawrence Halprin did. He carefully filmed, drew, and studied rock formations in water falls, and to craft an distractions of their nature for the city, and inspired by his wife legendary choreographer Anna Halprin, he shaped him into performance spaces that lured people to play. In the months after Larry died in 2009, Anna still going strong in her mid-90s came to Portland and to make a dance

November 2-3, 2016

in his memory, and love joy plaza. As gentle rain fell the dancers waded into the waters and the audience joined them in an enchanting living memorial. She was moved to write a letter of support of our efforts and this is her quote. "as I reflect about this spontaneous event I think that we are not asking to save the fountains from neglect. We are asking to save a place, to find joy and inspiration as a community, perhaps even a spiritual connection to peace with the natural world and to each other." thank you for your support. And I want to add on a personal note I am a big believer that we have a model in the making, a model thanks to commissioner Fritz's -- excuse me, commissioner Fish's point. And I want to thank my board who are very hard working board, our lid partners who stepped forward because they really believed in this. And I also want to thank bob and thank mayor hales who contacted us and asked us how he could help and he's made a big difference. We're so close. With your help, and we're going to get this done.

Hales: Thank you very much.

Aebi: Mayor hales we have a substitute exhibit b to swap out.

Hales: Thank you.

Hales: Yeah.

Lightning: I will be brief, I am lightning and I represent lightning watchdog pdx. Due to a potential conflict of interest with the commissioner Saltzman, I would like him not to be part of the vote, thank you very much.

Hales: We have a substitute for exhibit b for 1209.

Fish: Second.

Hales: Is there a second, there is, let's take a vote to accept the replacement exhibit b.

Fritz: What does it do?

Hales: Andrew what does it do. It is an exhibit so I don't know.

Aebi: Andrew Aebi The local improvement district administrator so what the exhibit b does is it lays out the properties that the halprin landscape conservancy is approaching to help fill the 606,000 gap. There is a shift in those properties, and there is not any change in reflecting the petition support to date just simply a more clear picture of where we're headed on filling the gap.

Hales: Thank you, a revised prospect list and thank you. So the first of the items is emergency ordinance, let's take a vote on that, please, and I will make some comments on this one and maybe others might want to, as well.

Moore-Love: You want to do the roll on the substitute exhibit first.

Hales: I thought that we had. Please go ahead.

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

Hales: Aye. [gavel pounded] ok now the vote on 1208.

Novick: This is a wonderful and inspiring partnership, and I just am so impressed by the work that everybody has done on this and has committed to continuing to do. I wanted to respond to Mr. Johnson's concern that the lids might be sort of a vehicle for gentrification of the park system, and I think that it's precisely the opposite. In New York I think that they have been very successful in getting the private sector just to step up and to help fund, you know, expansion and maintenance of the iconic features of their parks in New York. And that means that more of the city's general fund money can support parks in areas of New York that are analogous for us east Portland. And partnerships like these are critical to the expansion, and I hope that this will inspire us in other places and similar efforts in the city in the future, thank you so very much. Aye.

Fritz: When mayor hales assigned generously and kindly assigned me the parks bureau in 2013 I started the practice of trying to every day go a Portland park even if it's one step, in order to get to it, and I thought I own this, and I want everybody to think that they do own our parks. All the citizens, do and this is a fantastic example of yes, in my backyard. This is

November 2-3, 2016

the people who benefit the most by having properties that are in greater value because of the halprin sequence and saying yes we're going to help take care of it. And this is an example of how it went to the parks commissioner and always a parks commissioner because mayor Hales and commissioner Fish have certainly have done a lot of work, and particularly both in instigating the process and, and in bringing it home. We have invested the maintenance funding in this -- for the halprin sequence, and thanks to director abate and all of our team at parks for also recognizing that this is an amazing sequence, and I had lived in Portland for over 25 years before I set foot in this place but again, and in the -- after being assigned to park I went to a concert in love joy, and then in the fall of 2014 I started taking much more seriously the diligence of getting 10,000 steps per day. So I would get off the bus at the development services building, and discovered quite by accident one day when the lights were not cooperating into how quickly I could get to city hall, if I could go down and on Harrison and there is this amazing sequence that I had never been, never seen before. And I particularly remember, one morning it was around valentine's day, and it was a heart in petals which I am feeling like the person who did it, picked up the petals off the ground rather than ripping them off. And it was a beautiful heart, and it made me almost cry and, and I was looking at it, and one of our parks staff, and was just there at the curb apparently doing maintenance looking bewildered, so as my executive duty, it is my duty to tell her don't clean this up right away and it's lovely and we want more people here. I want everybody to feel that they own this park, yes, it's downtown but if you have not been in it maybe it a trip and take them on the bus and take them downtown and that could be a wonderful experience to look at this jewel that will be a national, even more of a national historic treasure. Thank you to the property owners who have put themselves forward with this partnership, and I do appreciate that you have also all been involved in other good works and in partnership with our parks, and the fact of the matter is we could not do this with major maintenance money from the parks, it would take more than we have in that fun to do just this project, so we do need your help and thank you very much. Thank you mayor and to all the parks staff, aye.

Fish: Mayor a point of order. Dan and I are former parks commissioners and we ask that we suspended the rules so you may have the privilege of speaking next.

Hales: Oh, well that would be fine. Thank you. I will take it. Because we are a group of parkys here and I think that Steve is eager to join that number someday. But not before Amanda's ready. But thinking about how Portland does this, this is a model that we have proven we have used these partnerships whether it was the Portland softball association surcharging their members \$15 a season for 10 years to partner to partner with the parks bureau the leader stayed on the board for 15 years because he had gotten the by-laws provision and insisted that the money go to that purpose and he wanted to stick around until it got done. To building airport light rail. We have proven that we're a city where people will step up from the community and from the private sector and with lots of small contributions like pioneer courthouse square itself or the field or partnerships like the rob strausser foundation that built the first turf field at delta park, and the list goes on and on and always requires personal leadership from people. So to the people on the board, thank you. It was Michael Powell on the streetcar. There is somebody stepping up and you are the people, and we must have that kind of help from the community in order to get these things done. So thank you as a Portlander thank you. Because there is never enough public money, we all are on this park but there is -- there is something wonderful about people investing in their neighborhood and insisting that they have stewardship responsibility. I think that has great power for the maintenance of the places. And then the two personal notes. A small confession, my wife drags me to a lot of art things and I am not a modernist, I am an antiquarian when it comes to art and architecture, occasionally I

November 2-3, 2016

will be wowed by a modern building, and there is some here in Portland that I am impressed by but I kind of like old ones like this. And the same thing goes for art. I am more into representational art than abstract and sometimes I simply look in puzzlement at what the artist was trying to accomplish when Nancy makes me go to one of those things but another exception is Lawrence Halprin's work because I am an avid outdoor businessman. I moved here because of wilderness and spent so many times with my children teaching them how to backpack and getting to that first waterfall, only 1.25 miles up the trail or maybe later climbing Hamilton mountain and standing under the spray of that waterfall and Lawrence Halprin got it. There is something magical about the modern design of these fountains that absolutely captures the essence of the wilderness waterfall or spring, so it's a masterpiece in my opinion as a very amateur art critic and a masterpiece of design and deserves to be properly cared for, and finally when I moved to Portland in 1979 and started exploring the city I discovered this sequence. To me the set of fountains is a big part of what makes Portland, Portland. I am so happy this partnership has come together and we will get the job done and put it right. Thank you all very much. Aye. [gavel pounded] oh, I can't gavel it yet, I am used to winging it right after I vote but my colleagues get to vote first.

Fish: Amanda and Charlie have said everything that needs to be said so I will just add five thank you's. To Lawrence Halprin for creating what the mayor, I think, absolutely called a masterpiece citing it here in Portland and for it being in the same league as the Chinese garden and the Japanese garden and the other great civic treasures that we enjoy. To Randy Greg and who in 2008 worked with Pica, TBA and the Third Angle music group and staged an event which the mayor was the first time I learned about Halprin. And it was through that merging of art and dance and celebration that a relative newcomer to Portland learned about Lawrence Halprin and his story. So I thank Randy for doing that and literally writing the book. As a former parks commissioner I want to thank the conservancy as the mayor and the commissioner in charge of both, have both noted, we cannot have a world class park system without world class partners and everything that we do involves a public and a private partner. This is a shining example of that. And I want to thank the city team and starting with the parks' family and we have royalty here today and we have Charles Jordan's son and a former assistant director and we have got all kinds of people here, and including Zari Santner you are hiding back there. We have royalty here and we, up to the present where we have the folks doing the hard work in the bureau today under Mike's inspired leadership and four of us are past or present, past, present parks commissioners, and it's a great honor that we have all had to be part of this family. And thank you, and Andrew Aebi, we expect excellence from you every time you do an lid and today is no different. And finally I just want to say something about closers. One of the features of our form of government that you either like or don't like is that, is that over time lots of people get to have a hand in this, and you hope that as time goes by, there is some continuity but there is no guarantee of continuity. And so what we hope is that a council in one day is -- embraces an idea and a future one nurtures it but here's the bottom line. Nothing that we dream of comes to fruition without a closer. And today on this side of the day, those closers are Charlie Hales and Amanda Fritz working with Mike Abbate so I want to celebrate the fact they brought us to this point because today is a milestone for our city. Working with all of our partners and I am deeply grateful to my colleagues. Aye.

Saltzman: Aye

Hales: thank you all. It's done. See you in a month. Or a few weeks. Let's move onto 1210 -- or excuse me second one. 1209. Sorry, I am not doing a very good job of following the agenda this morning. We have to vote on 1209.

November 2-3, 2016

Novick: I realize that in comment on the grosser of public-private partnership I neglected to comment on the glory of the halprin sequence. It is a wonderful place to be and it's a wonderful place to have in walking distance so we can get the steps by going to a beautiful space within walking distance of the city and I wanted to say that commissioner Fritz, this is a big day for you, and mayor I know that this is very precious to you, and I am also aware that you are with us for another couple of months, and I am going to miss you very much, partly because you are the one person that I could count on to laugh at my jokes. It's wonderful to see you be able to enjoy this declaration of the intent to form the improvement district. Aye.

Fritz: I agree and thank you. Aye.

Fish: Aye.

Saltzman: I am very excited about this partnership to preserve and restore the halprin fountains. I thank commissioner Fish for coining the phrase fountain district and the idea of this lid formation. I am very excited but I am also -- I want to, for the sake of transparency I will recuse myself from voting on this as my family is one of the voluntary property owners paying into this lid, so I don't think that I need to recuse myself but I think for the sake of transparency I will and I will also as my sister serves on the board of the Portland open space committee so I abstain.

Hales: Appreciate your recusal. That might be a first where someone has recused themselves because they are giving the city money. Appreciate that. Aye. Thank you very much. Ok. 1210.

Item 1210.

Hales: Commissioner Fritz:

Fritz: Thank you mayor this one I really do take a lot of pleasure and ownership in. Thank you to the voters who in 2014 overwhelmingly passed the fix our parks bond measure as we just heard we don't have enough in the maintenance fund of parks to take care of all of our over 200 facilities, and it passed with 74% of the Portland voters in favor which is a record. And so part of that was an oversight committee, with each of the council on the board, and to watch over how we are spending the money, and the purpose of the committee is to review the work of the parks bureau and in carrying out the promises and the projects of the bond. And the council accepted the first annual report that the bond on the bond that the staff prepared that the bond language also requires the oversight committee to produce their own annual report. I am happy to welcome to, as Commissioner Fish said, the parks royalty and in your own right as well as in your father's, the chair bond oversight committee and the parks board vice president Dion Jordan who will present the committee's annual report.

Dion Jordan: Mayor and city commissioners, good to see you all, and as I said earlier I am the chair of our bond committee, and the committee that you have helped to select and put together. I will have to say that this is probably a group of the smartest most considerate, thoughtful people that I have had a chance to work with. And but don't turn your back on them because if you miss a meeting they will make you sit here by yourself. Nevertheless, I trust that you have before you a long and short copy of the report, I won't go over it in its entirety. I will allow you to do that in your own time, but instead I will highlight the main objectives and outcomes and our recommendations. The purpose is to reflect on the progress of the Portland parks and rec as they carried out their first year of the parks' placement bond and in three categories. Adhering to the language of the bond and the fiscal accountability and also the transparency our first major objective as an oversight committee was to make sure that the Portland parks adhere to the language of the bond. In other words, that they would do what they promised to do. One of the things that we're promised was to maintain the current tax rate and we are happy to report that

November 2-3, 2016

promise is currently being fulfilled and the rate has been consistent. Other assurances mentioned include fixing and improving the play areas and pools and trails and bridges and community and art centers, and restrooms and other deficient park structures, including the cities of Portland's very own living room, known as the pioneer courthouse square, and in addition, Portland parks would help eliminate barriers of the accessibility to people with disabilities. And we the committee are in agreement, that the Portland parks has adhered to the language. You can see for yourself in both the short and the long version, currently seven sites are underway in phase one. As were three trails, for pools were completed, and 16 deficient park structures underway, and one barrier to accessibility for people with disability, and pioneer courthouse square is to begin in 2017. Our second major objective was to maintain fiscal accountability. To ensure that the bond dollars are clearly and separately tracked as well as ensure integrity and accuracy and in the financial statements. And we the committee believe that they have fulfilled their charge to maintain fiscal accountability. They have to take great care in tracking the bond dollars separately as well as being transparent and providing information on expenditures and with both the oversight committee and also the public. Portland parks has shared openly that some of the most significant work during the first year was the hiring of staff and the creating of the time lines and the projects, and refining project scopes, and predicting the costs and scheduling construction activities. Portland parks say this charge has noticed a trend in the bidding climate. As mentioned earlier. Due to Portland's growing construction climate, they received fewer bids than expected for their projection. In some cases, they had to rebid the projects all together. And as a result this trend could affect the schedule and the budget of the project. Although this trend has not been detrimental it is expected to continue and there will likely be impacts on the cost and scheduling of each project. For this reason, the committee unanimously recommends establishing and providing a wide contingency fund and this would ensure that Portland parks has the resources and flexibility to ensure that a project delivered will be fulfilled according to the bond. The third and final objective, I would like to share with you today is around transparency. Our committee has not been charged with evaluating the efforts. Portland parks and their transparency with the community, and the bond committee is very interested in matters of equity and transparency. And it is for this reason that the committee has chosen to review and advise Portland parks in this category. It will ultimately be up to the community whether or not pollard parks has fulfilled their charge however we applaud Portland parks in their efforts. Their efforts in being transparent include 40 public meetings, 95-yard signs, and over 5,000 post-cards, and briefings with us the oversight committee as well as updates found at the parksplacementbond.org. It is our recommendation that Portland parks use a measure to demonstrate not only their efforts to be transparent but also the effectiveness of those strategies. Measuring the effectiveness of all of the efforts will reduce the cost of eliminating ineffective strategies. Seeking to improve the outreach will build the trust within the community. These are the highlights of our first report, and we are pleased to, we are pleased to submit it for your acceptance and we want to thank Megan George for her hard work in helping us prepare for this, the bond oversight committee will continue to meet throughout the remaining years and the bond will report back on an annual basis. So I wanted to thank you and also take a moment to acknowledge members of the committee who are here if they would be so kind to stand.

Hales: Thank you very much.

Fritz: Thank you.

Saltzman: I had some questions.

*******:** Ok.

November 2-3, 2016

Dion: I would like to invite the community so that we might answer any questions that you might have.

Saltzman: Your recommendation for establishing a program-wide contingency fund, and I see that there is a check mark saying it's complete. Was that done? What does the program-wide contingency fund mean? That's the other thing.

Zari Santner: May I answer that? Good morning, and thank you very much for allowing me to be part of this committee. Each project, the staff report that was given to you a couple of months ago, has its own contingency fund. But as Dion noted the -- because of the economy, thank goodness that the economy in construction the climate is robust, and we have not been getting a lot of bids or good bids, and we recognize that some of the projects are easier to deal with, but others are far more complicated as the grant pool park demonstrated. And what we are suggesting is that for the next set of bonds, the amount that once the bond is sold, a certain percentage, and that is up to the bureau to decide, set aside as an overall contingency fund. And then as they develop their own projects, that project would have its own contingency fund. This is just in case that some of the projects are -- cannot meet the budget.

Saltzman: Setting aside funds from the bond issues, so it's all --

Santner: It's all within the bond issue, and if they are fortunate that not all of it or any of it are used, then it could be used again for the projects that have been either built and parts have not been built. So it just -- it ensure says to make sure that the committee's interest is that the promises that were made to the public are capped so by having this contingency at least we can deliver the minimum.

Saltzman: Great explanation.

Hales: Happy prospect might be the case but at the end of the completion of the listed projects if there is remaining contingency funds what happens?

Fritz: Well let me just remind you this is the first phase so we're spending the first 48 million that will leave 20 million and we will be assuming -- I am hoping that I will be the parks commissioner next year and we'll have a city-wide process that can look at the 300 million things, the \$300 million worth of maintenance that needs to be done in the city which we have less than 2 million a year to address. And what are the top priorities of the community for that 20 million? When we first identified the projects it was literally the stuff broken or about to break so we did hold community meetings and heard a consensus that yes this was a good package to put forward and whatever contingency is left over will go into the second phase and at the end there will be nothing left over at the end because we have far more maintenance fees than the money available.

Hales: Thank you. Ok. Other questions for Dion or the rest of the volunteers, Mary Ann came back for a victory lap.

Santner: If I may, I want to tell you what a fantastic job this parks bond team has done. I want to thank Mary Ann Cassin for setting up the system such so make it a little bit simpler as you all know implementing such huge capital improvement projects is not an easy task but it has been made easier and also we decided to have an independent scribe, and Megan George is a graduate student from psu's college of -- college of government, and she was involved in the master program for public administration, and she helps the committee to develop the report that you see on here and we want to thank her.

Hales: Thank you. Coming from you that's a high praise and I am sure that they appreciate hearing that. Other questions? Thank you both very much. Are there other members who want to speak or we'll turn to the public testimony if there is any? Anyone signed up?

Charles Johnson: Good morning commissioners, for the record as you heard I am Charles bridge crane Johnson and I want to thank the staff that worked so hard on helping

November 2-3, 2016

this publicly chosen extra tax money go to making Portland stay wonderful. Since we did have the discussion about lids, which I don't know if during the whole talk anybody ever said, local improvement district. So for those who does not know we're not dealing with lids but local improvement districts where people voluntarily, in cooperation with the government associate to finance the goodness of their own communities. I didn't involve myself much in this process but I am curious if commissioner Fritz knows off the top of her head percentage-wise what part of the expenditures and maybe staff time went into the pioneer courthouse square project as part of the overall and how the current financing for the redoing of pioneer courthouse square as far as public donations and private donations maybe breaks out compared to the historical record. Thank you.

Fritz: As was stated in the bond measure it's 10 million dollars for pioneer courthouse square.

Johnson: Thank you.

Hales: Thank you very much ok, without further testimony let's take a motion please for accepting the report.

Fish: So moved.

Saltzman: Second.

Hales: Further discussion? Roll call please.

Novick: Aye

Fritz: Thank you I'm really proud to have been involved in this whole process, I mentioned in the previous item that it was kind of the mayor to give me parks. I didn't think that was the case in 2014 when I figured out how much of a deficit we have in maintenance. And then was asked to lead the bond measure campaign. Let's have the worst fundraiser on the council address this concern. So I'm really grateful to be apart to brought it home and I want to start by thanking those who passed the bond measure not only the 74% of voters who voted for it, Amie Ruiz who ran the campaign for us and the fundraising committee which was basically many of the people form pioneer court house square board and others who made all the phone calls requesting money and raised over 300,000 dollars to do the campaign that we did to explain to voters what this was going to buy, what it was going to do for our city. I'm very grateful to them and to the Portland park foundation, nick Hardigg, with the Audubon society, was executive director at that time, it literally could not have happened without that support. Also without the support of commissioner Fish. I did the first 60 days going out to parks and other meetings to tell people what it was and commissioner Fish picked up the past 40 days. I really appreciate him as previously mentioned by commissioner Fish bringing it home. Then another great example of community members working with our city staff to get the job done. Thank you to Mary Ann Cassin who director Abbate brilliant I think this was your finest accomplishment while you and I have been working together convincing Mary Ann to come back and lead this measure having let yours when you were commissioner of parks some time ago. It's really an example of how we'll work together thank you to the committee, Dion Jordan, Karen Lopez tracy. Jonah kolaun and don grotic as well as Zari Santner. Special thanks to don grotic, superintendent of the David Douglas school district he's now with Beaverton and I understand that the replacement will be from David Douglas School District. Thanks to Lauren McGuire as well who has been fantastic. This is a lot of work, everybody. There's some positions that have been paid for with the bond money as was anticipated. There's also a lot of work going on with our regular park staff who are finding time with everything else they are doing to make sure this is successful so hopefully we can ask again in the future to ask citizens, tax payers and voters please help us continue to do this. I'm very proud over the four years we have done four budgets with mayor hales we have more than doubled the amount of major maintenance funding that is ongoing. We're able to address a

November 2-3, 2016

few more things before they actually break. We all collectively share that challenge not only with parks but transportation, our city buildings and such. We need to get ahead of investing and maintenance so the infrastructure that we all need and value continues to provide services to the citizens in time to come. Thank you very much to Pooja Bhat on my staff who has been my senior policy advisor for the past year and has again just done a wonderful job. Aye.

Fish: Excellent report. Thanks to the bond oversight committee. You know, I'm like a lot of people in Portland, I have two kids that have grown up in the park system. One is 23, and another little guy is 12. If we didn't have a world class park system, it wouldn't -- all the kinds of choices that that system provides they would not have the same quality of life. So I would say as a parent I'm enormously grateful and then as a former parks commissioner in charge, one of four up here, I'm just so proud of the parks family and all the people who do such great work. Commissioner Fritz, this was one of I think your three or four singular achievements on the council was getting support from the voters for this. This report I think confirms the promise you made that the money is being spent wisely. Thank you all. Aye.

Saltzman: Well, I want to thank the bond oversight committee for their outstanding work. It's a great report. Very simple, clean, easy to read. You know, with recommendations about how to improve things. I appreciate that very much. I particularly want to single out my nominee for the committee for her work and Dion Jordan for taking the job as chair. It shows we're being accountable to voters making sure our parks are better for that. Pleased to vote aye.

Hales: There's a lot of continuity in the room here today. People have cared about parks for a long time. Gotten a lot of good work done together and obviously more ahead with the implementation of this bond measure and other efforts, commissioner Fritz, that you and the bureau have under way. Thinking back in my first month in public office in 1993, I met with Charles Jordan and David Judd who told me about the condition of the park system then and perhaps it was a rash thing as a new elected official said, why don't we do a bond measure? It turned out Portlanders we made a case for a good package of projects would approve them and they did. That led to now subsequent efforts including you stepping up as you did in this case, Amanda. You do protest too much. Maybe not the most eager fund-raiser but no one would put the effort into the community outreach that you did on this effort. You were out their day after day meeting after meeting in direct democracy with our citizens making the case for why this should be passed. So bravo. Now the work continues. And I appreciate this committee very much. Again there's a lot of walking around knowledge on this committee and in fact speaking of continuity, Ken Richardson didn't necessarily know it went with the job of being superintendent that he had to be on this committee too but we appreciate you being here today. David Douglas in particular deserves honorable mention. In that first bond measure then superintendent Ron Russell agreed to the outlandish suggestion that we build a community center on a middle school site at David Douglas middle school where the east Portland community center is. We have good working relationships with all our school districts but David Douglas stepped up to be a partner on all kinds of parks projects, Lincoln park, the company David Douglas schools are now anchors of their neighborhoods just as the schools are. We appreciate you and the district being consistent partner for us. This is good work in a difficult bidding environment, so I think Dion was correct to point out that this is going to require excellent management. We have it. We're going to deliver excellent results. We appreciate citizen oversight by people who care a lot and are looking over our shoulders. Aye. Thank you all. Why don't we move to the items we pulled from consent and take those?

Moore-Love: We have a time certain. 1211.

November 2-3, 2016

Hales: I'm just not -- [speaking simultaneously] item 1211, let's follow the agenda.

Hales: Drew and Susan are here to present this. I want to say in setting it up I go to u.s. Conference of mayor's meetings and I see the gigantic sums that other cities put into sports, and I don't actually agree with that approach. I don't envy it. I'm actually glad that we don't write \$100 million checks to billionaires to have a sports team downtown. But a lot of cities do that. They think it's a good investment. I don't agree. That debate is going on in las Vegas right now as a matter of fact. Again, I am really happy that Portland has a tradition of having sports be part of our community life and having good partnerships with our sports organizations, but not breaking the piggy bank of the public treasury to have that happen. So thanks to good management that's how we do it here. But there are times when sports can really add to the economy of the city. That's why this proposal is in front of us. We saw that with the world indoor track and field championships. Thank you for that. That was a great illustration of how powerful sports can be for our local economy and how just much fun it can be for ab community to host the best in the world to come here and compete in sports. So I was already a believer that this matters for our city before that, that that was such a pleasure for all of us, such affirmation that sports can play a very constructive role with again frankly minimal public investment so that's why we're here. Now I'll let you take it away.

Susan Hartnett, Office of Management and Finance: Thank you, Mr. Mayor. Commissioners. Susan hart, Spectator facilitator manager in the office of management and finance. I almost feel like we could just sit down now.

Hales: Sorry.

Hartnett: I was very glad to hear your enthusiasm. I would agree this is another example of Portland's model how we do things is a little bit different than other cities but i'm happy to be here withdrew this morning. Drew is the executive director for the Oregon sports authority. I'm going to make a few opening comments and clarify for folks who may not be aware of what we're doing what we're doing and drew will provide additional comments on what Oregon's sports authority does. The Oregon sports authority is the city of Portland's sports commission or our chamber of commerce for sports. They have been a notable contributor to our economy for more than 20 years. Osa's mission is to enhance Portland's economy and quality of life for its residents by securing sports event, conventions and by facilitating sports franchise acquisitions. Drew will tell you more about their history of success and things to look forward to the future. He will do that following me. He works closely with travel and tourism partners to identify and successfully bid on sports events and conventions, many held at city venues and generate direct benefit to the city in the form of user fees and transient lodging taxes. They also works closely with our professional and amateur sports organizations to assure their continued presence. For the last eight years the city through the spectator program has provided modest financial support to osa, as a dues paying member of the organization. Given the strength of an historic growth in the sports industry economic sector and osa's role in helping the city expand and continue that trend, osa's recent request to the chief administrative officer to consider increasing that support was met with a very positive response. It also seemed like a good opportunity to expand and advance the nature of the relationship between the city and osa by shifting from a membership role to that of full partner with the organization. The ordinance before you authorizes the mayor to sign a five-year agreement with osa, increasing the city's financial support to \$50,000 a year. Under the agreement osa will continue and expand their efforts to identify and bid on sports events that would not come to Portland without their active pursuit and participation. The funding provided through this agreement will expand their capacity to do that important work. Going forward on the agreement osa will little provide an annual report to council to share their successes and

November 2-3, 2016

talk about future events and efforts. With that I would like to turn it over to drew now. I can answer some questions at the conclusion of his presentation.

Hales: Thank you. Good morning.

Drew Mahalic: Good morning mayor hales, city commissioners. On the back of our business card we printed an inspirational quote from Nelson Mandela. It says sport has the power to change the world, has the power to inspire and unite people in a way little else does. Which really follows your introduction as well. If we look at sports events in the U.S. today, we find that the economic impact has increased 13.9% since 2012. It will surpass \$10 billion in 2016. It's big business. They additionally add to the quality of life for our community. We have also found that sports are resilient to recessions, experiencing growth no matter what the economy. Sports events have turned into the American vacation. Families often travel to participate or witness a sports event in a different city each year. In many cities sports events have become the backbone of their culture and economy. Our organization, the Oregon Sports Authority, has an impressive record of historically securing renowned sports events for Portland. Our highlights include two women's world cups and a men's world cup qualifier where we demonstrated a future soccer franchise might be successful here. The Timbers and Thorns have greatly exceeded our expectations. We hosted the U.S. Figure Skating Championships. We hosted eight Dew Action Sports Tours, four NCAA basketball tournaments, several national fencing championships, a Davis Cup world final, supported the MLS All-Star game and many more. The city of Portland has had a phenomenal year in 2016. At the beginning of the year with Susan's help we helped host the largest participating figure skating event in the world in Veteran's Memorial Coliseum. We helped host the largest sports convention in February. We hosted the Davis Cup tennis quarterfinals in July in Portland. We hosted the Gay and Lesbian Soccer World Championships at Delta Park. The Western States Golf Tournament and Little League Softball Series at Alpen Rose. These had an aggregate economic effect exceeding 5 million. For many of these sports events Portland secures national and international visitors who have never before been to our fine city. So in addition to the economic impact our sports events provide national and international visibility which can lead to new business development. Most of our visitors arrive through Portland International Airport ranked among the top in the world. That makes a great first impression. Once they leave the airport they experience the majesty of Portland something that we all tend to take for granted. Two epic sports events lie ahead for us. One is the Phil Knight Invitational next Thanksgiving where 16 of the best college basketball teams in the country will play 24 games Thanksgiving week at the Moda Center and Veteran's Memorial Coliseum. Each game will be televised on ESPN. This will be the grandest college basketball tournament of all time anywhere. The other mega sports event --

Fish: Drew, in fact couldn't you make the case that it's even better than the NCAA tournament because the NCAA tournament includes teams that get in because they win a conference championship or for other reasons. This is where Nike and the sponsors have handpicked the best basketball teams in the country.

Mahalic: Well, if you like Duke, North Carolina, Stanford, Oregon, yes. 16 of the best no doubt. This is going to be unbelievable. It's going to be four games in the Moda Center and four games in the Coliseum each day for three days. That's 24 games. That's an awful lot of basketball of the best teams in the country.

Fish: The mayor has asked me to be part of the security detail, so I'll be checking credentials for the media for those events.

Mahalic: This tournament is really unprecedented. Nothing ever like it has ever been even thought of before. The other mega event that we're looking forward to haven't gotten it yet, the NBA All-Star game held in February each year. That would be held at the Moda Center,

November 2-3, 2016

veteran's memorial coliseum and Oregon convention center. Our hope is that once the new headquarters hotel puts the shovel in the ground that we'll be in a position to support the blazers in their bid to bring its very first nba all-star game to Portland. Additional sports events that will be looking to bring include more ncaa men and women's basketball tournaments including a women's final four. U.S. Synchronized skating championships, gymnastics championships, and aquatic sports convention, a world series of action sports, decathlon championship and north American cup in fencing. We can say that the future for hosting sports in Portland never has been brighter yet the costs of securing they events have progressively escalated with rights fees, site visits, rental, medical and security are a common expectation. The partnership that we have with the city of Portland is critical to enable our organization to continue bringing sports events to our city.

Saltzman: What rights fee's means?

Mahalic: Often referred to as bidding fees. It's the fee you have to put up front before the event even starts to bring to your city. We have been proud to make Portland a more renowned sports destination yet none of this happens in a vacuum. The partnership with Portland is indispensable. I can look at each of you and say at various times you've all been intimately involved in the event we have brought. Really when we're bragging, taking credit it really is a shared credit. That you really are part of and as part of this partnership. So we thank you for that partnership. To allow to us help make Portland a renowned sports destination that impacts its economy and its cultural impact. We thank you for your support. Your leadership and your time today. I would be delighted to answer any of your questions. Thank you.

Hales: Thank you. Questions? Great presentation. Thank you. See who else wants to speak. Come on up.

Charles Johnson: Good morning, commissioners. Thank you again. I think that I don't normally do colloquy but is this only a \$50,000 investment? Obviously --

Hales: Per year.

Johnson: Even so. Expiration date?

Hales: Five years.

Johnson: I'm not the world's greatest sports fan and as you noted in many cities there are projects of dubious nature, but I do want to thank the city for keeping its distance from the seduction of investing public money into sports and it's good to know that there are in addition to this relatively small amount of money that we're providing that even when the naming game goes on and moda has its questionable \$40 million or providence park outbids jeld-wen, that people from jeld-wen will stay on the board of the Oregon sports authority and try to have a more grass roots public sentiment, less hysterical sports environment. I don't know about the nba all-star game. We'll see about that, but I think that even for people who are not sports fans when they look throughout this community and say small amateur things that those people coming through the airport -- I think that one thing you should consider is possibly looking for permanent funding mechanism, something that can be done to change the hotel revenue tax or something like that or rental car fee, permanent funding mechanism for osa may be a way to create self-funding. 50,000 a year for five years even anti-sports people can see it's a good economic impact.

Lightning: I'm lightning. I represent lightning watchdog pdx. One of the concerns I have on this is that I think your \$50,000 is just too low. It's amazing to me the economic impact that this group can have on this city, and you only fund \$50,000 a year. To me I'll be honest that's pathetic. The reason why I say that is that I think we need to also understand on the facility rentals we need to drop those prices down. We need to give more incentives to this group to make sure that people that do want to come to this city are incentivized to do and when we're looking at this type of economic impact throughout the city, you would

November 2-3, 2016

have to be a fool not to want to invest more money with this group. It's foolish. All the economic impact on the local businesses, restaurants, the city itself, tourism will go up and you're only committing \$50,000 a year. Another thing I would like to see on this is that I would like to see what I think groups that have taken the tourism industry and pushed it to a whole different level, I would like to see uber, lyft, Airbnb get together with this group, top representatives, and focus on like you were saying an international level on different events that can be brought to the city but have their input and their experience and their contacts and also them understanding the true benefits to them on doing that to their businesses, and I think they would be very open to doing that. Again, we're talking companies uber lyft, Airbnb that have the potential to fund certain teams to come in with large amounts of money with investors. We need to tie this all together and bring them all together and understand it. This is as important as tourism in the same area and especially when we're talking like somebody stated the convention hotel, we have the potential now to take things to a different level and really benefit the people here by bringing in money, which is really great because these businesses will definitely improve their profits. The city will improve. And what do you have to lose by doing that? So again, I think your \$50,000 is insulting. It really is. It's absolutely insulting. I think the amount they should be given at the very minimum would be \$500,000 a year and I think every penny that you would give this group -- would be paid over 10 to 20 times at the very minimum and I hope they come up with some data to substantiate that because I think my numbers would be within reason. Thank you.

Hales: Thank you. Got some fans here.

Johnson: Almost as good as yes on 97.

Hales: Anyone else?

Fish: Can I ask drew to come back up?

Hales: Yes, come on back through. Susan.

Fish: Drew, I know we had some past and present board members here. Could we just acknowledge them?

Mahalic: I would be delighted to. Our president America Lynn Bernstein has been instrumental in guiding this organization, sitting here, our president-elect Doug Oblitz, instrumental in the world indoor championships as well as the world outdoor championships that will have also a presence in Portland. We're very proud. Also my staff, Meyer Freeman and Louie are here as well.

Hales: Anything else for these two? Thank you for the presentation. It will come back on second reading next week. I want to say you are a bargain at any price. But the fact that we have a nonprofit organization, let's think about that, a nonprofit organization that Oregon tradition and particularly here in Portland have really relied on partnerships with nonprofits to do stuff once more is illustrated here and both the state and the city put a relatively modest amount into this. There's other resources being brought to bear. One of the requests I would make of the Oregon sports authority is I don't think I need to make it but it's worth saying, don't be shy about asking for the city's in-kind support for these ventures. It obviously worked in the case of the world indoor track and field event. My chief of staff then went off to the presentation in Monaco, seemed like a crazy long shot venture, but before they ever went off on that trip there had been a lot of work done to put an excellent bid together and it relied again on people in the community that really care about this agenda working together. I think hopefully all of you as leaders, whether emeritus or otherwise, and those who manage these programs will keep coming to the electeds here saying here's another opportunity but we need this, this and this from the city to have it work. That proved out on each of these events. It's a real success story on a modest budget. Gives this mayor and future mayors the ability to go to U.S. Conference of

November 2-3, 2016

mayor's meetings with bragging rights that we have a great sports scene in Portland but we didn't just fold up when we were held up.

Fritz: May I make a comment? Thank you for the presentation. Thank you especially to Susan Hartnett who not only works on the spectator fund in this measure but staff to the commissioner Saltzman on visitor's development fund which does allocate money to bring more conferences here to Portland at the coliseum and convention center. I do have to correct the record a little bit. You weren't on council, mayor, but we did invest \$34 million in city money promoting pge park.

Hales: You got it back.

Fritz: Actually I don't think we did yet. I actually love going to the games because I'm thinking I'm getting my money's worth. We also invested \$1.9 million in the outdoor track and field. So yes, we are putting more than the 50,000 a year on specific issues when our community supports that. I am one of the biggest sports fans on the council and I really appreciate the recognition that it's not only fun and games, it's also economic development and a community bonding experience when you're yelling extremely loud all saying the same thing.

Fish: I also want to acknowledge Lynn and Doug and thank them for their volunteer leadership. We have had a very strong board. I want to thank drew for being such a cheerleader. Cities need cheerleaders and unfortunately sometimes people in cities think that the way you make your case is tear the city down and then pivot to an ask. That unfortunately has become almost a virus, not just here but everywhere. It's a way of getting attention. It's counterproductive in the long term. We need cheerleaders, people who are unabashed cheerleaders. Drew, you have been that my entire eight years. You love the city; you're always hawking sports maybe even sports that are not your favorites. I have a photograph in my office which I treasure because I think of drew every day when I come to work. It's a picture of Megan rapinoe, fresh from the world stage, perhaps the greatest player of her time, at then called -- what was that? Might have been jeld-wen park. Autographing a ball for a young woman who is a first generation immigrant to this city who played girls soccer at park rose. Why is that picture important? Because among the many things that this gentleman does that don't get a lot of attention, he made sure that a local girls' team got to escort the best team in the world on the field and as part of that got to meet all their heroes and got to sign balls and those young broncos will never forget that. I'll never forget that moment because I have the photograph in my office. So thanks for your great work.

Novick: First of all, I want to thank drew and Susan and Lynn and Doug. Thank you so much. Drew I also want to especially thank you, drew, for that nelson Mandela quote because that makes being a sports fan seem suddenly much more respectful and even spiritual. I look forward to going and rooting against duke.

Hales: This comes back on second reading next week.

Hales: let's move to the pulled items on the consent calendar. 1212.

Item 1212.

Hales: Mr. Walsh, you wanted to testify on this item? Come on up.

Joe Walsh: For the record my name is joe Walsh. I represent individuals for justice. Nothing I say should have anything to do with Mr. Rodriguez. It has to do with the process. We're concerned that the mayor, you're leaving and your making appointments that are going to cover some ex mayor's tenure. This goes all the way to 2020. We would request that you contact the incoming mayor and get a statement of his position on these appointments. I'm almost positive -- well, almost post -- that Mr. Wheeler would sign off on them, if you will. If it's going to affect his tenure, then he should have something to say about it. I know you have the authority to do this, but sometimes when you have the

November 2-3, 2016

authority to do things you don't have to do them. It's better not to do them or to do them in conjunction with the incoming mayor. Does that make sense? See what I'm saying? I don't expect you to agree with me, but that was our concern. So all the appointments that come up now we're going to raise an objection not on the person themselves, we have no position on the person. We have a position on the policy and protocol that you're using. It should stop. You should just stop appointing people. You can't do that at least talk to ted wheeler and see what his thoughts are. Thank you.

Hales: Okay. Anyone else? All right, let's see, this was --

Fritz: Move the report.

Hales: Is there a second?

Saltzman: Second.

Hales: Roll call, please.

Novick: Aye.

Fritz: The way it works is that the commissioner in charge of the bureau recommends to the mayor just as a proforma, commissioner Saltzman in charge of development services to actually select Mr. Rodriguez. It's the way the charter has it, the mayor puts it forward. I would never have expected you to be echoing the republicans in congress and saying we shouldn't fill positions until the next administration comes in. That's definitely a surprise and a first. Aye.

Fish: Aye.

Saltzman: Yes, I participated in the selection of Sam Rodriguez and I'm happy that he has agreed to join the design commission. He brings a wealth of talent not only is he an architect but he's a developer and I believe he's probably the first Venezuelan we have had on the design commission. Aye.

Hales: Perhaps to some people's disappointment I plan to keep doing my job until I'm finished with my term. Yes, I certainly hope president Obama gets to get his November December appointments approved as well. Aye.

Fish: Next item, 1212. 1213.

Item 1213.

Hales: Commissioner novick, you have a proposed amendment?

Novick: Colleagues this ordinance was marked as an emergency ordinance, but not containing the emergency clause I would like to move to amend this ordinance to add an emergency clause. Postponing implementation will necessarily delay the ability to construct the right turn lane northeast Columbia at the mlk intersection that this grant will pay for.

Fritz: Second.

Hales: Discussion?

Fritz: I might insert that the actual language is a little bit different from what you just said. It's what's in the written amendment that you're moving and I second it.

Novick: Yes. Sorry I didn't read it out.

Fritz: You explained to the people at home and I really appreciate that.

Hales: Let's take action on the amendment. On the amendment, please.

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

Hales: Aye. Anyone want to speak on this item as now amended? If not, then let's take action on the emergency ordinance.

Novick: Aye.

Fritz: Thank you for getting this job done. Aye.

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

Hales: Aye. Thank you. Regular agenda. Item 1218.

Item 1218.

November 2-3, 2016

Hales: I want to welcome our team. Maybe say this in setting up this discussion this is a case in which all levels of government fell short of justice at some point in the very recent past. Where it now appears that all levels of government are working in concert to achieve the expected level of competence and justice that people want to see from their government when we deal with serious crime like sexual assault. I want to thank and appreciate the folks in the community and police bureau and our partner agencies working together on making sure that every single sexual assault kit in this city is tested and that every single potential criminal that that kit potentially identifies is taken to prosecution if there's a case to be made. So I want to appreciate the good work that's being done. Again not just in Portland but with help from the state now from the federal government as well. So thank you all very much for the work that you're doing. Give this a little more frame but thank you.

Molly Daul, Portland Police Bureau: Appreciate it. Good morning. Thank you, Mr. Mayor, commissioners. I'm Molly Daul, I'm the bureau sex crime detective supervisor joined with Susan Lehman, who is our project coordinator for the sex crimes units solely for sexual assault kits and from our i.t. Department, supervisor end Aleve. In seeking this additional supplemental grant it's a little background for persons that are unaware of our 2015 original grant, which is the sexual assault kit initiative grant that we received originally. An update on that project is that we formed our work group, our inventory is complete. We started sending in partnership with the district attorney's office Dany grant our first batches of rape kits in April. Our total for the city was 1754 kits that were backlogged and untested. At this state we have 1129 that have been sent to an outside lab. Funding provided by the Dany grant. 316 of them have already been tested. So we're in the early phases of the three-year grant. The good news is we have had six codis hits. We're just in the beginning of an investigatory process where we're working on victim notification protocols so our victim centered approach is not traumatizing and getting the best procedures in place.

Saltzman: Could you explain what a codis kit is?

Daul: It's a dna kit from a national database. The outside lab that we have contracted to test our kits are taking our kits that have been previously unsubmitted and they are spinning them through the national database. From these untested kits we're now getting the results. So we're reopening these cases that date back to 1987. Those that fall within the statute of limitations that are still prosecutable are reviewed by our work study group. For the last month we have been having weekly staffing cases where we review individual cases and we're able to with our community partners take a look at the results of the case and how we wish to proceed. So that update which leads us to into this supplement grant that we were encouraged to apply for part of the original grant to never be in the position that we have been in is the federal grant wanted us to put in place a tracking system. This is beyond an excel spreadsheet for 1700 plus kits. With ingenuity of our i.t. Department, namely ed, and Susan's assistance with knowledge of the sex crimes unit, they created a database called Sams, sexual assault management system. It's a multifaceted database that not only tracks the kits from their inception at the hospital to adjudication or testing. It keeps track of the life of the kit and it also provides us with grant reporting. But in addition to that we're acquiring all of the intricacies and the nuances of just a sex crime assault, and our city sex offenders. So this database we have actually been invited to two nationwide conferences and our facilitator of our grant, rti, was so impressed with our sams database that they want to incorporate it into further grants with cities nationwide. So they want us and we have had three test sites so far, we have been going installing sams for other police agencies so they too will never be in a position that our city is with losing track of untested rape kits. So this supplemental grant that we would like to receive today about 80% of the grant is going to bolster the i.t. Sams to make it mobile for laptops and

November 2-3, 2016

cellular phones. It's going to give electronic reporting privileges to the nurses. It's going to enhance our case management system. So the bulk of the money will go for that. Additional monies will be spent on further training and conferences which we may host in the future. So Portland is definitely been in the lead in change in the grant system and cities nationwide.

Hales: Great work. Thank you. Questions or other information you want to make sure we have before we take further discussion on this?

Fritz: A few questions. Did you have a presentation or are you --

Daul: No. Your support.

Fritz: Thank you. I have a couple of questions. 1700 untested kits dating back from 1987. How many rapes do we get reported a year about?

Daul: It fluctuates but six to 800 sexual assault cases a year in the city.

Fritz: At this point we test all of those.

Daul: We went full commission in 2015.

Fritz: Six to 800, that's a couple a day.

Susan Lehman, Portland Police Bureau: Yes. Only about 360 of those result in a rape kit. Out of 800 sexual assaults only 300, about 60 women, go to the hospital for the exam.

Fritz: One a day. Appalling. We don't hear -- it's become so common place we don't often even hear about it. I particularly appreciate the attention to victim services and wrap-around care. My understanding is that some of the kits in the past were not tested because the victim chose not to pursue any kinds of ongoing investigation. Is that correct?

Daul: That's correct. Also part of the original grant funding supplied us with more advocates that are embedded in our unit which a lot of police agencies nationwide their advocacy is community based whereas our advocates are right next to our detectives and they work hand in hand.

Fritz: Is there a legal or moral obligation to contact the victims to let them know that their kit has been tested?

Daul: There's best practices established nationwide through the Joshua Hart foundation. Part of the protocol that everyone is creating for their own system is the victim centered approach that is it going to traumatize the victim by informing them, right now our protocol is the victim notification should only be if there's a change in the kit, if there's a codis hit. Otherwise we don't want to revisit any trauma that might harm the victim.

Fritz: And presumably victims can contact you and say I would like you --

Daul: We have a hot line, devoted website and we have done a psa, so we have tried to reach out to the community and give them the information they need for recontact.

Fritz: What's the hotline number, please? Sorry, I thought you -- [laughter]

Lehman: That wasn't my line.

Fritz: They can go to the Portland police website or call 833-4000.

Daul: It's called the rose project associated with the Portland police bureau website.

Fritz: So whenever I don't know a number to call I call 823-4000, and that's the information referral center. My last question is about do you know about how many registered sex offenders we have in Portland?

Daul: That's not my forte. I have heard around three to 4000. It's a state registration. That's the bare minimum because of the state registration is not -- it's a tracking system that probably is not as accurate as it needs to be for urban environment like our own.

Fritz: Thank you for this report. It makes me think commissioner Saltzman it would be interesting to have a report from the gateway center for domestic violence once a year or so to find out what's happening and to bring to attention this appalling rate of assaults.

Saltzman: We normally do something in October. We missed it this year for whatever reason. I want to understand; all rape kits are now tested. Regardless of -- the victim is

November 2-3, 2016

only notified if there's a dna hit?

Daul: No, all -- if a victim reports a rape, goes to a hospital and a rape kit is obtained within the city of Portland we're sole submission so all of our kits via Susan are sent directly to the crime lab.

Lehman: Those are kits where the women chose to report, so a woman can go to the hospital and collect evidence as a anonymous kit. Those kits by law cannot be sent to the ordinary state crime lab. Additionally, if the woman reports to law enforcement and decides before her kit is send that no longer wants to participate in the investigation, Melissa laws passed last year also prevent us have sending that kit to the crime lab.

Saltzman: You say we got six hits with the national base. What happened?

Daul: We haven't got that far yet. Still victim notification process then we'll go into the next step, which is the investigatory. The codis those are spore saki cases which are prior to 2015. So currently hits we act on immediately. The saki go to our work group and we address them. We get hits daily throughout the bureau so that's not a long waiting process.

Lehman: Some of the saki kits have already been adjudicated so some of those codis hits came back to the person who was adjudicated. Therefore, we would not notify the victim in that case.

Saltzman: You mean they are already doing time on another offense?

Lehman: Correct. Then we do have some untested rape kits that belong to homicide victims.

Saltzman: Thank for your great work on the database and everything. That's great.

Fritz: I think many assaults are women but there are also men and transgender people who are victims of rape. You're providing services to everybody.

Daul: Of course. It's actually one of the more increasing reporting numbers is in male victims.

Hales: Thank you all very much. Appreciate the presentation. Does anyone want to speak?

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

Hales: You want to speak? Come on up.

Charles Johnson: Good morning, commissioners. I'm Charles Johnson. Thank you and finally we have had district attorney Underhill here just in the past couple months related to this issue. It's been in front of the county commission, and this recent interaction with Amanda Fritz I think has been the best job of assuring victims of sexual violence that the system is improving so that they will get respectful, competent treatment. I think in the state of Oregon which has a unique position as far as online sex offender registry there are 29,000 people statewide. So in the city of Portland we have about half of those people. And maybe if this issue works out there will be better communication between the local police agencies and Ellen Rosenbaum's office about making sure that information is more easily available to victims. There's a statewide nsop.gov sex offender registry but each state has its own way of docking into that and I think Oregon has a concern over hysteria and have not made that information available to parents and concerned victims.

Hales: Thanks. This is an emergency ordinance. Let's take a vote, please.

Novick: Obviously it's terrible that we had this huge backlog of untested kits. I really appreciate the presentation and it's really good to know that ppb and bts have developed this web application and database that's now being used nationally. So thank you very much. Aye.

Fritz: Thank you very much for the presentation. I'm very glad to hear that you're looking at best practices and in fact setting some of the best practices. Maybe I misunderstood. You don't contact the victim if the offender is already incarcerated. If it was me I would really like to know my attacker had been incarcerated. You're obviously looking at best

November 2-3, 2016

practices so I trust you will continually evaluate how the program is going. Mayor I'm really proud of you as the police commissioner who brought this to light and I'm horrified by the numbers we have heard. An average of a rape a day at least or two. Thank you for the information on the number of sex offenders statewide, Mr. Johnson. One of the crimes generally not talked about very much. Perhaps we need to change that as well. Thank you. Aye.

Fish: I want to echo what commissioner Fritz said. Excellent presentation. Thank you, mayor, for your work. I'm pleased to support this ordinance. Aye.

Saltzman: I would just add for whatever reason sexual assaults are one of the handful of crimes that are actually on the increase nationwide and here in our city. It's really good that we're getting this grant to help process more kits and hopefully get more arrests and convictions. So I want to thank mayor Hales for his leadership as police commissioner. Aye.

Hales: This action that we're taking I think as Portlanders should make us angry, proud, and resolute. We should be angry that in a city where in some ways we can measure real improvements in public safety, gang violence is down about 20% this year, our homicide and aggravated assault numbers are lower. Although our traffic violence numbers are higher. In general, you can say we're a pretty safe city but this level of sexual assault is intolerable and behind the numbers are individual victims. These are one on one crimes. In every case there's a person who has been traumatized. They deserve the full measure of our effort to investigate the crime, find the perpetrator if it's humanly possible to do so, prosecute and punish that criminal. That's what this is all about. I appreciate that action and that resolution in the Portland police bureau. I am so proud that actually the work that you're doing our professional staff and the police bureau, our strength as well as our sworn staff, you're not only helping people here but all over the country because we have created a better way for cities to do justice. I'm really proud of that. So thank you for great work. Thank you for helping not only women and men here in our city live in a climate of greater safety and less fear but also for people far from here. Well done. Aye. Thank you. Let's do 1219.

Item 1219.

Hales: That was a mouthful. I think Tamara Meyer was going to be here to present this but I don't see her at the moment. So we might need to carry this over. Let's maybe take testimony on it if anyone wants to speak about this item. Come on up.

Saltzman: Without a presentation?

Hales: We may be able to take action on it. I have some information here.

Dan Handelman: Good morning, mayor Hales, commissioners. I'm Dan Handelman with Portland cop watch. I'll testify on what I read. Moving from a regional to national system raises a lot of questions similar to the joint terrorism task force. What if the local police wrongly target someone and that person ends up in a national database? The point driven home I can't remember if it was the DOJ report where they raised the question about officers after shooting incidents. I think it's appropriate to do that because an officer who shoot somebody or kills them is a suspect in an attempted or completed homicide but then what happens if they are cleared and if the officers are concerned about getting their names out of this database what happens to ordinary citizens? I didn't see anything that addresses that question. So meanwhile, I witnessed commissioner Fish asking the rules be suspended before. I stated before if the council is going to use or ignore its written rules to shut down testimony as you did in the middle of the first reading of the PPA contract you should follow your own rules. This means affirmative majority votes to suspend the rules to move the meeting out of council chambers or reset the start time of statutorily described council meetings. You only have nine days left to suspend your rules and rescind the PPA

November 2-3, 2016

contract. Last week information was put out stating they have accepted the discipline guide yet the record shows --

Hales: I want to ask you to testify about this item.

Handelman: I have seen people testifying the last couple of weeks. This is what the item is about. The record show that they dropped a grievance about officers fired from untruthfulness reserving the right to grieve other aspects. It was also claimed that council would fight efforts to create policy where policing review body camera footage before writing reports but the council made that issue mandatory for bargaining. Much was made of the fact that officers have been fired but only one was fired after use of force incident and the arbitration call in the contract was never addressed. Other procedural irregularities abound but the auditor wasn't invited to the meeting to plan for changes. The mayor didn't even propose public meetings about the contract and said -- I think we learned a lot by going to those. I wish that had been done again. Judge Simon called you out for not hearing the public testify. I have a list of links in the national news of police brutality unleashed on people trying to testify to this issue. The mayor's legacy is not going to be getting rid of the 48-hour rule, it will be the beating of those people being forced out of this public building. Thank you.

Joe Walsh: My name is joe Walsh for the record. We sit here in total support of cop watch presentation what they just said and we just hope that you take some of this under advisement because it's important stuff. Sometimes what I said before is true. If you uh have the authority or power, you don't have to use it. You know? If somebody goes over a little bit, let them go. You know? Try to reign them in. We had a coab meeting the other night that there was no incident at all. You know why? Because everybody was treated with dignity. They went over a little bit, they let them go. What's 30 seconds? Most of the time you don't have people show up here to communicate, you had how many missing this morning? The reason is you have to sign up in advance. With the county you can sign up the day that you present. Makes it current. Very important. So all of these things are important. Listen to them, mayor. I know you only got a few weeks. You probably don't give a damn about anything. Listen. The rest of you, you can challenge the mayor you know. On parliamentary procedures all you need is a majority and you can override his decision on anything. So why don't you do it? You've never done it. None of you. You know he was wrong on a whole bunch of stuff. Thank you.

Hales: Thank you both. Anyone else? Come on up.

Johnson: I get to say good afternoon. Good afternoon, commissioners. Item 1219, the other two speakers have talked about problems we have here in city hall before. I want to say that I think there's also been a history of dysfunction and crime reporting in electronic crime reporting within the police department that has not got as much attention as another large scale electronic permitting process. So I think that it's very important maybe even that you wait and get a presentation and if not that you look at that program will have the best in accountability and process management so that we don't have another situation where we're paying for somebody to do the data interchange program and we're not getting the results. I think in the past couple of years we have had people from the police department testify that they can't interface their data with the fbi because they are going such and such. Perhaps this is a solution to that, but it would be better if we had more clarity about that. Thank you.

Hales: I think I have an answer to your question, in my notes it says that since regions launch the RegJINRegJIN system is not compatible with the Oregon state police system and as a result there were reporting errors and a failure to report data in accordance with federal requirements so they abandoned that customization effort which means the data must now be converted back to the federal standard. That's why this grant is going to have

November 2-3, 2016

them go back to the fbi national system instead of having this cobbled together arrangement between Portland's system and Oregon state police. I think I got that right, did I? Okay. Good.

Fritz: Presumably that would help in crimes such as sexual assault. That they are going through a national system where we can -- and it would presumably also be subject to Portland's rules and regulations and policies sees and principles of what we collect and share and what we don't.

Hales: If you want to talk we do have data management policies in the bureau that this is subject to regardless of who whose platform we're on. Would you put that into the record for us? Thank you.

Kimberly Roark: Kimberly Roark with the RegJIN sustainment team I'm the global manager we are going to a nibers standard, which is the federal standard for reporting. Yes, we'll cover all the crimes and be able to accurately report. As of yesterday we converted our database over to NIBRS and are doing the data verification to make sure we can begin reporting. We should be under way soon. This grant is helping us get an extra pair of hands. We're doing this not only for ourselves but for our partners and we're all moving forward together in the region project.

Hales: Thank you.

Fritz: That's one of the issues that the department of justice and the community oversight -
-

Hales: Community liaison.

Fritz: Thank you. They found this deficient not having the system.

Roark: Correct. This is going to correct that deficiency and make us more accurate.

Hales: Thank you. Appreciate the good work. It's an emergency ordinance. Let's take a vote, please.

Novick: Aye.

Fritz: Surprised I have been told I'm too shy about complaining when the procedures don't go right. If I thought that something had gone wrong, I would say so. I continue to support what we did even though I continue to get quite a lot of questions from the community about this. Aye.

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

Hales: Good work. Thank you. Aye. Okay, let's take 1220.

Item 1220.

Fish: Mayor and colleagues, at risk of cutting into the lunch hour I will be brief. Mike stuhr, director of the water bureau, and martin weber, supervising engineer, are here to present. Here is in a nutshell what we're bringing to your attention. The construction proposed construction work includes installation of 1083 feet of eight inch main. 635 feet of six inch main. Three hydrants. We seek to renew 21 one inch services, one two-inch fire service, install one six inch by two-inch regulator and vault and abandon 1042 feet of 8-inch main. There will be a quiz at the end of this. The estimate the cost is \$533,000 with a high confidence left. Director stuhr.

Mike Stuhr, Director, Portland Water Bureau: Mr. Mayor, commissioners, we're now ready for questions. [laughter]

Hales: Okay:

Fritz: In the ordinance it says it's existing is 1042 feet then what we're replacing it with is 1083 feet that's a number of bits and pieces.

Hales: The avenue stretched.

Fritz: It doesn't go far enough.

Stuhr: I knew there was a reason I brought Marvin with me. [laughter] so what we're up to is obviously a main replacement, which commissioner Fish more than adequately

November 2-3, 2016

described. Couple other key points I would throw in the pot, this main was originally built in 1927. It's cast-iron, not the best thing you can do for earthquakes. There's a large vault involved. The vault is made out of bricks. Another thing that's not very good for earthquakes. So this is partly to take care of a leaking main in our leaks database and partly to continue our slow, painful replacement of the pipe system to make it more resilient. I'll let Marvin talk a little more. Please answer commissioner Fritz's question. I can't.

Marvin Weber, Portland Water Bureau: I'm Marvin weber, supervising engineer with the water bureau. In response to your question, the pipeline is approximately that long and when we go to replace that we do run into the streets a little bit to make connections at each of the block intersections. So that's why there's added footage. In order to make those connections we need to build a little bit more pipeline.

Fritz: Thank you.

Weber: I would add that the contract will be -- there will be a formal bidding process in accordance with procurement services requirements. The contract will include current procurement goals for mwesb subcontractors. Public outreach is working on the project. They will continue. We'll send out notices so residents and there will be traffic advisories before the project starts. That's all I have to add.

Hales: Anyone else? Thank you.

Fish: Nicely done.

Hales: Anyone else want to speak in it passes to seconds reading with my relief noting commissioner Fish since he lives there and everyone's relief that this avenue has not stretched by 40 feet. 1221.

Item 1221.

Hales: Commissioner Fish.

Fish: this is a four-fifth agenda item meaning it required four signatures in order to place it on the agenda. It's a straightforward resolution which would rescind resolution 37225 and authorize the bureau of environmental services to resume the sale process for terminal 1 north. I think the resolution is self-explanatory. I have asked Scott McLean from collier's international, our commercial broker, and Eli callison, who manages our properties, to be here if council has any questions.

Hales: Questions for staff? They are standing by. Maybe not.

Fish: We have no questions.

Hales: I think we're good for now. Anyone want to speak on this item?

Moore-Love: I have a signup sheet.

Joe Walsh: My name is joe Walsh. I represent individuals for justice. Oh, man, don't sell terminal 1 I mean it's been the topic of conversation now all over the place. Somebody with a million dollars is going to come along and build the Taj mahal. We have so many fantasies about terminal 1, just leave it alone. Don't sell it. What's 10 million to you guys? You spend that in about 20 minutes. You have the ability to house people under emergency conditions in that shed. You're going to exclude that by this motion. By this vote. Congratulations: So what are you going to do, leave 400 people out in the cold? Somebody stepped up and said, I can house 100. We have 2,000, 3,000, somebody said 4,000 lately on the streets. We have been here for how many years asking you to do something about it. You don't do anything about it because you don't understand the problem. Commissioner Saltzman, you don't have a clue. You got 15,000 people hanging by their fingertips and people's houses and garages. Emergency shelters. It's not 4,000. Not 3,000. It's 15,000, and that's why every time you get someone off the street somebody else bounces on the street. You have to deal with the 15,000 figure, not the 4,000. Not the 2,000. Not some idiot that goes out there and says, one, two, three, four -- oh. Five. You

November 2-3, 2016

don't have a clue, Saltzman, of what to do and you haven't had a clue for ten years and that's why we're in our 12th year of a 10-year plan that turned out to be crap. Thank you. Proud of yourselves. I really get annoyed when you pat yourselves on the back. We had 88 people die in 2015. That's a 40% increase and you pat yourselves on the back. Your hypocrites all five of you. I call you the five shits. You know that.

Hales: No profanity. Let's be done.

Walsh: That's not profanity.

Hales: Yes it is.

Walsh: No it's not. Look it up.

Shedrick Wilkins: Okay. I am Shedrick Wilkins. I actually was going to volunteer at terminal 1 but I wanted it to be something permanent as it is in san Antonio. When they decided basically to say it was temporary I basically couldn't accept the idea it should be sold. Let's go on to other things. The mayor I heard on the radio is trying to set up a warming shelter downtown somewhere. I would like to volunteer for that. I have actually -- I was homeless five years ago and I have actually done feeding at the Portland rescue mission. I have done those sorts of things. I would very, very much have loved to have helped terminal one if it was to be permanent but it wasn't headed in that direction. I may in the future get involved with jobs with justice and support camping under bridges and support some sort of safe -- there's a thing called the homeless bill of rights which could allow people to camp there but I would like police to actually not tear down tents but make sure they are clean, help coordinate cleanup. It's not so bad that people are sleeping under bridges and stuff, it's the fact that they leave garbage all over the place.

Hales: Thank you.

Charles Johnson: Good afternoon. Charles bridge crane Johnson. Obviously the structure at terminal 1 or that land is not the only resource we have to improve the way we treat our neighbors. Thanks to George martins to great books being turned into oktv series everybody says winter is coming. Mr. Walsh was correct in noting that people are going to die and we don't have -- we haven't really done as much vision zeroing as a good humane society really would do. Vision zero concept has not really been applied to victims of sexual violence. We just had talk about 300 plus rapes per year. Vision zero is not discussed as the proper and moral way to treat our friends and neighbors who don't have adequate permanent shelter. It's very financially challenging to figure out how we're going to get thousands of people is doors and deal fairly with families that are in distress. Hopefully when we come back a week from now we'll be able to say yes on affordable homes passed and know that 1300 units will be coming online eventually to help shelter about 3,000 people. But even though paranoid park as a phrase made it into local media to talk about additional shelter capacity opening near O'Brien square, another fountain which could be refurbished -- I know you all are at times with all the things on your plate also looking for solutions to shelter people. It's unfortunate that it -- if we use the terminal 1 site while it's on the market that creates issues and stuff like that. I'm not going to say for or against on this particular issue about how you deal with terminal 1 but we need to be encouraging everyone, not just Williams and dane all developers to look at structures that are vacant, realistic timeline for filling those structures and can we get people inside to climate controlled facilities next to hygiene equipment. Thank you.

Lightning: Yes, my name is lightning. I represent lightning watchdog pdx. I had some real concerns on this project to begin with. I did not like the current offers on the property to be sidelined. I felt that was completely inappropriate even using the state of emergency designation. I have stated before you have a good broker sitting in here and you had some very qualified buyers with offers on the property. Again I think there should be something negotiated with this broker for his sales potentially being jeopardized. I think a reasonable

November 2-3, 2016

amount of money applied toward his company and himself is a reasonable thing to do under these conditions. Again, he had an exclusive listing. Again, he had five very qualified buyers. I knew one of the buyers out of Hawaii that could have paid cash for this in an instant. So I have some concerns on how this was handled. The reality is that we need to make it very clear if it's a surplus property it's up for sale. If it's not up for sale, we want to do some type of humanitarian relief efforts make it very clear to the people involved do not step in when there are offers on the table from very qualified people that bring a tremendous amount of money in this city from around the world and do not waste their time or qualified brokers their time because they will not come back to the table. Make sure that at least the broker is taken care of properly and again, I hope you can bring back these current bids that were on the property and work with them in a reasonable, respectful manner and do not waste their time. Again, pertaining to the developers I commend you on your efforts. As you understand, a mass shelter is a tremendous amount of money and it's not stepping in position to take control of the property, it's operating that property year after year and as you know, just to operate a 500 plus capacity mass shelter will cost you anywhere from five to \$7.5 million per year. Calculate that in five years that's 50-plus million to come up with. That's why the city of Portland when they fund the nonprofit, it's necessary they step in and the bond that commissioner Saltzman is very necessary and that's why these things keep moving forward but again I commend you on your efforts. Keep up the good work. Look for the next project. Thank you.

Fish: Can I have one moment? Couple good points were raised. Scott McLean of colliers international is here. They are very highly regarded in the industry. We have been told that we are in an historic market, meaning we can expect extremely aggressive offers on the property. If the resolution passes it's the intention of the bureau to reopen the sales process and to allow new offers for a period of time. So anyone who was either discouraged or chose not to offer they can offer would be allowed to do so. When that window closes on November 18th then the proposals will be reviewed. It's our hope that we will be under contract with a suitable buyer by early 2017 and the sale proceeds would be returned to the construction fund and this is a substantial amount of money which in turn has an impact on our requirements in terms of debt financing and the like so we think over time will help stabilize rates. We have received letters of support from the Portland business alliance, from the citizen's utility board of Oregon, from the Portland utility board, and I have received a lot of I think my colleagues have a lot of emails from citizens and from organizations noteworthy I have not received any communication from anyone opposing this resolution. Thank you, mayor.

Saltzman: Is it your intention that only industrial use bids will be considered responsive?

Fish: No, we're going to continue this same practice we had before. That's a great question, which is we'll accept any bid from anybody during this period. What we have said, however, from the first day is that we are going to honor the designation of prime industrial land which has been the historic designation for this property and which a unanimous council reaffirmed in the comprehensive plan. We're looking for someone that wants to operate within the existing zoning, which is prime industrial land with a river dependent overlay, that can make the best proposal to the city, which means the fewest contingencies, a good value for our rate payers, that a transaction which can be concluded in a reasonable period of time. Under the surplus property policy that judgment is left to the commissioner in charge but in this instance I will be working with the Portland development commission and broker to review offers before I make my judgment.

Saltzman: Do surplus property dispositions need to come before council?

Fish: No, they come back to the commissioner in charge. We're operating under the original council direction which is by rescinding and authorizing us to proceed we would be

November 2-3, 2016

operating under the original resolution and the final decision goes to commissioner in charge.

Novick: I don't understand your answer. What commissioner Saltzman asked do we only consider bids for industrial purposes and you said no but we will only consider people that will operate with industrial zoning. Could you clarify?

Fish: We have not put any limitations on the ability of people to make a bid and to come forward with a bid. If someone came forward and said they wanted to put a nuclear power plant there we probably would discourage that. If they wanted to put a casino we may explain that's not a very good idea. But it is our intention to when we review the bids to look to those bids which are operating within the framework established by this council through the comprehensive plan. This land is prime industrial land with an overlay, part of our core strategy for growing middle income jobs going forward and we're going to operate within the policy council has directed.

Fritz: If I might add I have recently with the mayor's staff tried to figure out how to take off the industrial designation on a property that's less than a half-acre. I have had to conclude it's not possible. It's just not possible to change from an industrial designation. I would suggest obviously you're the commissioner charge but if there's a proposal to do something other than industrial I just don't think it can possibly be made to fit the comprehensive plan.

Fish: Thank you, commissioner Fritz. The question from Dan originally I thought was a two-part, are we putting any barriers in front of anyone who wants to make an offer. The answer is no. This is a robust process. We'll accept offers, but the offers that we will treat seriously and evaluate from the context of providing value to our ratepayers and conforming to the resolution are ones that respect the designation this council has made to the comprehensive plan. This is key to our long term job strategy.

Saltzman: I'm puzzled because five of the six bids that were received were for nonindustrial uses. One was I would call token industrial. It was submitted by a residential firm. So if we're going to stay true to the comp plan, heed what commissioner Fritz just said about the impossibility or inadvisability of changing industrial designation why don't we just at the outset say we will only accept bids that propose industrial uses?

Fish: We're going to reopen this process and the resolution makes clear that we you have to maintain the current zoning. If someone wants to submit an offer that's not responsive I'm not going to prevent them from doing so. We have been clear about the criteria. My guess is that in light of the clear declaration in the resolution, it would not be a wise use of people's time and resources to put a nonresponsive bid in. In a process like this which is transparent and open and managed by a reputable brokers firm I'm not going to prevent somebody from putting an offer in but we will not seriously entertain an offer that doesn't conform to the existing industrial zoning as mandated by the comprehensive plan, and b, return good value to the ratepayers. The reason we have an expert commercial broker working with us we'll be looking at factors including the number of contingencies, the ability to close in a reasonable period of time, the seriousness of the offer. That's why a professional will help screen these offers. But at the end of the day I don't intend to support a proposal that breaks faith with what this council has mandated through the comprehensive plan. I'll be very clear about that.

Saltzman: Thank you.

Hales: Questions? Discussion? Okay, I think we're ready to vote.

Novick: There are always serious problems with using this site, a site of a long-term homeless shelter or campus, the primary one as we just discussed that it is zoned industrial. I voted to allow the private parties interested in using this as a shelter space to see if they could pull together a viable proposal to shelter folks this winter. Partly because

November 2-3, 2016

we need additional shelter space and winter is upon us. But also because I was very impressed that these private parties were stepping forward and saying they were willing to devote private resources to help us deal with the community issue of homelessness. I recently went with the mayor elect of San Antonio to see their haven of hope model and there are disputes among experts as to the specific service model they have adopted but one thing that was indisputably impressive was the support they have gotten from private parties, not only contributed the majority of the resources to build the campus they also provide the majority of funds to operate the campus. That I think would be replicated here. I have been very impressed and I'm very much appreciative of the many others we had prepared to invest in this proposal like Tom Brenneke and Bob Walsh, I really applaud their efforts and I agree with Sandra McDonough president of the Portland Business Alliance who recently said that Homer Williams has "performed a phenomenal service to the city as he moved the conversation forward" so I really hope Mr. Williams, Mr. Brenneke and Mr. Walsh, Mr. Scanlan and all the others who are prepared to make this kind of investment are not discouraged and will continue their commitment to assist with the homeless problem. So that being said we obviously are not going to be able to use Terminal One as a temporary shelter this year and it is zoned industrial and we did already receive some offers on it and I think it is appropriate to rescind our previous ordinance and allow the sale to go forward aye.

Fritz: Obviously this is about selling an industrial property that is no longer needed by the Bureau of Environmental Services so thank you for doing that. I need to correct the record because we just got yelled at for doing nothing whatsoever on housing and homelessness and Mayor in your comments I hope you'll recap the last four years and how much we have allocated to those services. I want to remind us all we all unanimously adopted the Home for Everyone plan, we all said that we're going to have a joint office of homeless services managed by Mark Jolin in the county and that plan says do as much as needed for as long as needed to solve the problem so we have a strategy and we all have to including myself respect that, that is the strategy. Now there may be things we can do apart from that as you all know I'm trying to find a new place that right to dream too can operate so trust me Commissioner Saltzman I had the Mayor's staff from planning and the city attorneys everybody who could have some suggestions on how to make it work and trust me it doesn't and there's no way given what's in our comprehensive plan given what the state requirements for industrial land are it just cannot be done. It took me a very long time to get to that point it can't be done we going to this afternoon have some discussions about changing the mass shelter zoning code to make things more easy and even those changes would not allow this Terminal One. And that does not mean that we're not committed to helping people. It means that we need to stick with the plan that we have all agreed to and indeed the Mayor is continuing to look for additional properties as is Board Chair Deborah Kafoury. And they just announced another one this week so let's stick with the plan, and I, myself, need to respect that, and although right 2 dream too is mentioned in the Home for Everyone plan, it's not a core part of what the strategy is to get people permanent, affordable housing and to prevent people from becoming homeless in the first place which is by far the cheapest way of doing things. Thank you all, and I know that we are, we all care about this despite being yelled at for not caring, and I think that that's probably why we try so many different things that we really, really want to make it work and I think we just need to keep doing that. Aye.

Fish: Well, Mayor and colleagues, a few months ago, we had an honest disagreement about the future of Terminal One North, and a majority of the Council made a decision to go down a different path, and explore some options for shelters and a long-term vision that was presented to us by a couple of prominent local developers. At that time, I felt that it

November 2-3, 2016

was a mistake for a couple of reasons. Primarily because what we were talking about was prime industrial land, and it was core to our strategy about growing middle income jobs in our community. And I felt that given that there was a process underway, that we should continue that process, find a suitable buyer and return the proceeds to our rate payers who through the bureau of environmental services owned the land. Owned the land, by the way, because a former commissioner in charge Dan Saltzman had the good sense to buy it and not lease it at a time when he was criticized for that decision, but in retrospect that was one of the great real estate deals of his tenure on the council. Today we are taking a very straightforward action to allow the bureau of environmental services to resume the sale of terminal one. While we have a disagreement about a piece of dirt we never had a disagreement about the collective respects and gratitude for the fact that a private developer stepped forward and said how can I help. I want to join with all my colleagues in saying that while in taking this action we are going back to a decision that was made months ago, we should not miss an opportunity to applaud Homer Williams and his partners for offering to help and we should encourage this mayor and the next mayor to bring them into the broader conversation about how we can address this housing crisis. They have a lot to bring to the table, beyond private resources, and we should be grateful for their willingness to do so. I am told by the professionals that we are in uncharted waters in the marketplace. If you look at a 35-year horizon, we have never had such a robust market for commercial land. I hope that that's true. With our action today we are reopening the sale of terminal one north and encourage people to come and make aggressive offers because it is a desirable piece of industrial land in the heart of the city, and we will faithfully proceed under the applicable rules and the proceeds will be returned to our rate payers. Again this council had an honest disagreement about the fate of terminal 1 north a few months ago, and today we are authorizing the bureau of environmental services to resume that sale process. I want to thank all my colleagues for the ongoing conversation that we had and I want to thank Dan Saltzman, on any housing scorecard Dan and I are about 9-10 in agreement on what we should be doing to address this crisis. I could not be prouder of his leadership on the housing bond and a number of other things. We had an honest disagreement about terminal 1 north but never let it get in the way of our shared commitment to addressing this housing and homeless crisis. So today I am pleased to vote aye.

Saltzman: Well I want to thank Homer Williams and his Partners in the Haven for hope or harbor for hope as they were calling it here for thinking big and thinking sort of Texas-sized big about addressing the tremendous needs that we have for shelter and services for people who are homeless in our city. And I think that we all recognize that we need the private sector. We need to marshal the forces if we are ever going to really truly provide not only enough affordable housing that we need but also enough shelter space, and I think that one of the beauties of the harbor or haven for hope is the co-location of the service providers, just like the gateway center for domestic violence services and putting everybody under one roof makes it easy for people to get help. They don't go from one place to get something to another place to get the other service and someplace else to get the voucher. They can go to one place and receive service and to me that's one of the most compelling aspects of the haven for hope. And I hope that we will someday have something similar to that in your city, we need more shelter space and is need to figure out how we can continue to tap the energy and enthusiasm of people like Homer Williams for solving these problems to be with us at the table. And I hope that will -- and I am sure that the mayor-elect Wheeler is -- it is a priority for him but for each one of us on this council, and as we continue to try to figure this out so thank you all for your indulgence a few months ago on our rather extended debate and for a traction discussion but I think that it

November 2-3, 2016

was one worth having. Aye.

Hales: I do, too. And we have had a morning full of examples of how people in the community have to step up to be our partners in order to get to where we want to be as a city. And this was one more case of that. And any good idea that comes out of the community, at least deserves a fair hearing if not a tryout, and that's what we did. So we need people in the community to come forward as Tom did last week, and Dan and I were there for the announcement of that latest gift from the community, as we saw with the Menashi family and people who organized themselves this is Multnomah village to make meals for the women who stayed there for those six months so we need more of that. I hope we hear more good ideas coming forward. In a climate of deliberate experimentation, which is what we are about, some of those ideas are going to work and some of them aren't. So be it. It is important as Commissioner Fritz noted to remember the larger context of what we are doing here which is we declared a state of housing emergency and we have put more general fund dollars into housing and homelessness than the most, in the most recent couple of years than in many more years combined before that. And we have also changed our percentage of urban renewal funds dedicated to affordable housing to yield another 200 plus millions of investment and affordable housing, and thanks to your leadership Dan, I believe the largest bond measure in the history of the city, not just the largest pleasure for housing or, I think it's the largest bond measure for anything, is on the ballot next week and I hope and expect that Portlanders are going to think about our future and approve that bond measure. I certainly voted for it and I think that everybody here did, as well. And so we are making a huge investment as partners in this home for everyone and we are going to meet or exceed our goal of opening 650 more shelter beds this year in the city that had not opened any new beds in a very long time because we're going to open another 150 in two weeks in Westmoreland. So the progress that we're making is substantial. Some people allege that there are more homeless people in Portland than there used to be. We'll find out in January when the count is conducted. It may be the case that there are less places where they are inconspicuous and where the forgotten corners are growing new buildings so it may not be numerically that we have homeless people but we are far from solving the question. And what we are doing in terms of the building more shelter beds or more affordable housing and partnering with the county, partnering with home forward and other public and private Organizations, those are all the right ingredients. Every time I talk to another major city mayor they send somebody here to learn from us. But we keep learning from them, as well, and Dan I remember you and I went down to San Francisco and looked at the navigation center model with that collection of services. That is a better mousetrap, a better idea, and in fact, that's the program in Bud Clark Commons, and we have services to help people out of this. I was celebrating with the U.S. Conference of Mayors and Wells Fargo and an amazing gift from Wells Fargo's foundation of 300,000 to the Blanchet House so the men learning carpentry there, they are going to move from building beautiful furniture to tiny homes, another case where Portland is in the forefront so I appreciate these partners, Homer and his associates, that tried to make this idea happen, and I look forward to the next good idea coming up out of the community. Quite a few of them are working, and we will need more of them to work. But for now this is the right thing to do with this piece of surplus property. Aye. [gavel pounded] and we are, at last recessed until 2:00 p.m.

At 12:42 p.m. council recessed.

November 2-3, 2016

Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

NOVEMBER 2, 2016 2PM

Hales: Good afternoon everyone and welcome to the afternoon November 2nd session would you please call the roll?

[Roll call]

Hales: Welcome everyone we have a proclamation right up front and some other business this afternoon. We thank you for being here and this discussion. Let's move to item 1222.

Item 1222.

Hales: Well this is a proud tradition of our city that we participate in this declaration it's also proud that we are so well served in this city by having a tribal liaison working on our staff Pat Gibson has been working with many of the tribal governments in our region and also has been representing our cities commitment to the standing rock Sioux tribe in their efforts to maintain the purity of their water and sanctity of their land, so these declarations are not just words, they're actions, so it's important that we do this. I'll start this off and invite folks who want to speak about this come forward. Here is what it says: Whereas, Native Americans, the indigenous peoples of this land, flourish with vibrant cultures developed one of the largest trade economies and are the original stewards of Mother Earth;

and

Whereas, the City of Portland now rests on lands at the confluence of the Willamette and Columbia rivers, a major crossroads for the economic, social and political interactions of the indigenous tribes for thousands of years; and

Whereas, Indigenous People hand down oral histories, science, governance, a distinct relationship with water, land, rocks, native plants, birds, fish and animals and invaluable cultural knowledge and rich traditions that continue to thrive in Portland supporting Community health; and

Whereas, Indigenous People who have been here since time immemorial - continue to contribute immeasurably to our county, state and city's heritage, distinguishing themselves as scholars, veterans, teachers, athletes, artists, entrepreneurs and leaders; and

Whereas, The Indigenous population of Portland Metro area is over 40,000 people, descended from more than 380 tribes/bands from across the nation; and

Whereas, The Community continues to contribute to the cultural fabric of the city of Portland through many events throughout the year such as traditional pow wows, festivals, celebrations, active community organizations and tribal intergovernmental relationships; and

Now, Therefore, I, Charlie Hales, Mayor of the City of Portland, Oregon, the "City of Roses," call upon all citizens of Portland to commemorate this month with appropriate programs and

activities, and to celebrate November as Native American Heritage Month

so let's suspended the rules and hear it for the declaring this month to be important. I know there are folks that want to speak about this, so please come forward if you want to.

Hales: Good afternoon.

November 2-3, 2016

Idellis Riggs: Good afternoon.

Hales: Welcome.

Riggs: Hello my name Idellis Riggs I am from the one who walks around people born for the many yoats people. My maternal grandmother is of the Edgewater people My paternal grandfather is of the bitter water people. I'm from wildcat peak Arizona, I'm currently a student at Portland state university. It's a really great day. I'd just like to say thank you. It's really important for us as indigenous people and for you to acknowledge our presence and our history and all we've been through and facing today it's really difficult to be here because of all the issues in native country. Thank you for acknowledging that and continuing to make the necessary steps to acknowledge us and to appreciate us this is a step towards our healing. Thank you.

Hales: Thank you so much. Good afternoon.

Judy Bluehorse Skelton: Welcome. I'm Judy Bluehorse Skelton, first Cherokee. It is a good day, an honor to be here. The ritual to come here every year to celebrate native American heritage month is a very special relationship. I have the privilege of being surrounded by the next generation of our indigenous leaders like the next woman next to me. I'm reminded constantly that really every month is native American heritage month. Every day is indigenous people's day. The events of our time today is sadly reminiscent of the times of my grandparent and the times before them. Challenging times while the proclamation celebrates our achievements that we are still here we recognize that it also commemorates and honors our ancestors who were thinking of us so that we could be sitting here today. I'm also inspired by the younger generation who really have taken it to heart to speak up and to heal from the historical trauma sometimes I ask myself do we ever heal from historical trauma the events of the men that drove into the traditional lands of the burns Paiute people. Bullying, intimidating, terrifying the communities there. Enflamed our own historical trauma. And then to see the inequities of justice or injustice as our elders are being strip-searched and humiliated at standing rock and confronted by attack dogs, women and children. It feels like the 1870s all over again. So I think it's important for the city to acknowledge the good things in the present, help us secure a future, but recognize that the past is still at our heels and that as our ancestors would say, the heritage is the earth as the proclamation states is our mother and that is why her grace that we survive or live here. When the people at standing rock or the people throughout this continent we call united states are protecting water, we have to remember that water is sacred, we can't drink money. Water is healing, water is life, and so we invite all citizens to join indigenous people, connecting and standing up for the rights of mother earth and our legacy for the next generations. That is in my heart today as we hear the proclamation. I'm really grateful to everybody who came here.

Hales: I appreciate both your perspective, also not looking back in history, but also looking forward. I think there's two consciousness's of Portland that have risen to a new level and I think that why this declaration has special meaning now. One is that we're such a multiple cultural city how and we understand that better. It's happened to us gradually. We had a native population here in the beginning, a big African population, now, a big Vietnamese population now. We have hundreds of ethnicities in our city and it's a glorious new chapter in the city that we are now a truly multi-cultural city. That's a level of understanding that I think we've reached as a community here fairly presently and secondly the confluence between tribal organizations and leaders and environmentalist about climate change matters globally whether it's happening in standing rock or in energy conservation in Portland. We have the shared commitment to climate and to stewardship that Portland is proud of being a leader in. There's hope for the future so that is why of why I think to me this has some special meaning to share. Any other comments?

November 2-3, 2016

Fish: Next week we're going to celebrate another milestone.

Skelton: Oh, return of the salmon.

Fish: Yes. You were there at the beginning when we cut the ribbon and had that community celebration. We have her here every week.

Skelton: We're working on that.

Fish: Give her an office or something, be a little more convenient. Thank you.

Fritz: Ms. Bluehorse Skelton and I were at the parks budget advisory committee meeting until 9:00 last night so yes you're welcome to stop by my office and take a seat anytime you like. And thank you for all of our native communities for the work that you inspire and assist us in doing I most certainly learned a lot since I've been on the council for almost eight years now, a very wide range of tribes and also the native American youth and family council. We're all moving towards getting together, and figuring out how do we respect each other, celebrate the past, envision the next seven generations so I'd particularly like to thank the folks who have been involved in the native American community advisory council for parks and your partnership Judy as the parks board chair. I'm very grateful for the official city of Portland delta park powwow led by the bow and arrow culture club I was privileged to attend this summer. And so -- a way of giving back the parks bureau and I have waved the fees for that event and we will for the next four years as well [applause] so partially recognizing it's your land and so by the treaty of 1855 charged with the stewardship of it and that means making sure that it does work for everybody and we honor the places and the special things. I thank you all. Looking added how too we name on your parks and honor the past as we move forward. I'm also privileged to be in charge of the office of neighborhood involvement and ongoing support for the diversity leadership program that we give to native youth and family council for the elder's programs. It's part of the blessing of coming together and make everybody realize, recognize what is gone in the future, so thank you so much.

Novick: I just wanted to mention -- thank you so much for being here today this year and every year. I just wasn't to mention that we were all very proud to make a contribution to the confluence project which honors the people who fished at Celilo Falls from generation to generation. That is still a terrible tragedy, but we're pleased to make a contribution to this project to honor that history.

Hales: Thank you both. Thank you all for being here today. We appreciate your presence in our community and here for this particular moment of attention, and if I might, since we have a new leader, we always like to celebrate rising new leaders in our community.

Hales: let's move on to the next item in this afternoon's agenda, which is 1223.

Item 1223.

Hales: Thank you.

Hales: Good afternoon.

*******:** Good afternoon.

Hales: Thank you. Judy, thank you. All very much. Okay, gentlemen, take it away.

Joe Zehnder, Bureau of Planning and Sustainability: I'm Joe Zehnder with the bureau planning and sustainability. I'm here with Phil Nameny who has been our lead on this project. We're going to be presenting that to you today. Just to mention some other staff members who put a lot of time into this, Leslie Lum, Matt Wickstrom, and Ben Marrow from the mayor's office. Karla, if we could get the presentation up.

Hales: Just while you're getting started I guess you should put a couple things on the record here to begin with. These folks are here reporting back to us because we declared a state of emergency last year and gave direction to the bureau in March to simplify our regulations and develop some code improvements and cut the red tape for sighting shelters. There's still a huge need for shelters in our city we're place 562 new shelter beds

November 2-3, 2016

in the last year that's permanent shelter beds that doesn't count some of the great temporary donations and opportunities we've made use of but obviously that is real progress and more work to be done. I want to thank the council for making this a priority and thank the bureau for fitting in another project in what is a historically a busy year with the rest dull infill project and the comp plan and other things on your agenda, but I'm glad you took the emergency seriously and are now back to us with some specifics about how do we make this real.

Zehnder: Well, thank you. What we're going to be presenting today is the work done at your direction on how to remove unnecessary barriers from the city code, specifically the zoning code and some city practices. The work we did was based on working with the providers of shelters, small shelters, large shelters, and a home for everyone. Really the question was what are you encountering in these city codes and practices that if they were removed would make it an actual difference, significant and substantive difference. What we heard is on the short list here. The first four of these items are affected by the zoning code and they are dressed in the proposed changes were bringing to you today. Of course, we included public outreach in preparing this proposal. Here is just a previous summary of the kind of events as well as the psc conducted. I'm going to turn it over to Phil to walk us through the specifics of the proposal.

Phil Nameny, Bureau of Planning and Sustainability: Good afternoon. I'm Phil Nameny from the planning and Sustainability. I'm going to focus on what we recommended to the city council. Their focus was on mass shelter, short term housing and transitional units. I want to take a few minutes and go over what those terms mean. In all of these cases these are providing temporary housing so in the case of a mass shelter or short-term housing it's temporary housing, an alternative to living on the streets. Folks tend to live 30 days or less. It's a process for them to be able to find services, move up to the next step. The main difference between short-term and mass shelter is a mass shelter is usually in a large room that not divided whereas short-term housing can often look like hotel rooms or even a house, but generally the focus is not required to stay there for more than 30 days. Lastly, the planning commission made some amendments on how institutions could deal with transitional dwelling units as part of their use category. We're going to start with some of the changes with mass shelters. Currently there are a lot of zones where mass shelters are allowed by right, but there are pretty specific limitations on them. We do some of those limitations, made it a little easier for mass shelters to increase the number of beds that could potentially be allowed by right. What we noticed in talking to the providers was generally the largest shelter could be officially provided for was 200 beds. So the most intense zones that's what got proposed. Ex and cx in cg zones that we increase the number of beds from 100 to 200 and also reduced the separation requirements for shelters by right. What that means is in they can't meet those they can still go through conditional use. It's not either or. For example, if there is already a shelter under proposed regulations, the new shelter would have to go through conditional use review, but it's basically an allowance, a condition that allows the shelters go by right. If shelters aren't able to be proposed by right we have an allowance to apply for conditional use in most of our other zones, residential zones and also in commercial and employment zones if they can't meet the requirements by right. We found this barrier of entry was fairly high because essentially even a small shelter would have to go through a review, which required a pre application conference and a hearing. The costs alone for just doing that could be upwards of \$20,000. What this does, it does reduce the type of review that is required from a shelter in type three to type two in some situations. If they were using an existing shelter or existing institution. We also worked on changing some of the approval criteria, so in some cases when shelters being proposed in a existing building it's on things less like traffic. Lastly,

November 2-3, 2016

currently shelters are prohibited in eg zones. What we determined was that all other community services uses were allowed in eg zones. We changed the code to apply people to apply for the eg zones. The one thing we did not change was in the os and industrial zone open space industrial zones shelter are currently prohibited we did not want to change that there are a lot of other city policies regarding industrial lands and recreational opportunities that would have to be amended if we were going to try shelters in these areas. The short-term housing, the psc did not make many changes there are fewer barriers of entry for short term housing. They're allowed in commercial zones. What these changes do, they provide consistency in the review type between housing and mass shelters. Most in cases with mass shelter, type two. Once again, if short term housing was able to be done by right. There wasn't a parking requirement. The last piece I'm going to talk about deals with transitional housing. This is temporary shelter that is provided on a short-term basis. We currently have a code that allows a religious institution to host one transitional housing unit for up to 60 days. What we found is, I think the original intent was to host a homeless family or a refugee family or somebody who recently moved to the area. What many providers found 60 days is not enough time to find secure housing for that group. There was also a desire for institutions to expand the numbers of houses they could host they also wanted to extend the types of institutions that could able to host transitional households. So We've expanded the allowance for long transitional housing to apply to not only religious institutes, but also to colleges and schools. The amendments Allow for up to six transitional housing units and increase from 60 to 180 days within a calendar year. As we were going through this analysis we were looking at the 2011 city council resolution that was allowing religious institutions to host up to four car camping situations. What we found was actually -- Oregon has a statute on the books that allows up to three. So we went ahead and amended the code to allow up to three so that would be consistent with ors. The 2011 city council resolution never actually changed the code. One thing the planning commission did not do was they did look at a staff proposal to reduce the type of review for affordable housing projects that met certain housing bureau conditions. There was a temporary ordinance instituted in march to allow those to go through a type 2x review instead of 3. Psc did not approve making that a permanent amendment to the current code. There is a type 2x options through the housing emergency. There were no examples at the time of the hearing to compare if it was actually more efficient than the type three. There was concern about making that a permanent change. There has been in the last week a type 2x proposal that came in so that is something that will be looked at.

Zehnder: Just to add to that quickly, even in this period, affordable housing when it came in those to do it, so you have the choice of they weren't sure of the benefits, but they understood the intent.

Nameny: I just wanted to mention psc recognized these which are not the sole reason to public these. This is one aspect of it. There are other inclusionary housing in the future to find ways to deal with affordable housing. We did feel this was something that did address the heart of the matter as far as what the Council had asked in terms of finding zoning code situations that help with the process and regulations especially for short-term housing in mass shelters, so the psc did request that the city council amend title 33 as shown in the report and adopt recommended drafts for the findings. I do want to take this opportunity that over the past week there has been some additional conversation with commissioner Saltzman's office. They have proposed three amendments to the recommended draft. One of those would affect kind of a technical detail on how we look at temporary activities. Second item was related to how we define group housing structures. The reason to look at that was it wasn't clear on our definition if something like a series of housing pods that

November 2-3, 2016

shared a common kitchen on sight would fall under that group housing category so they made a change that would make that more clear. The third item that we worked with bds on was to make it a little more clear what the thresholds were and what the approval criteria was for mass shelters and short-term housing especially in the r zones. We created a hybrid set of criteria and provided code language, so an existing shelter have a small expansion. For example, an existing shelter could maybe add on some storage or expand the lobby area as long as he met the previous conditions of approval.

Fish: Where are those amendments?

Nameny: There should be a memo dated November 2 that is actually I think on our letter head. Yeah, I think what happened was we had conversations with bds and turned that into some Amendments.

Hales: We'll make sure council has copies of this. Dan, do you want to propose your amendments? And then we'll further discuss this with staff and take further testimony.

Saltzman: I think it still says there are three amendments quite in technical detail. We have we have matt Wickstrom here if anybody wants to go in other issues. I would recommend adopting these amendments.

Hales: The first, allow personal alterations to a site of temporary shelter if they are compliant and remain after the site is used as a temporary shelter. Second is clarifying the group living facility requirements about sleeping pods supported by a kitchen and a bathroom. The third is consolidation conditional use zones into criteria so.

Fish: Is everything in this memo that has a strikeout, is all of this the amendment? How do I determine what's being amendment?

Nameny: This section would be placed in the recommended draft. A strike is showing what is currently in the code versus what is proposed. It includes both the recommended draft and the changes. The changes are much more minor than that.

Fish: Can you stop right there for a second? If it contains both, how do we know what the amendment is?

Nameny: It's based on our summary. Essentially in 285 we added the option that existing shelters and church and housing could have a small expansion without triggering a condition use review and we changed the reference of what approval criteria might apply.

Hales: It might be useful in terms of council discussion if we could highlight that for us.

Zehnder: What you're looking it is we amend the criteria and a small response to this. Maybe you could read --

Fish: Let's simplify this Joe. Could someone take a highlighter and highlight the changes and we'll circulate it?

Hales: Yes.

Fish: The thing that is confusing is you have all the other red lines; we don't know what is the amendment.

Hales: We'll go ahead and hear people.

Zehnder: We'll take care of that.

Hales: She's got a copy. She'll wing it.

Linly Rees, Deputy City Attorney: I had the same issue. I did that before I came to the meeting.

Hales: You want to circulate that. -- [overlapping dialogue] --

Fish: I think the good news is there's a red line version, which is the Fritz amendment. But without the highlighted -- oh, I see, so it's a ton of stuff.

Fritz: So we may need to continue the hearing

Nameny: As we were going through there was some other kind of technical editing done.

Hales: Why don't we proceed. We have invited testimony, we have community testimony and while we're doing that -- questions though.

November 2-3, 2016

Fritz: I just want to highlight one more issue. Thank you for working with me over the past several weeks. Including with the city attorney rees, deputy city attorney linly rees to look at is there any way that mass shelters can be allowed in industrials zones, I think we've all come to the conclusion that no so I'm quite fine with the prohibition of mass shelters in an industrial zone. Supposing we were to make mass shelters not allowed in open space, what process cause not allowed means there is a process that you could ask to be allowed, right? So what process might a proposal go through.

Nameny: From a use standpoint there's really just three options. There is allowed, conditionally allowed or prohibited. The non-allowed versus prohibited is compare -- if there was something that was going to be looking at it would essential create a traditional use review process I guess. The thing we'd have to take a look at is whether there's approval criteria that's adequate for that and so on. In general, when we took a look at open space, it is fairly limited. Although other community service use such as a library or community center are allowed through a conditional process as well.

Fish: I want to make sure I'm tracked this. We're talking about a mass shelter that is an open space? Could you set the context?

Fritz: We were recently told by the land use board of appeals that people sheltering in tents are, in fact, mass shelters. There is a provision state law for recreation campgrounds something I'm going to explore that with staff. The land use board of appeals ruling came down in the middle of this project so we all just decided with the mayor's agreement that we were not going to derail a particular project cause it's very important that mass shelter changes. On the other hand, a right to dream too kind of shelter doesn't really fit into any of the categories we've got so far and we might at some point find some open space zoned land, that we would want to make available for a shelter.

Fish: So you're previewing a discussion we may have with respect to some future actions? It's not part of this?

Fritz: It's not part of this and I was just seeking clarification. As to what—and I had forgot the use categories had allowed, conditional use and prohibited there's no not allowed like there are in variances of the zoning code, thank you.

Hales: We have some panels we want to hear from. One is Ryan Diebert, tony Bernal, and rabbi Cahana. Yes, you are. Come on up here, please.

Hales: Good afternoon.

Ryan Diebert: Good afternoon. My name is Ryan Diebert. I work with the city and joint count office for homeless services. The joint office was formed to coordinate budgeting contracting and policy development roles of the city and county related to ending homelessness. Staff from the joint office also coordinate a home for everyone. By making smart investments in the area of housing, income, health, and importantly today, on emergency services. One of the early priorities identified by the home for everyone was to remove barriers, deciding shelters and other off-the-street options for people experiencing homelessness. While we worked diligently to long-term services like the expansion of permanent housing joint housing, staff have worked together with the bureau of planning and sustainability to decide the scope of mass shelters and identify improvements to the code to address those concerns. It addresses the mass majority of the identified challenges. It will major a significant difference in volunteer led shelter providers to sight shelter effectively and efficiently. We genuinely appreciate the work of the bureau of planning and sustainability in developing the proposed update particularly their outreach to various home for everyone partners as well as neighborhood coalition and other community groups.

Hales: Thanks.

November 2-3, 2016

Tony Bernal: Good afternoon. I'm Tony Bernal the senior director of public policy and funding for transition projects. I've also served on the home for every safety off the street committee since its inception two years ago. As Ryan mentioned they identified shelter code as a significant behavior to get everybody off the streets. It's cumbersome to cite new shelters. It also limits the number of people the shelter may house. Under the housing state of emergency, I'm working with the joint offices transitions projects has opened three shelters in the past year we will open two more this month it's highly unlikely we would have been able to open one without the flexibility of the state of emergency. The proposed changes to the code are reasonable and will provide the permanent fix. We urge you to support them.

Rabbi Michael Cahana: Good afternoon mayor, commissioners. Thank you for allowing us to be here today. I'm rabbi Michael Cahana at Beth Israel in west Portland. I want to speak to the issues relating to religion institutions. The mayor asked at the beginning of this crisis, asked religious organizations to step up and make a difference if we can during this time. I believe it's appropriate those of us in the Abrahamic states believe we cannot stand ideally by while our neighbor bleeds and the many in religion institutions are blessed with facilities that have the ability to make some difference. The proposal that's before you has some specific changes that will help us to do a better job in housing when possible. It allows as you see instead of one accessory use home the ability to have up to six transitional housing units and the ability to have if average length of stay changed to 60 to 180 days. They're small, but significant changes. We're working and you'll hear about this in just a little while about the ability to use parking lots in our community as housing areas to be able to not have people sleeping in cars, which is currently allowed to a limited basis, but to have temporary housing spaces that are placed in parking lots. This and other ideas will help to make on your spaces make a difference in our community and do a small part in dealing with the currently emergency.

Hales: Thank you all. Questions? Appreciate it very much. Thank you for being here and being part of this effort. Okay, I have another panel to call on. That is Chris Aiosen, and Linda Jo Devlaeminck from community of hope. Or a substitute. Welcome.

Linda Jo Devlaeminck: I'm Linda Jo Devlaeminck from community of hope. I just want to share my experience having gone through a conditional use review before the housing crisis was official. It was a very long and expensive and difficult process. Particularly the transportation piece. When we had a parking lot we had to pay for an official cult element to do a transportation review which didn't really need to be done in his opinion. We're trying to make a difference.

Hales: Thank you.

Chris Aiosen: Thank you for inviting me. Chris Aiosen, we serve homes veterans in the greater Portland area. In the past 12 months we have partnered with religion institutions to open two new shelters to serve homeless veterans. Again, without the state of emergency we believe this would have been quite a daunting and difficult task. In the past 12 months we've been able to serve over 175 veterans, now in permanent supportive housing and we greatly appreciate it. Anything to minimum supplies the barriers to traditional housing, I think it would gratuitous. I'd also like to push the fact that not only looking at maybe emergency shelters or expanding housing opportunities I'd like to expand the option of looking at permanent supportive housing on church properties there are a lot of churches in Portland that are ready and able communities that want to serve that have property. I'm just imploring we also look at that option as well.

Fish: There are a lot of historic churches, especially the inner core of the city that are going through changing of their profiles of their congregations. What they have consistently is they have real estate and the idea of marrying housing with a church community that

November 2-3, 2016

serves as a sponsor of a loving community, because we have a shortage of land, I think this concept is going to become more compelling as we go forward. The last time the council took up such an issue was when there was a proposal by a community playhouse to take over a church in the northeast. It sparked some debate, but ultimately a theater company. I completely agree with you, though, that that is in the immediate term a huge opportunity. Is it your sense that there are significant zoning and code barriers that make that?

Aiosen: I believe so. I already spoke to two churches that could be interested. Due to their zoning it would be an incredibly daunting task.

Fish: A few years ago when we authorized church camping, you recall it was a huge push back in certain parts of the city based on some fear on how it was implemented. Obviously we always viewed that as the best of a worst set of options. No one was ever saying that we want to just say people can live in a car in a church parking lot. We've solved the problem. The building of housing in sacred sites, if you will, I think is an absolute no-brainer. We can look at rezoning and code changes. Particularly as congregations are declining, this is a way to potentially generate some revenue as well as improve the site.

Aiosen: Absolutely and those are the conversations that we've had.

Hales: These proposals give you also some results through the thicket. Not all the routes we necessarily need.

Devlaeminck: If I could just add, if we hadn't had that in that time we would have increased the capacity of our shelter before now, and we would have been able to maybe do the rest of the renovations, have more operating expenses now. It's tremendous, tremendous impact to have to pay cease fees.

Hales: Thank you, both very much.

Aiosen: Thank you.

Hales: Appreciate all the panelists. Let's call on any folks that are kind -- signed up to speak in addition to those that were invited?

Moore-Love: I show four more people. Please come on up.

Hales: Good afternoon, welcome.

Andrew Riley: My name is Andrew Riley, I'm the community engagement coordinator with 1,000 Friends of Oregon. You have my written testimony so I won't read it, but I'll highlight a few key points. One we're here for the same reason and that is for the 4,000 people who sleep on the street every night, we think that demands moral action that demand creative action. We think that's exactly what this package of code changes does. This is one of the proposals that started strongly and gotten stronger as the process has gone through and I want to call three amendments to the planning commission level that are worthy of your support and attention. First is the maximum number of beds allowed in each zone we think it's really calibrated to the size of a shelter that each zone can sustain consistent with good land use. Relaxing what is frankly an absurd applicability of parking minimum to shelters. We think that is a good step in the long run to eliminating parking minimums entirely. Finally, the expansion of uses to encompass institutions and allow more beds over more days, that is an excellent opportunity for religious institutions and others to support communities. As amended this is an excellent proposal, to address the fact that we are frankly out of shelter beds in Portland we ask for your support.

Fish: Can I ask a question you were a close observer after number of things we did a number of years ago. Why did we not get any traction on proposals of churches to activate their parking and provide interim shelter on our people?

Riley: I'll be honest on the shelter question I'm newer to the issue so I don't have the historical background on that one.

November 2-3, 2016

Fritz: I actually can comment on that one commissioner cause I appreciate when you brought it forward and you had. When I was in charge of development services I would get people from the county asking me where could this happen and we connected them very quietly because of the reaction we got when we did it in SE I just gently connected them to friendly church communities and it is happening.

Fish: I think one of the answers is there was a lot of misinformation about what was happening. People were concerned there was unsupervised kind of activity. When people are uncertain they react a different way.

Fish: How long have you been in your new gig?

Riley: About five months.

Hales: Thank you very much.

Madeline Kovacs: Good afternoon. Thank you for listening to all of us, making time. My name is Madeline Kovacs and I'm the coordinator with Portland for everyone. We support the mass shelter and housing code update as amended unanimously. We also support the key changes as identified by the outline and my colleague Andrew. In particular, the 4,000 unhoused Portlanders on our streets every night demand action. Just over a year ago Portland city council made a stride in taking action when it declared a housing state of emergency. The mass shelter and housing code update can be a well-tailored policy solution. We must also address housing challenges confronting our city by taking action at multiple levels simultaneously. We need inclusionary zoning to right past wrongs exclusionary wrongs and pursue truly mixed income neighborhoods, strong implementation of the anti-displacement goals and policies recently adopted in the comprehensive plan update, ability to leverage fees, find measures to raise funds for permanent housing, flexible zoning that allow families to live in smaller and safer homes close to buses and amenities and service. Prioritization for low income homes and families and families of color that have been shut out of these opportunities to build community wealth and put down roots. Allowance of self-determined organized effort like the dignity village and an end to no cause evictions and Organizers that can support the basic right of renters and probably more.

Hales: Thank you.

Hales: Welcome.

Andy Olshin: Hi, Andy Olshin. Back in may of this year commissioner Saltzman and chair Kafoury challenged the private sector to get involved with address the issue of houselessness. On October 9, 54 volunteers began work on four 8x8 shelter pods to be donated for use by Portland houseless community. After four days of work they were transported to be completed. One has been donated to hazelnut grove. Two will be transported this Friday at the congregation at Beth Israel. One pod is looking for a home in the parking lot in a faith-based organization. We are thrilled with the response from the community. We want to point out to you support and participation in the rebuilding center. Once again, I'd like to ask is for the commissioner to meet with our group to mitigate the street parking issues that will be occurring when congregations give up scarce parking spaces for shelter pods. Thank you.

Hales: Thank you all very much. We were just talking this morning that Blanchet house has a grant to produce 30 pods so we got to find a place for them somewhere, we as a community. Maybe there's 31 homeless pods. We have other folks signed up?

Moore-Love: One more person.

Hales: Anyone else that would like to speak come up.

Hales: Welcome.

Ian Slingerland: Thank you. Mayor, commissioners, I'm the Director of homes initiatives home forward. In addition to home forward's role in providing housing and assistance to

November 2-3, 2016

people living homelessness our director sits on the executive committee for a home for everyone and I'm here today to share the support for the proposed changes to the zoning code affected mass shelter and short-term housing. While recognizing the scale of the crisis we're facing and understanding the amount of work that remains at home forward we've been very encouraged by the impact to date of our coordinated and collaborative efforts through our home for everyone. We fully embrace our shared commitment options for safety and a good night sleep for people experiencing homeless in our community including through expansion in our shelter option. We believe the changes being considered today will facilitate our community's ability to achieve the goals established through a home for everyone and would ask you to adopt them. In particular we believe the changes being considered are an important step forward for two reasons first there's an unprecedented awareness in our community when it comes to the people experiencing homelessness. It's our hope it can translate into engagement in addressing the problems our city faces. Making changes like this one unlike the ones before you, we believe limit barriers and we are hopeful of facilitating private and faith-based groups. I'm encouraged by the additional conversation happening today that there is opening to continuing look your ways, that we can be welcome partners or focus to be engaged. Second, we believe these changes will create opportunities for greater efficiency in shelter operations. And will reduce the burdens associated with opening shelters and short term housing options. When we reduce the burdens associated with opening and operating shelters we increase our capacity to do other things like place people from shelter into housing. Thank you for considering these changes and thanks to the work that city staff.

Lightning: Yes, I'm lightning, I represent lightning watchdog pdx. I do support the proposed changes and again, the efforts made by Multnomah county about placing shelters what I consider farther out from the city center has been very advantageous in not only it shows that it can work and the reality is we don't need to have a central city hub for all the shelters and a lot of people think all the surfaces are possibly located in old town Chinatown, but that's not correct. We have plenty of transportation to get to and from and the reality is if you look -- what chair kafoury doing by place a lot of these shelters in other locations it's actually kind of relieving the pressure on the services that used to really be relied on in old town Chinatown. You're beginning to notice a difference on the sidewalks on just how many people are there and it's really beginning to decrease because these shelters, a lots of the people want to live farther out, in different locations and they should be given that opportunity. The reality is it does work, they still have good services, they still come down and have a good time around the city and still have the option to come out a little further. By doing that it will open up more properties with the proper zoning and allow people to still have the services. And that needs to be looking at very close. Another issue on the 200 units, I think that is within reason, Again, I don't think some of these shelters can operate over 100 efficiently, but when we look at the overall city itself, operating efficiency for the city benefits all the people, not just the homeless, not just the business owners, not just people coming into town because when we have more people in a more safe shelter housing for health, the city benefits, the city runs more officially, the businesses create more income that can fund into the services. It is better to have people into shelters or permanent housing than to have them on sidewalks, we know that from safety issue, the health standpoint. So we need to keep focusing the city that runs the most efficient takes care of the homeless the best and it decreases homelessness throughout the city and if we don't focus on running the city overall efficiently, then we will have problems on having too many people in certain areas, which I think should be happening in today's cities. Thank you.

Hales: Thank you. Good afternoon.

November 2-3, 2016

Shedrick Wilkins: Well, I had the industrial nature terminal one I really have questions about that because homeless people when they're sleeping on sidewalks are exposed to carbon fumes. Rain is toxic. If you're sleeping on the grass in a park she could have just put down pesticides. At terminal they should have laid down some plastic and four by eight boards to buffer the people or rent overhead fans to ventilate it. Also I would have thought they might have paid some of the people to clean up the toxic stuff under the concrete and they might have learned something, so there could be ways to teach the people. And are you have an argument that this is toxic and a lot of others are.

Hales: Anyone else that wants to speak? Any other questions for staff before we go back to Dan's amendments or while we go back?

Fish: Mayor, the someone -- Dan's amendments, when you look at the handout they're more complicated than they are maybe if someone could explain in plain English what they are.

Hales: It's also coming back for a second reading next week.

Zehnder: So we have copies highlighted and can walk you through it.

Hales: Why don't you.

Zehner: It's simpler than the format seems.

Hales: Okay. Thank you.

Nameny: So I think even we should focus on one specific section because the same language repeats in several areas and that is why it looks more involved than it really is. As an example if you want to turn to page 4 of the code amendments, which you'll see about halfway down, it will say mass shelters, you'll see something that is highlighted in orange. They involve two things. It shows in any case its 33.15.107 previously we had two different sets of approval criteria that would apply depending on whether it was institution or in an existing building so we created one set of approval criteria that are hybrid and the second piece we highlighted on is, is this idea that an existing shelter that expanded up to 10% potentially would not have to go through a new review, a conditional use review, so those are the kind of things they repeated in each zone, each situation.

Hales: This is building area, 10%?

Nameny: Right.

Hales: So if we have a 20,000 square foot building that houses no homes people today though we're not expanding its building area, this doesn't come to bear?

Nameny: It would be existing mass shelters. A new would still be subject. If it was existing, you would go to a type two review if it was a brand new hearing it would go through a type three review.

Fish: What do you think of these?

Zehnder: We crafted them and support them.

Nameny: So the other main change is in the conditional use review chapter, which would be on page 7 and 8, because we were combining two sets of conditional use approval criteria we wanted some of the other things in the criteria to apply to mass shelter that was expanding. If it is or is not in the existing building, we did want them to look at things like physical compatibility and public services.

Hales: While we're on page 7, let's return to the question that was brought up by Linda Jo and mentioned earlier and that is transportation demand and analysis for shelter says that you have to have a finding that the transportation system that's capable of supporting the proposal in addition to existing uses in the area. Look at street capacity, level service access to arterials connectivity transit ability, on street parking impacts, access restriction, neighborhood impacts, impacts on bicycle and transit circulation, safety for all modes, adequate transportation management, demand management strategies. That's a lot and I could fairly stipulate and I bet she would agree congregations are not set up to do that

November 2-3, 2016

technical analyst so they have to hire a consultant to do it. While we're in the neighborhood should we prune a little bit here?

Nameny: Actually I was going to direct you to the introductory paragraph for 107. So essentially in a case much as hers or a case where a religious institution wants to put a shelter within an existing building they would have to meet criterion a and c. That was what the old provision was. Otherwise if they are going to increase by more than 1500 feet, they have to look at things as physical compatibility. If you're adding the square footage then you may have an impact especially in a residential zone, of what that looks like and also the types of services you need.

Hales: So this really does solve this problem she was trying?

Zehnder: Correct.

Hales: Thank you. I hadn't understood the 1500-foot.

Fritz: And for the record I don't have any problems with that either despite my usually insistence on parking we did get some testimony from the university park neighborhood association saying they wanted to continue having some parking requirements, but I don't believe that's necessary. I want to go some of the other things I read in testimony, suggestion or concern about using the employment zone in eg now allowing some of these facilities there from James Peterson in Multnomah. Did you see that?

Zehnder: Yes, and so the consideration of eg is it's an employment general zone was it doesn't under our new code that you guys reviewing through the comprehensive plan right now we're moving to protecting jobs by not allowing residential anymore however this is a community service use. We think that is appropriate to allow an eg as a conditional use. There is a lot of eg in the city. Even though it's a conditional use, it opens up a wider range of sites, and so we understand the concern. However, there's a conditional use process before it can be established and if we were going to have a wholesale run on eg land to open up shelters I think we would all consider it a success.

Fritz: That's a good point.

Fish: Can I ask one question related to that? That it's still tied to the declaration of emergency?

Nameny: This would be a permanent change. Most community services are allowed in eg. For example, there might be a job placement or other kind of community service use that might want to locate and eg, but also offer a temporary shelter or mass shelter opportunity. This provides the opportunity to apply for a condition use review.

Zehnder: But you have community uses today, just not these particular ones?

Fritz: Could you remind me how for the temporary activities, how long can a temporary activity keep going?

Nameny: What we placed in the actual use categories was a maximum limit of 180 days in a calendar year. That is dictated by building code requirements. It's for a school or religion institution to be able to host a household or group of households without changing use of occupancy and making sure they have bedroom that meet codes. They would be looking at that as being a permanent.

Fritz: within the state of emergency, everything's waived except for these temporary activities segment right.

Nameny: What that housing emergency, I think all of it is waived.

Fritz: I think the temporary activities are still there that is why you're proposing the change that you did alterations to these existing developments consistent with development standards should be allowed.

Nameny: I think the housing emergency is lasting longer than 180 days. There's some acknowledgment amongst development services that certain emergency shelters that may have been put in place may be running longer than that time period.

November 2-3, 2016

Fritz: Thank you. The letter from the university park neighborhood association the one concern I wondered about or shared is using it as a student housing, institutions might use this as a back doorway to make --

Nameny: If you remember the earlier slide, the thing to keep in mind is short-term housing in mass shelters are intended for folks to stay their rest than 30 days. So student housing, even if they are staying there a quarter of a semester, they're staying longer than 30 days, that is a group living type of facility so they would subject to those regulations. The way our code is provided, even if they were willing to do something under a short term mass shelter piece they would only be able to do 15 beds by right, which is fairly minimal for that area.

Zehnder: So that doesn't work for student housing.

Fritz: As usual you've read the concerns and figured out what needs to be done and what doesn't thank you.

Hales: Any questions? Are we ready to make actions on the commission's amendments as a package?

Fish: I'll second them as a package.

Hales: Let's vote on those, please.

Novick: Thank you for the clear explanation, thank you commissioner Saltzman. Aye

Fritz: So commissioner I hope you will post these on your website cause obviously they weren't published a head of time so that community members have concerns about them they can get in touch with us before the vote next week. I appreciate the amendments I think there positive. Aye.

Fish: Thanks to staff for highlighting the changes. The challenge of compound red lining in a single document. Now it's clear and thank you. Aye.

Saltzman: Thanks bureau of planning and sustainability and the bureau of development services for helping to craft these amendments and giving good explanations and we will post them on my website. Aye.

Hales: I appreciate your leadership on this Dan and thanks for good work under pressure. Not like they're not otherwise busy. I also want to thank the advocacy for the community and folks that came here to testify today. A longtime ago at the beginning of my career I used to sue local governments, for 1,000 friends not this one, for not doing their share on housing. So they make a good proposal better, and so this is exactly where we need to be. I appreciate the good work. And it is coming back next week for second meeting.

Rees: Mayor may I suggest I talked to staff about some very minor conforming amendments to the ordinance itself because the ordinance in directives A and B refer to a particular report on a particular date can we have someone move and second two directives and B as amended by council so it's clear.

Hales: You want to do it now?

Fish: So moved

Fritz: Second.

Hales: Roll call on that clarifying technical amendment.

Novick: Aye

Fritz: This is really great team work thank you very much for making sure we do it correctly Aye.

Fish: Aye **Saltzman:** Aye **Hales:** Aye

Hales: Thank you so much. We have another time certain item, but we added to much time. We're going to take a 30-minute break and return for that item.

At 3:16 p.m. council recessed.

At 3: 51 p.m. council reconvened.

Hales: We're going to return to order. Took a little break because we uncharacteristically got ahead of schedule. So if we could get the item 1224, please.

Item 1224.

Hales: So this is an effort and an opportunity for us as a city to institutionalize doing the right thing. We have been trying to do the right thing, particularly with your leadership, Dante and this bureau and this council's commitment to equity, but this is an effort to make that standard operating procedure as they say in big organizations and to bring equity and opportunity completely into how we do business as a city. Trying to use this tool to help guide our bureaus to engage all the communities that we serve and to spend our dollars with equity always in mind. So that's the intent here, that's why this resolution is before us and we have our director of the office of equity and human rights and both team members from within the bureau and from within the community to talk about this so we very much appreciate your work and I'll let you take it away from there.

Dante James, Director, Office of Equity and Human Rights: Thank you, sir, Mr. Mayor and council, I appreciate the chance to come before you and present this resolution. As you said essentially the resolution is designed to formalize what has already been happening. The budget equity tool has been in use now this is the third year, it will be the fourth year, coming up that the budget equity tool has been in use, and I think as you have seen in the documents that have been submitted along with the budgets, those tools have been used each and every year successively in a much deeper, more thoughtful and more honest way. And I think you can see that there have been budget decisions that have been changed based on the use of an equity lens, the budget office analysts have evaluated things much differently now using an equity lens. We have consulted with them and provided training and kind of assistance as they evaluate or ask about what's the different way to evaluate something around equity. And I'll tell you when the budget equity tool was first implemented, the budget office analyst's response was we do numbers, why do we have to care about equity? And to Andrew's credit, he allowed that conversation to happen, brought us in for conversations, we did work with the analysts, and now they reach out to us and say how can we engage? How do we need to look at this differently? So it's been a complete 180, which is truly nice to see. And in terms of the racial equity plans, the bureaus have been working on those for the last eight months or so maybe? Initially doing an assessment so that they could find their baseline and then the racial equity plans are designed to design how they can move the needle from one place to the next. In the actual resolution, there's something very different, which is not different, but an addition, which is a reporting requirement in there, letter c. On the second page of the resolution. So all that does is ask the bureaus to provide our office with a report on where they think they have -- how well they think they've done with the racial equity plans, what they have accomplished because each plan will have a metric and a time table so they get to report on that. And so one we will come, the office of equity will come back to you with an overall report on how we see the utilization of those plans and what has worked or what has not worked and maybe with recommendations. The plans are also up on the website so that the community can see them and instead of calling you specifically or calling my office, would be able to go directly to the bureaus and say you said you were going to do this in this time frame, why are you not doing this or those kinds of things. So providing some sense of accountability structure that the community can be engaged in and involved with as they do this. I'm not going to have a whole lot of conversation because this is formalizing what we do. The difference I think is the racial equity plans are specific about budget equity. So I'm going to go through the budget equity tool just a little bit in just a little bit a show you some of those distinctions in that, but first, we have a little video that Jeff as always does his expertise and will get you some commentary from some other folks about the record for racial equity planning.

[video starts playing]

November 2-3, 2016

****: All 26 bureaus are creating five-year racial equity plans that are supposed to operationalize or bring to life the city's racial equity goals and strategies that city council adopted last year. So the racial equity plans themselves start with outcomes, the city's kind of long-term aspirational goals and then ask bureaus to create these five-year objectives.

****: The purpose of the five-year racial equity plan is to ensure that the bureau focus on their internal processes, on the institutional disparities we may have within the system, to look at whether we're using an equity lens.

****: Some of the major concerns that we're taking a deeper dive in is making sure that a racial equity lens is used as far as contracting and our community engagement. Those are two of our biggest components.

****: Another theme is community engagement, everything from greater access and understanding of existing community services to building partnerships with community based organizations that are culturally specific or working with leaders of color to better design or evaluate programs.

****: The director of a bureau can continue to provide that focus over time, especially when we do big things like budget and do big things like produce communication plans and hire. Those kinds of things, the director's office can provide focus for the bureau and so those are the kinds of things, remove barriers, another thing I can do at my level.

****: The plans themselves aren't supposed to be the end all. That's the beginning of the real work.

****: I just want people to know that this is going to be difficult work. It takes very hard conversations. Change is very difficult for the city, for bureaus. But it's very important.

****: At the end of the day, making sure that everyone feels included at the table. The amount of work that the office of equity and human rights in guiding the bureaus to do this work has been amazing.

****: And I think a more systemic, deep, passionate approach to this from the top, the elected officials right to line staff is the only way to begin to make progress and so I'm really proud to work for an organization that's taking that kind of approach on this issue.

****: Communities of color nationwide and in Portland have been organizing for generations and decades for government to respond to issues of racial inequity. This will be the first time the city of Portland has put together a detailed commitment to addressing racial inequities and the measures are an opportunity for communities of color and staff of color to hold the institution accountable. **[video ends]**

Hales: Very nicely done.

James: Thank you.

James: And I truly want to thank all my staff who are here in droves for all the work that they do. This is a reflection of their work and without them, none of this would be happening because it's certainly not a one person show and they all provide the expertise that makes this happen across the city. And Ryan kern, I want to acknowledge, is the one who's been really shepherding the racial equity plans and guiding the technical assistance with the bureaus so we were fortunate to steal him away from the city of Seattle and we get him for a few hours a month and I guess now bps may also get him, as well. So he's in demand. We're going to try to keep him, but truly, thanks to my staff. Just on the budget equity tool, I think it was in your packet, too, so just some changes were made this year as a result of sitting down with all the directors and saying is this working for you? What's the best way that this tool can be a benefit to you in order to provide greater benefits to your constituents and your customers? So if you look at section one, it was broadened and specifically questions three, four and five were kind of added, the racial equity planning was included, trying to tie all of this together. So how is the budget assisting in achieving the goals outlined in your racial equity plan which all of this is trying to reach the goals that

November 2-3, 2016

the city passed last year, the racial equity goals and strategies? So that was included, the language on number four regarding the a.d.a. And asl interpretation and video captioning, how are they addressing and setting aside funding specifically for that? Because most of the time bureau don't set aside dollars to deal with that and they end up scrambling trying to find some funding for that at a later date. And then finally and the bureaus' directors said please put this in here are there deficiencies in your ongoing budget that inhibit your ability to achieve equity? So it's not just the new budget asks that you're making but in your base budget are there issues that are inhibiting your ability to do equity? And then down in section 2, again a question was rephrased, there was always the question, but rephrased to better describe the ada and resource allocation regarding disabilities, and then on section three, more questions about community engagement, not only has your -- have you engaged with the community, but how has this budget attempted to build capacity in community, to engage with as well as building the capacity in your bureau to better connect with community? So trying to look at it from both sides and so those were the adjustments that the directors and equity managers weighed in on this since they're heavily involved in the review of the budgets and the budget equity tools, as well. So those were the changes to the budget equity lens.

Hales: I think you sharpened the focus with those changes to the questions. I want to validate something you said. I spend an inordinate amount of time with them because of the mayor's proposed budget process and they really have taken to heart and into their practice a consideration of equity and you're right, people that approach their work from a technical competency basis that maybe is true of financial analysts as well as others, you know, I used to work in an engineering firm and I always used to say that engineers are great, but sometimes, they have to be reprogrammed, you know. If your assignment is put that river in a ditch and actually you should let that river be a natural river, that's a programming change, but nice thing about people that have a strong technical basis is they will then use their technical tools to accomplish the new objective. You just have to be clear with those folks that we have this shared objective, and then they're usually very good at conforming the technical tools that sometimes, I don't fully understand if I'm talking about engineering or maybe even finance, compared to the smart people we have working for us, but they've been very adroit at both making sure that they're using the equity lens and that they're exercising their oversight function to make sure the bureaus are. What people say when they're not in public view matters and what they say when they're not in public view is what you're hearing in the public part of the budget process. I would like to give them a gold star rating for, you know, being serious about this and for taking it into their practice as our budget leaders.

James: They've taken on, I truly appreciate them and Andrew's leadership.

Hales: Andrew's been great on that front right.

James: So if there's any questions of me at the moment. Yes, ma'am.

Fritz: I have a couple of friendly amendments, I apologize I didn't get them to you beforehand, I've been tied up. I particularly appreciate the attention to disabilities in the budget tool and in exhibit a. Is titled budget equity assessment tool rather than racial equity budget tool, so it's suggesting the resolution a. Of what the council resolves to delete the word racial.

Hales: For the budget tool.

Fritz: And then add after there, racial equity plans and ada transition plan tasks, some of the bureaus have done all of the transition tasks like development services, parks has \$17 million worth still in the pipeline, I would like to see that addressed. And then in d., to add -- it says the bureaus will increase and improve engagement and partnership with communities of color and to add communities experiencing disabilities so that all Portland

November 2-3, 2016

continues to promote.

Hales: Yes.

Fritz: And then on the number four, of the base budget section one, I appreciate the inclusion of allocate and you're calling out we need to allocate money for translation, interpretation, captioning etc. We do need to keep pushing the bureaus to get their transition plan tasks done so I would suggest amending it to say what funding have you allocated for addressing the bureaus' transition tasks and for translation and the rest of the statement.

Hales: Okay. I assume you regard those as friendly amendments?

James: Yes, sir. Although I didn't understand the -- I think your second point about the racial equity plan to include transition? Or just the budget equity tool?

Hales: You were talking about the one under a.?

Fritz: The end of it will say the city's equity budget tool on all budget proposals and base budgets and tie those budget requests to implementation of their racial equity plans and ada transition plans.

Hales: But above you're suggesting on the second line that we remove the word racial, referring to both elements?

Fritz: That's what the title of the budget tool is. Thank you.

James: I would have no problem with that.

Hales: Accept those as friendly amendments.

Fritz: I'll get those to you in writing so you don't have to transcribe them.

Hales: I'm going to get them.

James: I have a couple of invited guests, michael jordan, emily -- [reading names]

Hales: Come up, please. Good afternoon, and welcome.

*****: Good afternoon.

Hales: Who would like to be 1st?

Mike Jordan, Director, Bureau of Environmental Services: Mr. Mayor, members of the council, appreciate it. For the record my name is mike Jordan, I'm the director of the bureau of environmental services for the city. I just wanted to kind of emphasize a little bit of what we're doing and what we've experienced in the production of the equity plan in our bureau. You saw Ana Brophy on the film. She's just one of a cadre of folks who took this process on in our bureau, in an extraordinary way and engaged an extraordinary level across the bureau and probably in my experience one of the few times that you saw something as detailed and as deep and a process that in my view a critical tipping point with any large group of people or organization is when the lexicon changes in the organization, when people start to talk differently, language is a hugely powerful thing that drives action. And our bureau through this process is now speaking differently about issues of equity and it is a high priority for group managers in their budget proposals which we're going through right now so we're seeing the evidence of it and I can't give enough credit to Ana and the folks that are on that group that actually took it on and brought the plan to leadership in our bureau. The other thing I wanted to mention was the change in the actions regarding the delivery of our services. It's not only affecting the way we do budgets, but it's also affecting things like rfps and our interrelationship with vendors and service proposals so the friends of trees proposal that we just went through earlier this year was constructed around trying to deliver tree canopy to underserved neighbors and areas. We hadn't put that into that kind of formality in our business process. So we have a long way to go, there's no question about it, but we're starting to see changes and as I said on the video, it's a pleasure to work in a place where to the council's credit you've taken a persistent and systemic approach to change on a very important, but sometimes, difficult issue for organizations to embrace so I wanted to give those two examples and thank you

November 2-3, 2016

and thank Dante and his staff, Ryan, I'll call out Ryan in particular. I'm not sure we would have gotten to the place we were without his advice. So thanks very much.

Hales: Great.

Kimberely Dixon: Hello, good afternoon, council, mayor. Well, I'm excited to be here representing community and specifically when I look at the resolution, what I see is hope, and it's unfortunate when I think back to a few weeks ago, the council meeting looked very different than a few weeks ago and I didn't see hope in the images that I saw and I thought to myself something's wrong here, somewhere there's a disconnect, somebody doesn't have some piece of information and so I'm very excited for the work that's been done in the office of equity because I believe that if more people saw, knew and understood what was happening, there's some instances that wouldn't happen. And if I could kind of segue, I wanted to respectfully remember officer Justin Martin and sergeant Anthony who were both murdered today. And I wanted to remember them because these names add to the statistics of growing loss that's happening across the nation, and it's happening in our city and I'm wondering why and where. And so you may say what does that have to do with equity? We're missing some humanity. We're missing some kindness. We're missing some looking through a lens of everyone. And I believe that the resolution and the equity plans and the budget tool help to present that and provide that as not only a guiding tool, but also as an accountability tool where community, before there is an outcry we can look and see oh, but you said you would do this, so let me just say a few things. The racial equity plans and budget tool present a guidance and accountability for the city and all of its bureaus and employees. As a community member it informs me that there are working tools in place and being implemented so all can create, sustain and enjoy life in this city. It also demonstrates that I, we, have a reference for actionable items. It means that the city is doing more to care for the whole of our community. After the protest of a couple of weeks ago I wondered how could the city demonstrate its intentions more clearly regarding race and disability? The equity initiative gives the transparency, allowing someone like me to come forward and say I have a question and what are you doing or how are you doing it? My hope is that the city stays operative in good faith to allow the five-year plans to develop fruitfully with continued transparency. I would that each bureau be intentional with their plans of inclusion and equitable distribution of all resources within this community and do so without the community having to make an outcry. I listened to the doctor share in the city's equity matters video. He said they are not giving us a favor. We have earned a seat at the table and I would say that no one should have to have earned a seat at the table. In fact, I believe that the work being done through the office of equity and human rights ensures that a chair is made available whenever others are seated because that's the right thing to do. Thank you.

Hales: Thank you.

Fritz: Thank you so much I really appreciate that. Important to be reminded of many of the thing you just said.

Hales: Good afternoon.

Zan Gibbs, Portland Bureau of Transportation: Good afternoon, that's a tough act to follow. Thank you so much for sharing. I'm the equity and inclusion manager for the Portland bureau of transportation and it's a great honor that I'm here as part of pbots support for this resolution. When I started at pbots just over a year ago there wasn't a work plan for this work. So the office of equity and human rights provided the racial equity assessment tool, the road map as well as the template for the racial equity plan, so at pbots this served as a work plan to not only advance the conversation at pbots but also strategically advance the work, systematically for the next five years. The racial equity plan and the process by which we wrote the plan not only started to normalize the conversation,

November 2-3, 2016

but it also started to institutionalize the latest and best thinking in this work. It took pbot a year to complete the assessment and the subsequent plan, but the process that we went through during that year was invaluable. Over 300 of our employees participated in the process. We have focus groups, work sessions, staff meetings, a bureau-wide survey and one one-on-one meetings. Pbot also looked at all of our historic work in the area of diversity, equity and inclusion. We went through the last 10 years of diversity initiatives to make sure that we incorporated the best action items from both the historical work that the employees had done and the current best thinking in this field. We feel like our current plan reflects the best practices and current critical thinking and needs of not just the staff, but the bureau and also, the community. So the racial equity plan gave pbot an opportunity to take a look at where we had been, where we are now and where we want to be in the future in relation to equity. Pbot's equity committee has been in existence for 10 years, but none of these work plans were in alignment with citywide goals and strategies because those didn't exist until July of 2015. So now, we have much wider bureau-wide buy-in to the equity work and the training needed to advance this work. So what has changed already at pbot because of the racial equity plan process is that we've started to institutionalize a culture shift by requiring that all group level directors use the budget equity tool, providing training about equity best practices to the entire leadership team, offering ongoing equity learnings for all staff and supporting the formation of three bureau equity subcommittees to help advance very specific areas of this work. Formalizing the budget equity tool and the racial equity plan and its reporting requirements into a resolution will only strengthen our ability to advance racial equity at pbot and continue shifting the culture of our bureau to one that not only embraces diversity and models inclusivity but also advances racial equity best practices in every policy, practice and procedure. Thank you all for joining us in this ongoing effort to institutionalize racial equity at pbot and the city.

Hales: Thank you all. Questions? Appreciate your presentation. Thank you. Dante, do you have other individuals you're going to call? And there are others here who may want to speak so come on up if you would like to, please. Come on, it's fine.

Shedrick Wilkins: I'm very much inspired by our president Obama. Actually, in 2008 when I helped his campaign, I thought this was like affirmative action, right? And then four years later, it wasn't. You know, the gloves are off in 2012 when he ran against Romney and I was at state house representative Lew Frederick's office, it was off to the side so the debates, we were just, you know, admiring about how this man also president Obama if you want to test him out on the job, he won a Nobel peace prize and nobody's won a Nobel peace prize, the man can perform, he proved he could perform, affirmative action worked and I just read the other way. Lew Frederick is the only african-american in the Oregon legislature and I figured maybe there should be four so I go this is kind of something that Oregon should follow. And I tend to like president Obama and Lew Frederick's is a very good simplifier. I cracked up one time at the Multnomah county democrats and Lew Frederick's said, instead of giving some big speech about the state of the government, he said the only thing he can agree with, with republicans is, is community colleges. It cracked me up. He could make it so simple, and then he goes into the details and I admire that. You don't need a long talk or like a machine or something and just he just made it really simple. You know. A lot of agreement there. And I just liked that, I loved him in the 2012 debate, we were tracking up, he had a phone and he was thinking out they things, is this kind of an outsider or different perspective as our president, and our president has not been impeached or anything like that so we're at the end here, he seems to have done quite well in the attempt to do affirmative action on a federal level.

Hales: Thank you. Anyone else like to speak? Well, Dante again thank you to you and

November 2-3, 2016

your team and to your community advisors for making this best practice an everyday practice in city government and this is something I'm proud of that I've had the opportunity to work with you and your staff and people in the community that really wanted us to be serious about equity and everything we do and it's a work in progress, you know. It's one of those things where you talk about cultural change and I'm glad to hear that people see real evidence of it, but you have to keep preaching it from the top and you have to keep teaching it in the middle and that's what your office has been doing so well. You know, I tell the story a lot about one of the most, you know, kimberely you were talking about hope, one of the most hopeful scenes I've seen in public life has been the last few sets of budget hearings because some people in the community aided and abetted by people in city government who are supposed to be engaging our immigrant and refugee communities in public life have succeeded in having them come as delegations, in some cases to our budget hearings where we had a panel of Hmong elders or a panel of Latina moms advocating for specific issues in our budget where the best of all the kids that were involved in the world cup soccer program that's designed specifically for immigrant and refugee kids making the case in our budget hearings and that's one of the most hopeful signs of institutionalizing true democracy and a sense of equity in what we do. We don't achieve it every time, we don't achieve it in every bureau every day, but to see those kind of moments of clarity where we really are reaching out and bringing people together, that's been truly inspiring and to have a budget hearing be one of the most inspiring hearings says a lot about what's been accomplished in budget equity so far.

James: Thank you. A great description of how you can see concrete examples of change happening. I truly want to thank both director Jordan and Zan gibbs and Ms. Dixon. I had the blessing of meeting her literally less than 30 days ago. I was at an event and she was there. I had obviously seen her speak on her powerful personal story several times, but we just ended up talking for a good while and I wanted to know more so at some point I reached out and asked her if she would be willing to speak on her thoughts on this because clearly, she's not one who stands on symbolism. If it was real, she would say so. And I ended up it seemed like doing homework when I was getting texted at 10:00 at night because she was reviewing some of the things asking me questions so I truly appreciate her participation and thoughtfulness in today's presentation.

Hales: That's great.

James: One final comment if I might. Just on behalf of a couple of the directors who have made this comment to me, as the resolution speaks to increasing and improving engagement with communities and partnerships, in some sense it's an unfunded expectation and mandate to do and so in terms of how to best engage and provide resources to do that, a couple of directors that asked me to make sure that you understand it also requires resources to do. As an example I think we remember a couple of years ago, we had the \$100,000 for translation, interpretation and community engagement and it was all allocated but there is nothing similar to that so in terms of expecting bureaus to do asl and interpretation, translation services, if there was a general fund pot of money that they could draw from to do community engagement, to do some of those kinds of things, I think it would go a long way in making a difference for those smaller bureaus that don't have the resources.

Hales: Good point.

James: Thank you very much.

Hales: I think you've got people on this council that are going to be watching and attending to that question so thank you.

James: And I see an equity manager, where did she go? There she is, I would like to say Elle, welcome back after maternity leave and she has the cutest young man you have ever

November 2-3, 2016

seen: [laughter] so --

Hales: Nice to have you back and talk about a big job of being an equity manager in a bureau where cultural change just doesn't happen like that:

James: It's going to take two snaps I think. [laughter] so that's the end of my presentation. I would encourage you and ask you to please accept the resolution with the friendly amendments as written and appreciate your time and continuing support for the work we do.

Hales: Are we ready to take action on the resolution as amended? Let's do that please.

Novick: Thank you, Dante. And all of your staff for your work. I'm Zan I'm glad to have the opportunity to thank you for your work and to thank my staff who have been heavily involved in pbot's process developing the racial equity plan. And your work has been critical as we move forward with major initiatives like fix our streets and vision zero. Thank you very much. And I think we all agree the institutionalization of these tools provides a sustainable commitment to their use and very supportive of their work. Aye.

Fritz: When I was in nursing school 37 years ago, I learned if it isn't documented, it wasn't done, and very much by having these tools that we have to answer the question and that's going to be part of the council's evaluation of whether the bureau has done its job. I really appreciate you having put this together. I'm somewhat overwhelmed thinking it's been just five years since we established the office of equity and human rights. You started in march of 2012 if I remember correctly and then kind of my preschool child was taken my mayor hales to nurture and it's now graduating for college even faster than commissioner novick, look at how far we've come in the four years that we've been working together that we all accept the language, we accept the responsibility, I just wanted to read a text that I got from the terri riggsby at west Multnomah soil and water conservation board. Had a great training with Judith for our board diversity equity and inclusion program, it's really excellent, thank you for supporting it. And that's the kind of feedback we get all the time and I know that you maybe don't hear enough of, Judith kindly gave an equity training to our parks budget advisory committee's first meeting last night where people sat in silence watching their visual documentation of how people of color have been systematically disadvantaged here over the centuries and when it was finished there was a feeling of what are we going to do now? And it's compared with three years ago when we first started this conversation with the parks budget advisory committee just the depth of understanding and the commitment to doing it is palpable. So look at the fantastic crew you've got behind you having worked so hard to get where we are, your leadership and absolutely is the right choice the mayor keeping this hugely important bureau I'm going to be encouraging mayor wheeler to be doing the same thing. And let's not dislocate our elbows patting ours on the back because we recognize there's lots more work to do. Too many times that I still am not thinking the things I should be thinking or acting the way I should be acting. I do appreciate your comments about the difference between large bureaus and small bureaus since I have the joy of having a large bureau and having had smaller ones before but there isn't as much discretionary money in a smaller bureau and for our larger bureaus, this should be a priority, the \$100 million that's in the parks budget, equity absolutely has to be and thanks to the director abbate it is a priority and without Henrik's and others, we're going to make progress and the reason I wanted those amendments on the transition plan, I know that we're done with that in development services, we fixed all the barriers since six months after I asked Paul Scarlett to do that when I was in charge of the bureau. \$17 million of improvements that are necessary to parks are not going to get done by themselves and we have to continue asking the question, documenting what we've done and documenting how much further we have to go to help everybody understand that this is about the beauty of American citizenship, of

November 2-3, 2016

everybody having the opportunity to be their best selves and everybody being able to participate in the Portland that I came to and loved. So thank you very much. Aye.

Saltzman: Well, thank you, Dante and all your office staff and all the bureaus that are participating. This looks like a very good tool that hopefully should be help us make things more transparent as we adopt our budgets. Aye.

Hales: I said it last week, I'll say it again, budgets aren't boring. They are how you put values into action in a large organization. And so one of our core values in our city is equity, that's what we all believe. And now, that we say on paper and among ourselves and we teach one another that equity is a core value, therefore it should always be a core value for how we spend every dollar we spend so thank you all for being keepers of that ideal and making it real in very tangible and specific ways for this good city. Aye. [gavel] thank you very much. We're recessed until tomorrow, 2:00.

At 4:31 p.m. council recessed.

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

Key: *** means unidentified speaker.**

NOVEMBER 3, 2016 2:30PM

Hales: Good afternoon, everyone and welcome to the November 3rd meeting of the Portland city council. Would you please call the roll?

[roll call]

Hales: Welcome, everyone. We have two completely different subject matters on the calendar this afternoon. And we'll deal with them in order. We want to welcome you all here for either or both of those discussions. The first of them is an unusual thing and it is a resolution that was introduced by all five members of the city council so would you please read the item, Karla?

Item 1225.

Hales: Thank you all for being here and thanks to my colleagues for jointly putting this together as a way for us as a community to recognize and say thank you to our first responders for the great work that they do and that they did on that particular day. As it happens yesterday morning I was meeting with some of the merchants and property owners and residents that were affected by this catastrophe and there's a lot of work to do to rebuild people's lives and their livelihoods and the physical loss of that explosion, but there's a lot of joy in their hearts about the service that they received from the professionals that responded from our city so that's why we're here. Let me start by reading the resolution and then call on my colleagues to make some comments and we have some people here that we've invited to testify and talk a little bit about that day and what happened, what it means. The resolution says this, recognize city emergency responders for heroic efforts in responding to significant events on October 13th through 15th, 2016 and the explosion in northwest Portland. Whereas, city employees exemplified extraordinary effort during extensive rains and flooding between October 13th and 15th and during a major explosion in northwest Portland. And whereas, city employees worked long hours and under arduous conditions to keep the residents of Portland safe, moving, and informed. And whereas, the bureau of emergency communications responsibly handled significantly more calls than usual. And whereas, 120 neighborhood emergency team volunteers deployed during high wind and heavy rain events from October 13 to October 15. Volunteers cleared storm drains and helped Portland fire and rescue maintain a perimeter around downed power lines so that nearby residents would not be harmed. Many volunteers worked into the night, some not returning home until 2:00 a.m. And whereas, Portland fire and rescue's highly trained, highly skilled, and highly competent firefighters serve over 600,000 residents and protect over 150 square miles with both emergency response, community education and life-saving prevention. And whereas, Portland fire and rescue has 30 stations situated strategically throughout Portland to respond quickly to all types of rescue calls including but not limited to medical, natural gas leaks, hazardous materials incidents, motor vehicle accidents, and is the lead responder to any natural or human-caused disaster, including earthquake, extreme weather, and terrorism. And whereas, on Wednesday, October 19th, Portland fire and rescue responded to a reported gas leak in northwest Portland that quickly escalated into an explosion resulting in a four-alarm fire, firefighters evacuated the surrounding buildings

November 3, 2016

before the explosion and took brave and courageous steps that saved lives. And whereas, officers from the Portland police bureau, who routinely run toward danger rather than away, worked to close streets and secure the surrounding area, ensuring the safety of Portland's citizens who were nearest to the explosion. And whereas, the bureau of emergency management worked quickly to deploy net to areas in need. And whereas, 40 net volunteers responded to the gas explosion in northwest Portland. Volunteers helped police officers and firefighters maintain a perimeter around the incident from 2:00 p.m. Until 10:00 p.m. And whereas, in both incidents, Portland bureau of emergency management had an overwhelming response from volunteers, with many hundreds canceling plans and remaining on standby to help out as needed, with 326 net volunteers on October 15, and 197 on October 19. Now, therefore be it resolved, that the city council declares city of Portland employees to be the best employees in the world and be it further resolved that the city council, on behalf of the residents of Portland, shares its gratitude and appreciation to all employees and volunteers who assisted in responding to both the storm efforts and the explosion. We don't normally allow applause in this chamber, but let's hear it for our employees: And our net volunteers: [applause] we're here to celebrate and each of my colleagues does as well want to celebrate. Dan, you had to leave city council meeting because one of those incidents.

Saltzman: I was sitting in this chair, we just started council meeting and I started getting text messages from chief Meyers about the explosion at northwest 23rd, it wasn't quite clear exactly what it was then, but what it was clear is three firefighters were injured, at least two police officers injured, and at least a couple of civilians, at least at the time. So I slowly left the chambers during the middle of our meeting and made it out to the scene and I can't tell you, first of all, the devastating impact of that explosion is still in my mind, but what really sticks out to me the most is the extreme bravery and heroism demonstrated by our police and our firefighters and later by our net volunteers and the neighbors in that neighborhood who were severely impacted by this. The mayor came out and saw the impacts as well, still mind-boggling and just so grateful, so thankful that nobody was killed. It's really hard to believe and nobody was seriously injured. We know lieutenant St. John was seriously injured and we know he's recovering, but I know we all wish him well, but I want to thanks all of those who were on the scene and all of those who helped during the severe weather incidents too, you really are Portland's finest and we owe a debt of gratitude to the work you do day in and day out on behalf of the residents of our great city so thank you.

Hales: Thank you, commissioner Fish.

Fish: Thanks for organizing this effort and bringing the whole council with you and second I want to echo something Dan just said. There's something about emergencies that bring out the best in our community. And whether it's severe weather or whether it's an emergency like this, it's folks stepping up to help each other and in some instances risking their lives for fellow citizens, and it's very inspiring and the truth is the men and women of our police bureau and our fire bureau get up every morning and go to work not knowing whether they're going to come home and they leave behind families that are not sure they're always going to come home. And there's a certain kind of bravery and heroism in that kind of work. And willingness to sacrifice for the better good. And so today, we're really honoring the men and women who work for the city and our partners in the community who stepped up during this emergency and one comment about lieutenant St. John. You know, one thing that has struck me in the press coverage and when I had a chance to meet him in the hospital is that he rejection the idea that he's a hero. Whenever he was asked he said I'm not a hero, I was doing my job. Well, that to me makes him twice the hero because he is not seeking any kind of glory for his work, he will tell you that's just

November 3, 2016

part of the job description. And he suffered significant injuries in this event. But we should remember that Peter St. John is not atypical of all the folks who serve us and today with the leadership of the mayor and Dan, we're honoring and thanking our employees and our community partners.

Hales: Thank you. Commissioner Fritz.

Fritz: Thank you all for being here and thanks to our wonderful staff and I get the pages from the bureau of emergency communication because I used to be in charge of it so every day I'm seeing difficult situations where our police officers or our firefighters have gone into dangerous situations or saved somebody from jumping off a bridge or just every day there's something good that's happening because of our police and firefighters and when we get into the controversies over some of the things that we don't think are quite so good, I think it's really important to remember that every day these public safety officers are there for us and when we most need them. I want to thank my staff in parks and the urban forestry department because they were out in that storm as well, working on downed trees and making sure that the transportation system was as free as it could be and also, the staff at the office of neighborhood involvement information and referrals service which is 823-4000 and by citizens calling that number instead of the 9-1-1 center, we can get more information out and make sure that the priority calls are taken by the 9-1-1 center. So thank you very much to everybody who's here to honor our employees and this is a special occasion because it was such a highly difficult set of events. It's not unusual, our staff are absolutely fantastic.

Hales: Thank you.

Novick: Thanks everyone who's here, city employees, net volunteers and others who have come simply to honor the city employees and net volunteers. I want to again thank our net volunteers for being on the ground after the gas explosion on October 19th and also for their efforts during the storm on October 13th through 15th. The net volunteers stepped up for both dramatic emergencies and we are incredibly grateful to them and they demonstrated once again they're an integral part of our emergency response system and I want to thank the Jerry Van Kearn PBEMS coordinator for having such a great net. [laughter] I want to thank the bureau of emergency communications for their exceptional hard work and professionalism during both incidents. They experienced dramatically higher call volumes during the storm and, of course, they're fielding tons of calls and getting responders and callers the resources they need after the gas explosion. It's important to remember that when a big incident like that happens, they're still getting other calls and so they have to work exceptionally hard to keep up with the normal call volume and also deal with major incidents so thank you very, very much. I really appreciate the level of coordination between net teams, police, BOEC and the firefighters. All of us working together. And of course, I want to thank the fire bureau for saving a lot of lives on October 19th and thanks for the risks you took to protect the citizens of Portland. Thinking, of course, of the injured citizens, police and fire bureau members, we're so grateful that everyone should be able to recover and thanks especially to lieutenant St. John. You've got a long road of recovery ahead of you. We all want you to know that you and your family are in our thoughts, your courage and selflessness is remarkable. We're lucky to have you.

Hales: Thank you very much. We have a panel of some of our leaders from the city to talk a little bit about these incidents and how our teams of city employees and volunteers responded. So our fire chief is here. We have representation from the police bureau and BOEC, as well. So why don't those three bureaus come up?

Novick: I left something out that's really important, which is my other bureau that was also instrumental, PBOT folks worked really hard to keep the city moving during the storm and when the explosion happened, our maintenance operations group was pulled away from

November 3, 2016

regularly scheduled work to set up street closure signs and other barricades to keep responders safe from motor vehicle traffic.

Hales: Thank you. Good afternoon. Chief would you like to start?

Mike Meyers, Portland Fire and Rescue: Good afternoon, commissioners and mayor. I'm Mike Meyers the fire chief for the city of Portland. We, too, would like to thank our partners at boec for the great work they do, not just on these two incidents, but every day. We communicate with them 24 hours a day. They're certainly part of a team that delivers exceptional care here in the city of Portland. Additionally, whenever there's a big incident we work with the net volunteers and our partners in the police department and emergency management so we, too, want to extend that appreciation. I think it's important when events like this occur that the city in general takes a look at the outcome of what occurred on the 23rd. I've had an opportunity to work in another big city, a couple of other cities other than this and I can't tell you how absolutely impressed I am not just with the delivery of care and how the fire bureau handles emergencies. This is a strong fire bureau. They're one of the best I've ever seen. But I think when we see an outcome in the city that is of the nature of the 23rd incident of the explosion, these city bureaus came together and delivered a good product in the end. Not only do we put the fire out, we responded well, there was cleanup efforts that went well, businesses got opened, streets got opened, investigations got done. This is a rare opportunity to really evaluate all the different bureaus in each one of your areas to see how they all coordinated together and worked together and I thought it was extremely impressive. Every time I turned around to get information, every time I needed to lean on someone to get something done there was another bureau director there to help us and I just think it's important that we recognize and take a moment to recognize that commitment and the breaking down of those silos when it was time to do and I'm very appreciative of everyone's cooperation that day. I too agree when I talk to these firefighters, they don't think they're heroes either and I try to explain to them how impressed I was with their work and they just tell me chief, we're just doing our job. They say the exact same thing every one of them. And I try to encourage them to please accept my thanks and they just won't. But I'm so impressed with everything they did that day and it was a neat opportunity to really see them work and you don't want to call out any specific individual, but we had some unique opportunities there that I was able to witness, I was on my way to Salem, Oregon, at the time, I was in a business suit heading to a state meeting down there for the Oregon state fire chief's association and I got the call about eight to 10 miles out of town from our division chief of operations, Tom Williams. At the time, he said are you aware of the explosion in the northwest and I said no I'm not, I'm on my way to Salem. And he said chief I've ordered 10 ambulances. And so my thought at that point was we're going to lose firefighters today. And I have an absolute commitment to all of you and all the citizens to some those firefighters go home safe to their loved ones and I know it's not all about fire every day here, they put their life on the line regularly for fires, I know that, but they're also out there 24 hours a day delivering care to individuals that need it, whether it's a shooting, a traffic accident, somebody that simply needs to get picked up and put back into bed, it's a hazardous materials call, it's a downed power line, somebody stuck in something, any problem that we have and we can't figure it out, we call a firefighter and they go figure it out. They find the tool, they find something clever to do and they figure it out and I get a call an hour later that says it's all done, wrapped up, we got it done and yes, oftentimes, it involves a number of other bureaus to get it done. So thank you for your support. I know it's hard sometimes to be commissioners and try to make sure the city is completely whole everywhere, but as a fire bureau and the chief of that bureau, thank you for your commitment and support of this organization. Thank you.

November 3, 2016

Hales: Well, chief I haven't had a chance to say this, but I'll do it publicly. Embarrass you a little bit. I was fire commissioner and hired a couple of fire chiefs and have seen the responsibilities of that job, it's like police chief, you have to do everything from budgets to organizational leadership to incident management and that was the first time that I had the opportunity to see you in command of an incident as you were that day and I thought you did an excellent job. You were clear with the teams that were working together and clear with the press and the news media that had to have information right that instant from you. It was a job particularly well done on your part, grace under pressure, which is what we expect from our leaders in situations like that, but thank you.

Meyers: Thank you, sir and there were a lot of great commanders out there that day, including chief Williams and chief Espinosa. They did a fantastic job that day.

Hales: Good afternoon, welcome.

Laureen Paulsen, Bureau of Emergency Communication: Good afternoon, My name is Laureen Paulsen it is my honor to be here representing the proud and professional people at the bureau of emergency communications. Thank you very much for including us in this honor. The folks on our team are truly first responders and we are the first, first responders because the calls come in to us. So a normal day for us, we've had crews out there, a couple of other things going on in the city and the dispatcher at fire who heard the mayday alerted the rest of the team and they seamlessly morphed into this huge well-oiled machine and we had tactical channels going from medical to command and for incoming for staging, police split up, and so we had apparatus or people on two different nets for the police, our call takers were overwhelmed with people calling from miles away, was that an explosion? And there were also those emergencies that were happening all over town. And our team just did an absolutely phenomenal job. And we couldn't have done what we did without the great professionalism and the efforts of the fire and ems and police responders that were out there and later on with the net teams when they came out after the incident. And I'm sorry that some of our folks that were there today working the floor aren't here today to take a bow because they really did a phenomenal job. And thank you for including us, thank you, our partners for doing such a wonderful job in saving lives and protecting the citizens and the people of our community.

Hales: Thank you. Thanks very much. Well done. Chief?

Mike Marshman, Chief, Portland Police Bureau: Mayor, commissioners, thanks, mike marshman, I would like to echo what chief mike Meyers said today. When I started my career in law enforcement, I've told a lot of people I grew up, I had a house in between Greg Brando and grace Brando. I knew more firefighters than police, I had coffee at a lot of fire stations. I feel sort of embedded in that group anyway. So when this day came forward of the explosion in northwest, I'm not surprised frankly that seamlessly with fire, police, the net teams, they all stepped up. I think it finally shows the residents of Portland how the city can work for them. And it's not an anomaly. Since that day I think most folks in this room we saw the car chase going on down i-5 or somebody shooting at the police and I was nearby that I'll say and I knew if something happened, fire would help us out that day, too, and boec was seamless on that and then just last night, fire helped us with a person barricaded in a house. It's kind of how we do it. I agree with chief Meyers that the police and fire folks that do this day in, day out, they think it's routine, it's what they get paid for, they are heroic. They really are. I'm just glad that the city can see how, especially the fire bureau, it's a seamless organization. I think they've learned from us, we've learned a lot from them, it's just a proud day to be in the city so thank you for taking the time today to honor the folks who do the work. I appreciate that very much.

November 3, 2016

Hales: Thank you all, well done. Thanks very much. We also have some representatives here from the Portland bureau of emergency management from our net teams and from the Portland bureau of transportation. Come on up, please.

Jeremy Van Keuren, Portland Bureau of Emergency Management: Is Vicki Turrell here? She has a conflict so we asked if she could speak first.

Vicki Turrell: A scheduling conflict.

Hales: Welcome.

Turrell: Actually, I was downtown hosting a party the night of the storm. I was downtown hosting an art event the night of the storm when during a quick break I checked my voice mail only to get a message from my guest that she couldn't come to the party because a fire truck was blocking the driveway so I understand that they had to pound very hard to get her out of the shower and let them know my neighbor's huge fir tree had fallen onto some power lines in my backyard which was rather dark and actually burned through some of the limbs there and as you stated earlier, the firemen needed to move on to other emergencies, as well. And I feel extremely grateful that we had a member of the net team come over about 4:00 in the afternoon and stay for hours and secured the perimeter, including in the park so that people wouldn't come near the power lines, and I think it was a very brave event on his part, considering that there were other very large fir trees that were actually leaning so he was putting his life at risk, as well. I understand that he was very, very courteous and helpful during that time. Because of that, I'm asking a representative from the net team to come to a meeting where we hope to have 100 people, we're organizing a network of neighborhood watch and recruit more. It's an excellent program. The firemen and volunteer were seamless, that word has been used a lot, but it was a very good transition. Could he stand up? There he is.

Hales: Thank you. Good work.

Van Keuren: That's Pete rock and Michael on our team.

Hales: Thank you.

Van Keuren: We know from fema and other organizations that in the aftermath of a catastrophic disaster, more than 90% of all the persons who are rescued are rescued by their neighbors and so it's for that reason that we manage the neighborhood emergency team program, or net for short. We work with Portland fire and rescue to instruct folks who live and work in the Portland area on basic search and rescue, medical triage and treatment, radio communications, team organization, community outreach, the core skill set that they would need in order to respond effectively and safely in the aftermath of a disaster. When I started in 2012, we had 480 volunteers and today, we have 1,086 and 54 teams across the city of Portland. And also in that space of four years, they've provided or given I should say 60,000 hours of volunteer time to the city of Portland. Interest in the program has grown significantly. At present we have more than 1,400 people who want to be net trained and join their neighborhood team which I think really testifies to the notion that these volunteers are not just trained to respond to their neighborhoods, but they're also community leaders. And during incidents like the wind storm that we had, net helped firefighters by maintaining the perimeter around power line, allowing other fire units to go to 9-1-1 calls and in the aftermath of the gas explosion, 40 net volunteers assisted police by directing traffic, answering questions from the public and also maintaining the perimeter around the area so that police officers were able to return to safety sooner and respond to other incidents. I really want to thank city council and the Portland fire and rescue and Portland police bureau for all the supports that they've given to net over the years. Of course, most of all, I really want to thank the net volunteers. Their dedication to keeping Portlanders safe and prepared for a disaster is truly extraordinary. I have one of the most

November 3, 2016

fun jobs in the city, I'm pretty sure of that and it is a sincere privilege to work with these volunteers. Thank you.

Hales: Thanks, mark, thanks very much. Good afternoon.

Mark Ginsburg: Good afternoon, mayor hales. I'm mark Ginsburg. I've testified before but never in this capacity. I've volunteered for the city in a lot of different capacities, I've worked with several of you through the years. I'm also the net team lead for the Woodstock neighborhood and I have 150 people under me in that team. I want to thank the director of pbem Merlo and Jeremy van Keuren who takes our calls and e-mails and he herds cats all hours of all days and nights for us and he deserves a lot for us and also Felicia heaten and Artie jones has been a great addition to the team. I want to thank Portland fire and rescue, Portland police bureau, they're great to work with. They're learning about us in a new way over the past several years, which is great and they're using us as their force multipliers, which is great because we have them and they're well trained and they know what they're doing and they're competent and sometimes, we make them stand around and wait and we have the ability to free up our fire and police bureaus to go back to their primary duties by using those net volunteers and that's a great opportunity, the net volunteers deserve that credit, as well. Also, I want to point out a piece that's been left out is that net volunteers can do things beyond being in the field. Net is open to people of all physical abilities, as well. The night of the first rain storms, I technically deployed, I was home making pumpkin bread, but I had a team and we had good communication and I was able to coordinate my team and help them and through the use of some google maps, I was able to show them in the dark underwater where the storm drains were they were looking for so they could successfully clear some intersections. So we need to encourage our fellow neighbors if they say I'm too old, I'm too short, tired, that net has a place for all those people. It's not just the physical specimens who are exemplars. Everybody has those opportunities, regardless of age or ability. If net volunteers are the body of this, it is the city staff who are the lifeblood and they deserve a ton of credit. I also think there were other opportunities with additional support from the bureaus that we can grow net even bigger. We saw net peak years ago when we counted the number of people who had trained to thousands, but they were not active and they were not deployed and they were not engaged and we're seeing a great resurgence right now, thanks to director merlo and city staff to get them involved but with more resources and more opportunities there's no question the net program could grow and be better. The classes are packed. One of our primary bottlenecks right now is we can't get enough training time so with that opportunity the system will grow even more and I thank you for this opportunity.

Hales: Great work on the city's part and a lot of help from our community. Thank you.

Novick: I have the ask. How did the pumpkin bread turn out?

Ginsburg: I'm a sucker for my daughter, it came out great.

Hales: I didn't see Susanne here, but is there someone from transportation or anyone else that would like to add to this record here today?

Moore: Public testimony.

Hales: Let's call those folks, please.

Moore: I saw two people.

Hales: If you're here on another item, let us know and we'll make sure you're up on the second item. Good afternoon.

Sarah Hobbs: For the record my name is Sarah Hobbs. I live six blocks away from where that gas explosion happened and even six blocks away, the blast concussion was so strong my apartment literally shook like an earthquake when it hit my building. And after the initial what the beep just happened, I quickly realized oh, my god, construction workers hit a gas main, but I thought it was going to be up and down 21st where I live because of

November 3, 2016

the violent shaking in my apartment and was greatly shocked when I learned it had happened six blocks away. I was on Facebook; I was now updating everybody on Facebook all afternoon long. But I came to really greatly appreciate all the efforts of the first responders on that call. I ended up at 5:30 the next morning walking out as far as I could go, I had a very good discussion with the central precinct police officer who was out there blocking the intersection and we both agreed it was a miracle nobody was killed. And that took the efforts of firefighters and everyone else so I came to say thank you to you all and the humility thing is just not with lieutenant St. John. I went to station three the next morning to say thank you and they were all saying the same thing. Just grateful you were not hurt. Now, coming from a family full of ear nose and throat doctors, that explosion was so loud I'm worried about your hearing and they're reassuring me they're all fine. I was not going to miss the day because I really wanted to come and personally say thank you to all the first responders on that call.

Hales: Thank you, Sarah, thank you very much. Anyone else signed up?

Moore: I think that was Dan bell? He may be on the wrong list.

Hales: Anyone else? So before we take action on this, I know that some of them aren't able to be here either because they're working a shift or because they're still recovering but for all those professionals and volunteers who responded on those incidents, the storm and the explosion, would you please stand and accept our thanks? [applause] well done. We need to formally adopt this resolution. I expect it will pass. Would you please call the roll?

Novick: Aye:

Fritz: I want to call out the names of the people who were hurt of city staff for the firefighters. Erick Kent, Peter St. Johns and Brent Kempel and from the police bureau it was Chris Kolp and Larry Mcknapp and so we're just very grateful for their service, putting themselves in harm's way to save everybody, thank you very much. Aye.

Fish: I want to offer a friendly amendment. I would like to call this a continuing resolution.

Hales: Yes, yes.

Fish: In my family with my kids we have this conversation at thanksgiving, Christmas, Hanukkah and other important dates and the conversation goes like this. Today, we celebrate something very important but we don't limit it just to this day. Let's take the spirit of thanksgiving and apply it every day. Let's take the spirit of the holidays and apply it every day. So with my friendly amendment mayor, let's as a grateful community and as grateful leaders, let's acknowledge that every single day people do great service for us and put themselves in harm's way and an ethic of service, which is inspiring to our community. Aye.

Saltzman: Aye.

Hales: I read a lot of nonfiction and occasionally I'll read a book about a disaster. I'm not morbid, but I'll read one like in the heart of the ocean and if you look at when things go really wrong, there's always a chain of little decisions, of little moments where somebody made a mistake, made the wrong assumption, didn't communicate well, and those chains add up to tragedy. In this case it was a chain of excellent, instantaneous decisions by firefighters, by police officers, by 9-1-1 operators, by net volunteers who showed up to help, by red cross folks who showed up to help, by pbob folks who came out to get the streets open again, it was a whole chain of things done right and that's why we have no deaths in an incident that we marvel that everyone lived through. So that's a joyous thing for us to celebrate the good work and the community that all happened just the right way with everyone working together. Job very well done. Aye. Thank you all. Let's take a recess and let's hear it for our responders and our volunteers: [applause]

At 3:09 p.m. council recessed.

November 3, 2016

At 3:12 p.m. Council reconvened.

Hales: Good afternoon everyone. We'll return to our council meeting. We had the opportunity to thank a lot of people, a lot of volunteers who had a great job in a big storm and a big explosion and we're very proud of them. We appreciate them being here and taking that moment. We're going to move on to the next item of business on our calendar, which is item 1226.

Item 1226.

Hales: Commissioner Fritz.

Fritz: Thank you. Before we get started I know that many of us were shaken to hear of the death of Justin Buri who was formerly with the community alliance of tenants mentioned how the first responders take care of people suffering from mental illnesses so I couldn't start this other item without a moment of silence to think of all the wonderful work that Justin had done with the community alliance of tenants. If we could have a few moments of silence. [silence] thank you.

So it's been a long time coming. Let me start by being very clear to everyone. This proposal is important to me as paid sick time. In fact, perhaps more so. Paid sick time which was supported unanimously by five of us in the first three months when we began working together gave thousands of low-income Portlanders the ability to take time off work to care for themselves or a child when ill. Portland's own sick time ordinance led a statewide adoption and is pushing change at the national level. I know that each member of the council shares my satisfaction in forwarding that agenda for the people of Portland and every worker in our country. Now, open and accountable elections is a new public campaign financing system which would give every Portland resident the opportunity for meaningful engagement in elections for the Portland city council. Today, five days before the end of the most frightening and divisive presidential election in my lifetime, I am more than ever committed to promoting positive, effective community engagement and elections here in Portland. I particularly thank mayor Hales whose support may make this one of his enduring legacies. This issue really, really matters to me and it matters a lot to everybody who's here today. Thank you for coming. The most difficult challenge facing our country today is lack of trust in government. I believe this proposal will help address that issue. The policy will make Portland city council elections more open, providing opportunities for more people to engage with power in the democratic process as campaign workers and candidates. It will be accountable, building on the great work, improving policies and practices on reporting and transparency led by commissioner Fish and auditor Caballero. This proposal sets high standards of financial reporting for all candidates, whether or not they choose to use the voluntary campaign finance system. Mayor Hales and I first started talking about developing a proposal in the middle of last year when he decided to spend the remainder of his term in office working for the people of Portland rather than campaigning and fundraising to win re-election. Like Mayor Adams he chose the most honorable option available to him. Incumbents shouldn't have to make that choice. It should be possible to work full time for the city of Portland and run for re-election on a more level playing field with candidates offering different skills and different community connections also being able to run. My staff and I have partnered with many community based organizations and individuals, focusing on increasing access and improving democracy to reach the proposal before us today speaks. Representatives from Ospi, common cause, every voice, sight line, service employee's international union, the league of women voters of Portland, Color PAC, Apano, working families party and the coalition of communities of color have participated in the discussions over specific aspects of this policy. These organizations and my staff team led by Christine Nieves and Tim Crail have partnered with representatives from the United Food and Commercial Workers Local 555, the

November 3, 2016

naacp Portland chapter, main street alliance, aarp, democracy bring, Bernie pdx, Portland forward, Latino network, communication workers of America local 7901, sierra club and the Oregon league of conservation voters who have all shared information with their members and participated in discussions. I vividly remembered the speech that commissioner Fish gave. He said the community demanded that the council take action. This open and accountable elections proposal is another issue where I am responding to Portlanders eager for change in financing city elections. Now, today we're going to have the first reading of the proposal. The goal of today's hearing is to explain the proposal, hear from community members and take questions from council. After the hearing, I will work on amendments to the proposal in response to the suggestions we hear and then return a revised proposal to council for a second first hearing and the opportunity to comment on the revised proposal just like we did for paid sick time. Already some concerns are known as a result of discussions inside city hall and public meeting. One example is city auditor does not want her office to be involved in implementation of the program. The proposed code language already allows the city to contract out the administration of the program. I've pledged to define the option more clearly, and to remove the auditor from the code language in response to her concerns. Depending on the outcome of the election next week, there may be opportunities to partner in an intergovernmental agreement with other agencies for the administration of the proposed system. Let me be very clear again. Nobody will be forced to participate in this program, whether as a candidate or an implementer. This is a voluntary system and everyone choosing to engage in it from donors to candidates to administration will do so only if they want to. The open and accountable elections small donation matching program is much different from the previous system adopted by the council in 2005 and narrowly defeated by voters in 2010 by approximately 1,600 votes out of 210,000. At the time, it was the middle of the recession and the fire bond that only passed by 70 or 80% only squeaked through. I read that vote as Portlanders saying not now, and not this system, rather than nothing like this ever again. The proposal I'm asking council to consider today is based on New York city's proven model which has been in place since 1988. The system that was formulated under mayor potter was a new thing that we thought would be very Portland centric and it was indeed, but it has had flaws and that was one of the reasons that it was voted down. And so we didn't want to start another new program that hasn't been tested. In New York city, it's been very successful, it's increased the range of neighborhoods where candidates engage in fundraising and also broadened the diversity of candidates seeking and winning election to the New York city council. The open and accountable elections proposal which creates a small donations matching system and adopt new provisions of accountability and transparency for all election campaigns. I'll deal with a few comments I've heard in advance so I can get all this information out. Some Portlanders have questioned why this proposal is not a referral to the voters. The council votes on over \$400 million in general fund discretionary dollars every year. In the city budget process, it's led by the mayor and guided by the independent city budget office which was created four years ago by code that I initiated. This council does not ask voters to approve every dedication of each one million dollars we don't ask voters to vote on that. We have the responsibility to make those votes ourselves. So we're putting a cap on the proposed fund of 0.2% of the general fund, which is about \$1.2 million per year. Every year that I have been on the council, we have granted special appropriations to outside entities in excess of the cost of this program. The charter provides for community recalls when citizens disagree with an action of the council. When the council voted to fluoridate Portland's water, community members connected signatures to refer the matter to the voters and Portlanders reversed the council's decision. That process is how our city's democracy works. I hope the council will

November 3, 2016

show leadership in adopting the final version of the proposal, trusting that if our community doesn't agree, voters will pursue the referral option. Some will say this is not the most urgent challenge we're managing compared with funding shelters, building community trust in the police bureau and other difficult problems and I agree. And investing in democracy and community engagement is also important. The open and accountable elections system will address one of the most fundamental challenges that we face, which is that many Portlanders don't trust their elected representatives to do the right thing for the right reasons. In part because of the perceived influence of campaign contributions in elections. I believe this proposal is essential to restoring trust in government along with many other things that we will need to work on, as well. So this is the first public hearing, as with earned sick time I expect the council members will have proposed amendments that we'll need to address. I ask my colleagues on the council to listen to public input before expressing concerns and amendments because we'll have plenty of time for that. I promise to take the team needed to refine the proposal and consider all input and return for the first reading before the end of the year. Now, we're going to also do this a little different, we've got three invited speakers who have time constraints so Oregon senator Diane Rosenbaum and naacp president and united food and commercial workers local 555 representative Jeff Anderson are going to speak first. After the speakers, Christine Nieves run through a presentation of the proposal, and I think we've given you the run of show for council so that you'll know what to expect and we do appreciate everybody's patience as we get the information out. Thank you so much for taking the time to come to see us today.

Hales: Good afternoon.

Diane Rosenbaum: Good afternoon. Thank you very much mayor hales, commissioner Fritz, and commissioners novick, Saltzman and Fish. It is great to see you and it was a real pleasure to be able to see the honoring of our first responders. Still I cannot believe that we were so fortunate to have their work and such good luck that we had no loss of life. Today, I'm here, my name is Diane Rosenbaum I'm a state senator, as I was introduced, but I'm also a member of a legislatively created task force on campaign finance reform that was convened by our secretary of state, gene Atkins, that's been meeting for over a year. I also chair the senate rules committee that deals with all the elections issues and proposals in the state legislature and I am here, I'm pleased to support the open and accountable elections proposal that commissioner Fritz has brought forward. I thought in my testimony I would try to put this in a little larger context of why I think we have a problem that needs to be addressed, and then why I think this specific proposal is a great step that you can take and we as a city can take in addressing it. As has already been said, we do have a huge problem in terms of credibility and lack of trust in government. And I just want to say at the outset that I am somebody who has raised large amounts of money in my 18 years in elected office. I've been the senate majority leader so a big part of my job has been raising what I consider fairly obscene amounts of money to get people elected. I probably have called all of you at one time and asked you for money. So it's not that I think that money is inherently something that equates to corruption or that, you know, for me personally I have ever felt that I've compromised my integrity any more than you good people have compromised yours by virtue of living with the system that I think is very broken. But having said that we are living in a time, with an election, where people really do believe, a lot of people in Portland, in Oregon and around the country that the system is rigged, that it's rigged against them, that they don't have the same voice that wealthy people and corporations have in our system and frankly, although you could say a lot of things about it, I think in Oregon we have a particularly broken system of the way we fund campaigns and encourage people to run for office. So, for example, we are one of only six states in the united states that has no limits on campaign contributions. And it's not that we figured

November 3, 2016

something out that's so great that other states haven't. It's because we have a very hefty free speech proposal in our constitution and our supreme court at the state level has said that we can't have limits, unless we amend the state constitution. And that's something that needs to happen, but we can't use that tool in the tool kit that other states have. And so the task force that I referred to earlier has been looking at a range of options for over a year of things that would make the system better, but because of this lack of any limits whatsoever, we have some of the most expensive campaigns for office in the entire country. So, for instance, two years ago in 2014, I think the total amount spent on state legislative races was in excess of \$29 million. And so per capita, that put us ahead of the states like Texas and California, I think almost every other state in the country, we spend more per voter for people to get elected and I don't have the figures for running at your level, but I would assume that it may be similar. So what can we do about this problem? Because I think it is indeed a problem. It is a perception that people have that people who give the money speak with a louder voice than the average citizen can possibly bring. And whether or not that's true in every instance, I think it is a problem because it means that we're not only not addressing that credibility, but we're making it more difficult and putting up barriers for people who would like to run for office or even for ourselves, because which of us really enjoys dialing for dollars during election time and spending half of our time doing that as opposed to the work we're elected to do, whether it's solving affordable housing or transportation or any of the true challenges that we all ran for office to be able to address. And I do agree with commissioner Fritz that looking at the analogy of paid sick days is the right place to look, that we may be able to do something here in Portland that could become a model for the entire state of Oregon. So just getting down to brass tacks, this proposal I think is a very good place to start. In fact, the task force on campaign finance reform has a subcommittee that is looking at public funding as one model that would be illegal under the existing constitutional interpretations of our state constitution, something we could enact right away at a state level or a local level, we have a subcommittee that has set out some parameters for what we think such a system should look like and we'll be looking at in our final meeting and voting to adopt a recommendation that may include this proposal. So I think it's a great place to start to have a voluntary system that allows people who are serious candidates to be able to collect small donations and then qualify for a viable amount of public funding to allow them to run for office. No one knows if this is going to reshape the face of government in Portland. I would love to see a city council, you all look great today, but I would like to see another woman on the city council someday. I think Amanda would probably enjoy that, too. I would love to see people of color elected in greater numbers in the state legislator and on the city council and I think that maybe a consequence of adopting this system. That's why you heard a coalition of 31 organizations have come together to support this specific proposal because the time is right Portland is the right place to be taking this up. I'm hopeful that Portland can adopt this system and that this can become a model for the state of Oregon to do something. It isn't a magic bullet that's going to solve every problem. I still believe we need to amend the state constitution. I personally believe, I think like most people from Portland and Oregon, that citizens united, that decision six years ago by the u.s. Supreme court was wrongly decided, that that ultimately needs to be changed. But that's not something that we can do today. Today, adopting open and countable elections for Portland is something that you have the power to do. I think that will go a long way to restoring some credibility and trust to what I think is a broken system at a state-wide level, and I applaud commissioner Fritz for putting this proposal together. I hope that you will give it your serious consideration. I will be here to help in any way I can, and thank you for allowing me to kick off the hearing.

November 3, 2016

Hales: Thank you. Thank you very much. Jo ann.

Jo Ann Hardesty: Good afternoon, mayor hales, commissioner Fritz, Saltzman, Fish. My name is Jo Ann Hardesty and today I wear the hat of the naacp Portland branch. The naacp is a coalition representing over 30 organizations that reflect the diversity and inclusivity of Portland are all behind the measure that we are considering today. We represent communities of color, youth, elders, small business owners, and community based leaders that collectively represent every corner of our great city. Today we celebrate the 102nd anniversary of the naacp Portland branch, the oldest continuously operating branch west of the Mississippi. In less than two hours we will host and honor the long legacy of multiracial multicultural and multigenerational cooperation and collaboration to eliminate racial hatred and racial discrimination in the Portland metro area. As the president I have many things to do today but nothing as important as me being here to speak in support of this measure today. I'm here now because this issue is really at the heart of our democracy. The people's ability to run and serve in public office and to believe their financial contribution, no matter how small, matters. I am here to ask you to unanimously support this proven system of public financing for city council elections and to use your pulpit to educate the public on the necessity of this system and why voting this measure into law now is vital. When I ran for office, there was campaign and donor limits in place. I could only raise \$100 from an individual or a business owner, and with the maximum of \$25,000 for my legislative race. I spent a lot of time on doorsteps talking with people who could vote for me and give me 100 bucks. It made a huge impact on me and the voters I talked to. They felt that they were in that election with me. That system was only in place for one election cycle, but I have no doubt without it, I would not have been elected to serve as a state representative in the Oregon house of representatives. The last couple of times I testified in this building were difficult. As an activist, it's my job to provide you with the perspective on critical policy decisions. As my elected representatives, it's your job to take my input and to consider it along with many, many other input. And sometimes doesn't always turn out the way I would hope. As is the case with this policy, today's another day. Today I stand united with 31 diverse organizations, many you will hear from later today, to encourage you to be courageous and intentional. This is an opportunity for us to join together in a common vision of Portland city hall that is open for all regardless of your zip code, your gender, your age, your socioeconomic status, and of course your race. The public finance system before you today has proven effective at engaging diverse communities in the democratic process. After this election season ends, many will believe today's election system is broken. And only works for a very small number of people. And they won't be all wrong. Our coalition represents thousands of Portlanders who believe city hall should represent all Portlanders, and we elect our leadership to lead, not pass the buck, because you know intimately what it takes today to run and serve in public office. I lost my spot. [laughing] you know the barriers others face. Mayor hales stated he decided to spend this year being mayor rather than running for mayor. When asked why he wasn't running for reelection. That statement stayed with me. Ironically, only two african-americans and six women have ever served on the Portland city council. Your vote can move us towards that vision of a city council that reflects all the riches of Portland and all the riches Portland has to offer and an opportunity for regular folks to believe that they also have a role in our democracy. Thank you for listening, and if you're done around 4:30 or so we got a party happening at Portland prime, love to see you there, thank you very much.

Hales: Thank you, we'll try and make it, thank you.

Jeff Anderson: Thank you, commissioners, mayor, thanks, commissioner Fritz for the leadership in bringing this issue forward. My name is Jeff Anderson, secretary/treasurer of

November 3, 2016

united food and commercial workers local 555. Additional reference from the president of the northwest Oregon labor chair and state co-chair of the Oregon working families party. Ufcw local 555 represents 25,000 members who work in retail, healthcare and manufacturing. Our union is supportive of this proposal because we see firsthand how the influence of big money plays between those at the top and those at the bottom. Large amounts of money is ruining our democratic experience in this country, unlimited and unbridled flow of money has created an unlevel playing field. The middle class has been squeezed by policies favoring the wealth in this country. When a wealthy corporation can call the Oregon legislature into session for a special tax deal, you know we have an influence problem. Phil knight's recent contribution of \$380,000 to some Oregon legislative candidate's dwarves the largest private sector union in Oregon. This is a timely case study why we need reforms. The cost shift to the little guy affects my members and their families by reducing much-needed resources to pay for education, healthcare and job training and much more. I find it incredible that thousands of my members can pool their dollars together only to have that amount be diminished or offset by a single large donor. They all -- they say all politics is local. That's why we start at home here in Portland. The Oregon -- the open and accountability elections reform takes a much needed step in equalizing the playing field. Placing dollar limits while matching small donor dollars will bring a voice to the community that feels shut out and I believe will ensure working families of Portland will have a voice. So on behalf of local 555 we ask that you support this measure as it goes through, whatever iterations that is needed to make it a fine product but put Oregon, Portland on the map, and let's be the leaders in election reform. Thank you.

Hales: Thank you very much.

Fish: Mr. Fritz, can I pose one question? We're going to lose Jeff. Jeff, there's -- commissioner Fritz has said we're going to discuss amendments at another hearing, and I'm glad she did. Joanne, you are often the voice of reason when we have these hearings, we dump a lot of amendments out, poem don't know the amendments, we spend the first two hours arguing about the amendments as people are waiting to testify so I applaud Amanda for putting that over to a second hearing so we get a chance to hear from everyone today. There is a significant impact on the labor movement in this current draft, and as I read it says that unit pact money for participating candidates is not allowed. So that's clear. The match is available to every union member so a union member that makes a 50-dollar contribution can have it matched to become a 300-dollar contribution, has to be theirs, not a pass-through, a cap on in-kind contributions to a participating candidate of \$20,000, and I'm guessing because I've been on the ballot a few times that I'm guessing that's the kind of stuff that labor does, like sending out a brochure or something where you put a value on it but it's capped at 20,000. I think that's pretty clear. And then there is an exemption for so-called independent expenditures. So between today and our next hearing date, would you make sure that the definitions of in-kind and independent expenditures are clear and that they reflect the real world of labor movement activities, election time, which includes telephoning members to say get out and vote, alerting members who has been endorsed by the union and what things that are in-kind or independent depending on the definitions, and I want to make sure we've got it right based on your experience.

Anderson: Just from my experience, because we have a political action committee, active club with 7,500 members that contribute small amounts into it, that's a federal pac that I would assume would be excluded from this but Oregon is a soft money state, and that's where there's this unlimited. What's interesting is that it doesn't read that I couldn't use general fund dollars of my members if they approve it through the executive board. That's

November 3, 2016

one. So it probably does need to have some clarity, but I would say that --

Fritz: If I might interrupt, I think some of these will be answered so maybe it's a good segue to get Christine to her presentation.

Fish: Since we're going to lose him, you deal with this at election time, the difference between in-kind and independent. I just want to make sure that something you do, alerting your members as to who you support doesn't trigger another provision of this which then is used against a participating -- a candidate. I want to make sure the language is clear.

Anderson: Right.

Fish: Send us an e-mail on that one.

Anderson: Just if I could, I want to say it's really important, unions communicating with their members will not be excluded by this provision.

Fish: Yeah.

Anderson: I mean there are certain things that are preempted, democracy of unions talking to their own members would have no impact under this ordinance.

Fish: Thank you.

Hales: Thank you all very much. You have additional folks that you're going to call on?

Fritz: I'd like to have Cristina Nieves.

Tim Crail, Commissioner Fritz office: I think before Cristina goes through her presentation one or more of your colleagues might want to have an opening statement as well.

Hales: I'll say a little because I want this to move on. I think we're going to hear a lot today about access to democracy, and we've already heard from the first three folks on that subject. And as I've thought about this proposal I thought back to my -- not just my most recent decision, one of my friends said to me for the next year you can either be a great mayor or great candidate, pick one, and that was putting it kind of starkly but it did clarify my thinking. Thinking back to my first campaign where I ran a shoestring campaign with a lot of volunteers making lawn signs out of wood, not plastic in those days, that's how long ago it was, that's why my hair's gray but we did a lot of shoe leather, knocked on 25,000 doors, and the city was smaller, physically and numerically smaller, basically we hadn't annexed all of that county that's now east Portland and hadn't added all the growth that we've had. We had a daily newspaper that endorsed candidates. The ability of a new candidate to succeed then is noticeably different than it is today, and so I want to hear from people, perhaps we will, from people who have been attempting to run for office as well as those like Ms. Hardesty and the five of us who succeeded at it. But I thought about that personal experience that it was possible then for a new candidate to run a shoe leather campaign on a modest budget and win. Can anyone say that's still true? Other comments.

Novick: I've wanted to make a comment. One, I just wanted to say that there's three concerns that I have and I think others --

Fish: We lost you.

Hales: Karla was whispering incantations over our pa system.

Novick: One concern is we need to figure out who's going to administer it, I hope we can resolve that concern. Another concern is how we're going to pay for it, and I know it's proposed to be only a couple of billion dollars or less a year, but we are sort of spent to our limit, we spent discretionary money on police, fire, parks and housing. Although it's a small fraction of the budget we spend hours every year talking about whether we can afford smaller items like the sellwood community center, and the buckman pool. So we need to figure out how to pay for it. I also have to say that I'm not sure that this will work with the annual limits that commissioner Fritz has proposed because I do think that it takes about \$250,000 to run a campaign that can reach a majority of 600,000 Portlanders. If we

November 3, 2016

have a \$1.2 million annual limit, then if we have three viable mayoral candidates we'll be asking people to run with less than they need for an effective campaign so I have those three concerns. I really, really hope that we can make this work, I really, really hope we can. The major reason, of course, is that right now, in the city where we all run city-wide a city of 600,000, people are deterred from running if they don't have personal wealth or know a bunch of other people with personal wealth because they look at the task of fund raising, and they just say, I can't do it. So this proposal would make it possible for people without personal wealth or without knowing lots of people with personal wealth to run. That in and of itself is a reason to adopt this. I want to provide another subtler reason. This proposal would not stop spending lots of time raising money. We'd still have to spend a ton of time but it would change the way that time is spent. I don't think people realize how much time is involved in raising money. If you've got six months to raise \$250,000, then even if you can allocate 10 hours a week which is a lot, you have to raise a thousand dollars an hour. That is why you wind up talking to people who have money because you couldn't raise that much talking to only people with \$50, you would have to get 20 contributions an hour. Most of the people you call you don't reach and others don't give you money so you can't have 20 one-minute conversations to raise \$50 a pop, it's not physically possible so people talk to the small minority of people who can afford to write 500-dollar checks so you can raise that amount of money. What this proposal would do is level the playing field so that you can afford to spend some time talking to somebody who can give \$50 and hear their concerns which might be different from the concerns who can give 500. That 50-dollar contribution is 300, that's a chunk out of the thousand dollars an hour you have to raise. Let me give an example. Most of the people with enough money to give \$500 are homeowners, not too many renters, a limited number of renters who can do that. So we wind up hearing largely during campaigns concerns from homeowners. If somebody -- everybody who can give \$50 can only give 300 that means I think we'd spend a lot more time listening to renters, that's just one example. As somebody who as the senator Rosenbaum said has raised a bunch of money I want to highlight might be an unknown as suspect which is one function of our current system is we spend too much time talking to people with money, not that much with people without much money. This would even that out.

Hales: I have comments but I think we're --

Hales: Let's move on, please. Let's proceed with your presentation, then take more testimony after that.

Cristina Nieves, Commissioner Fritz Office: Thank you, mayor and commissioners, I'm Cristina Nieves, I work in the office of commissioner than Amanda Fritz. Why, why do we need this election reform? Why do we need open and accountable elections? Through creating this policy, we saw two glaring issues. Number one there is a clear imbalance that exists in elections, access, and opportunities. We also hear as commissioner Fritz said this mistrust in the election process and this mistrust in government, and as stated in the ordinance findings, pew research center came out with a poll that said 19% of the people in the united states say they trust the government. That's a really broad statement. 84% of people polled in the united states say they believe money plays too big of a role in campaigns so we have this issue of trust and then this issue of the role of money in campaigns, and we know that money certainly plays a role in campaigns. This graphic brought to you by an silo institute shows that it costs about a billion dollars to run for u.s. President, it has greatly increased over the years. Here in Portland it can cost over \$1 million to become Portland mayor, that has greatly increased over the years. So I think we can all agree that it takes a substantial amount of money to run a successful campaign. Candidates must fund raise, raise and spend hundreds of thousands of dollars or over a

November 3, 2016

million dollars. The impact is otherwise-viable candidates without political, financial connections or who aren't independently wealthy are not able to participate, are selected out of being able to participate in this process. But what we do see is a small group of financially well off, wealthy individuals who are able to engage in the system, this graphic shows that in 2012 just 600 donors, only 600 in the entire city of Portland accounted for 60% of total donations given during an election. So again you see a small group of wealthy individuals who are able to fund these campaigns are doing just that, and candidates must then, of course, engage with a small group of wealthy individuals in order to as commissioner Novick said, fund their campaign. But for the average individual, somebody who isn't able to make a big donation or write a check to the candidate the optics exists, they may see the same individuals consistently helping people get into positions of power, causing a negative impact on the overall trust in the process. How do we solve this issue? We propose through open and accountable elections adopting a small donor matching program. This program is voluntary; candidates may choose to participate in this program. Candidates who participate must commit to only accepting small allowable donations from registered Portland voters, and the idea is that each small donation received would receive a certain amount of public match. This candidate would collect many small donations and use the public funds, aggregate the donations to fund their campaign. We're going to jump right into the details. We have an allowable contribution level set of \$250 which means that a candidate who chooses to participate in this program would commit to not accepting a donation that's over that amount. We have a match rate set of 6 to 1. Currently in the policy, 6 to 1 for up to \$50. Anything between 5 and \$50 could receive a 6 to 1 match. We are allowing up to 250 which means if somebody gives a 250-dollar donation, up to 50 would receive the 6 to 1 match, the remaining 200 would be allowed as a contribution but would not get a match. So to show you how this works, this candidate decides to opt into the program, she'll have to meet a few requirements and thresholds which I'll talk about in a little bit but meets these thresholds and gets a 50-dollar donation. With the current match rate set that 50-dollar donation becomes \$350. The \$50 is matched 6 to 1 and you add the original 50-dollar donation to make \$350. If this candidate is serious about talking to many community members, going to many neighborhoods, collecting many small donations she can quickly become financially competitive. The great thing about this program is that consistently throughout the election this candidate will have to continue to engage with many people. She will have to go talk to many individuals. The fund raising aspect is not taken out of this program. The difference is now somebody who can only give a 20-dollar donation or 50-dollar donation can have a positive impact on this candidate's campaign. In order to participate, this candidate would have to file for office by petition. So currently you can pay a 30-dollar or 50-dollar application fee to run for city-elected office but this is really about individual support, getting the support of Portlanders so right off the bat will be able to show she has support of community members by filing for office by petition. She will need to become certified as a public finance candidate, establish a campaign account and only accept allowable donations that are \$250 or below. We also have some additional thresholds for participation, this is public funds so we want to make sure these are serious and viable candidates before receiving public funds, a candidate running for commissioner's seat would need to collect donations for 250 individuals for \$2,500. For mayor's seat the threshold is 500 individuals for an aggregate total of \$5,000. Another key component of this program is all these contributions can only come from individuals, this is about individuals' engagement with the election process so participating candidates may only accept contributions from individuals.

Fish: The threshold for participation could also be the same dollars that's ultimately

November 3, 2016

eligible for a match, correct?

Nieves: I do believe so.

Craill: That's not how it's currently set up.

Nieves: Right, but it could be.

Fish: Currently you'd raise the 2500 from 250, you'd become a participating candidate and then future fund raising would be matched, that's the current system?

Nieves: That's correct.

Fish: Okay, good.

Nieves: We do have one exception to the individual prohibition, that is \$5,000 of seed money. Candidates may begin with up to \$5,000 of seed money. That can come from any legal source in any amount, pay for a web site or anything that a campaign needs to start off a campaign on a good foot. We are also allowing in-kind donations as commissioner Fish pointed out, we are allowing \$20,000 of in-kind donations in the primary and up to \$20,000 in the general. So a total of \$40,000 throughout the election. We will be exempting in-kind such as volunteer in-kinds, efforts for phone-banking in-kinds, canvassing, seeking to increase civic and voter participation. This is the basis from what we want from open and accountable elections so we will be exempting these in-kind donations. We've also set contribution limits. In this program they serve as de facto spending limits. A candidate running for commissioner would be capped at \$550 for the entire election, \$250,000 of that could be spent in the primary, the remaining \$300,000 of that could be spent in the general. For mayor's seat the cap is \$950,000. \$380,000 in the primary and the remaining \$570,000 in the general. These contribution limits serve as a way to check the rising cost of campaigns as we saw, it's increasing greatly. It's a way to limit the amount of public funds dedicated to this program. We will be limiting the funds dedicated to this program to .2% of the general total fund. We have a lot of needs in this country but it's a small preys radio to pay for improving the trust in the election process. We have additional provisions of transparency and accountable. We heard a concern, a concern essentially to protect against fraud so we will be raising our fines for those who make intentional fraudulent uses of the program. We understand this is a new program. We will have new candidates, hopefully so there will certainly be a learning curve. We don't want to impose high fines on those making honest mistakes but for fraudulent uses of the program there will be hefty fines. There will be no wining and dining with public funds and no lavish travel expenses, we want to protect our public funds and use them in an appropriate manner.

Fish: Let me also add, I think I read, Tim pointed me to this that there's a prohibition on hiring family members, you can't take the money and build a home office business either.

Nieves: That's correct. Candidates will be prohibited from going into debt or self-financing their campaigns, they must engage with a broad group of donors, talking to many people and being held accountable to many people.

Saltzman: What do you mean by not going into debt?

Nieves: They couldn't take out a loan. Yeah. We will also be increasing our reporting requirements. We want to be able to quickly track what is being reported and what actually occurred so we will be increasing reporting requirements under this program. I believe most of the concerns around reporting has already been taken care of, commission Fish passed a lobbyist reporting policy earlier this year. Providing oversight to this will be an open and accountable elections commission, commission will consist of members in the community interested in community organizing, interested in campaign finance or who have experience with campaigns and funding campaigns so we hope this will be a holistic set of folks to provide expertise and safeguard our public dollars, making sure we are keeping in line with best practices to protect against fraud. They will be making

November 3, 2016

recommendations through assessments of audit reports and speaking with candidates who go through this program. They will be able to assess whether or not changes need to be made, changes to matching ratios, changes to contribution limits or other aspects of the program. Essentially they will be in charge of overall program improvement. We know that systems that are able to have frequent assessments and change when necessary, these programs have a higher chance of success. Programs that are stagnant and are not able to change, these meet serious challenges so we hope that the open and accountable elections commission will provide the program to have longevity and for Portland to be proud of. We base that off of New York city's model. It's proven, it's been in place for almost 30 years, and other local municipalities are thinking about adopting similar programs. Just to show you what an impact these programs can have, this is a map of New York city during an election without a small donor financing program. The red pink and blue shows areas where people were able to give small donations. And this is during an election with a small donor matching program. Candidates are now going to 90% of neighborhoods talking to people from 90% of neighborhoods rather than just going to the wealthiest areas, that is the impact. Candidates are going to more places and talking to more people. That really should be what campaigning is all about. As we assessed various versions of small donor matching programs we saw consistencies across the port. We saw the empowerment of small donors, people only able to give a 20 or 30-dollar donations. Candidates are going to their neighborhoods, talking to their neighbors. We see a reduction in big donations, a reduced need for big donations. We also see the empowerment of our candidates. Candidates no longer have to worry about the optics issue if they commit to this program, candidates now have a different way of running, they can spend time talking to people who can only give small donations, and finally we are removing barriers for new candidates who aren't perhaps are independently wealthy, not politically or financially connected, we are allowing these candidates an opportunity to participate in the election system. We also see that candidates have the ability to be competitive. New York city has a high participation rate for candidates in this program. And finally our public dollars are used wisely. As commissioner Fritz said we have a lot of needs here in the city. When we adopt open and accountable elections we are making a statement. As Portland we prioritize true democracy, we're making a statement that above all else every voice and every Portlander has the equal right to be heard during the election process. So I will conclude my presentation and hand it off for clarifying questions.

Craill: I want to clarify my answer to commissioner Fish, you asked about the original 250 donors, \$2,500, to the extent that those are under \$50 they would be matched. The question I thought I was answering was they can come in any amounts. Somebody could give \$250 and you could get to that 2,500-dollar total as long as you also had the 250 donors. So it's a combination of donations of any size but for those that are below \$50, those would be matched.

Fish: Commissioner Fritz can I ask you something?

Fritz: Sure.

Fish: In the run of show we have a bunch of panels to follow and things and questions. As you know I have an excused absence at 5:00 so I won't be here for that, and I want to be guided by your preference. I could ask six questions for which I would not seek an answer but just put them out there that would also give people testifying an opportunity to address them if they think they're relevant or I can wait for the second hearing.

Fritz: Or you can get them to me immediately afterwards.

Fish: I know you have a lot, and we're going till 6:00 so what's your preference?

Fritz: I'd prefer to hear from as many as we can today, thank you.

November 3, 2016

Saltzman: What are the estimated administrative costs of this program? Is that counted under the .2% of the general fund?

Crail: Yes, we have envisioned it would count within the cap. We don't have a firm number; we don't yet know who's going to administer it. Using rough figures, we had figured one full-time permanent fte, overhead costs, other administrative costs, then some seasonal employment if needed during the heaviest periods.

Saltzman: What does that ballpark out to?

Crail: Well, we're figuring ballpark of 200,000 but that's so ballpark I hate to even say it.

Fritz: Thank you very much. I would like to ask our elected auditor to come and share her thoughts on this.

Hales: Another point of order I have to slip out for about ten minutes for a conference call at some point in the next half-hour. When I leave don't take it personally but I will be right back.

Hales: Good afternoon.

Fritz: Good afternoon.

Mary Hull Caballero, Auditors Office: Good afternoon, mayor and commissioners, I would also like to introduce former auditor Gary Blackmer, I know you all know that. I am Mary Hull caballero. I support the goals of having more competitive elections and more inclusive campaigns. I know that this issue has been a priority for commissioner Fritz, and I respect the advocate community for dedication in putting together a proposal that levels the playing field. I also appreciate commissioner Fritz's acknowledgment that there is no intent to place it in my office in light of my objections but I want to explain my position. I understand why the auditor's office may seem like the natural home for this program but unfortunately my office does not have the capacity to take it. I do not have the management structure in place that could absorb additional programs and do them justice. My staff's time and resources are already spoken for among performance audits, police oversight and other accountability and transparency functions. I could not devote the proper resources to the proposed program without shortchanging my existing responsibilities. I also have concerns about the program's design. The aggressive timetable and insufficient funding make it unlikely that the proposed program could be successfully implemented. The proposal and divisions being fully operational by July the 1st with a collection of seed money and in-kind donations by the end of this month. The budget office notes in its fiscal impact analysis there is no funding for this program in the current year. The proposal also does not provide the necessary funding to fulfill the management, legal, investigative and administrative needs of the program in the out years. There also are a couple of things in the proposal that are problematic for my office no matter who ultimately is responsible for the program. It sends disputes to the hearings office for resolution which presents a conflict of interest because it is in the auditor's office. The second issue is that it potentially duplicates work done by the secretary of state's office by requiring voluminous documents to also be filed with the elections officer in my office which unnecessarily adds to her work load. You may recall the city's first attempt at publicly financed campaigns which was a joint effort commissioner eric sten and auditor blackmer effort that was undermined by fraud and the electorate voted to discontinue the program. For these reasons the city has no room for error in its successor program, it must be tightly managed and closely monitored. Notwithstanding the stated intent to place it elsewhere I think I need to make clear why it needs my consent. The auditor's charter mandated duties include performance of audits, maintenance of official records, supervision of city elections and more. Each of these charter mandated duties take their meetings from corresponding sections of charter. According to charter council may only assign other duties if the auditor consents. Programs within my office by consent include

November 3, 2016

independent police review, the ombudsman and the hearings office. The supervision of city elections is a confined mandate. It is described in chapter 3 of the charter, chapter 3 lays out the nomination procedure for elective offices, the terms for holding offices and the timing of primary and general elections, in essence the indispensable elements of city elections. Not involving campaign financing or other things related to elections. My reading of charter is consistent with how the others supreme court treated analogous language in the constitution. In 1997 case the supreme court determined that based on the text, context and historical things election did not include campaign financing. In summary I am not in a position to assure Portlanders that implementation of the proposal would be successful and fraud risk could be controlled so I cannot offer my consent. While I recognize that language was added intending to allow the city to contract out the administration of the program, I am still concerned that the proposal effectively assigns my office the responsibility. To avoid any confusion, I am asking that council strike the definition of auditor in the proposal and any subsequent references naming my office as responsible for its implementation. Thank you.

Gary Blackmer: Mr. Mayor, members of the council, Gary blackmer, former city auditor, Portland, Oregon, retired now. And I want to start by saying that I probably have spent thousands of hours trying to work on, you know, clean money, public campaign financing, and I strongly support anything we can do to keep money from distorting our elections process so I don't want to in any way discourage you from going forward with this but the big concern I have is exactly what the auditor Hull Caballero raised which is it's a program that exceeds her capacity to do well given all the other work load that she has. Just to give you a quick overview, some of the things that I did that increased the work load soon after I was elected I did considerable research and proposed the ombudsman. After more research, proposed having independent police review in the auditor's office. Those added considerably to our responsibilities. Several years after that, commissioner Sten had concerns about the increasing campaign spending that was going on, and he and I looked at the trends that were occurring, looked at possible strategies and put together the clean money proposal. We put considerable effort into writing the rules to try to make it airtight. One of the things that we learned was that it's not gonna turn out right the first time. That there are always going to be things that need to be fixed so your citizen commission was very similar to our public campaign finance commission intended to look and review and improve. We did. We found fraud, we sent the person to prison, that was very clearly in the newspaper and put out there. We also changed the rules in terms of what the qualifying amounts were. But still it left a lingering bad taste, I think, among Portlanders. But also, in putting all this together I didn't anticipate the large work load that it would put on the office. To be quite honest, one person I don't think will be enough. What happens is you get a huge amount of work during the election year and nothing in the off year. So it tends -- it's either, you know, flooded with work and then a drought or -- and trying to staff for that can be very difficult, so I would urge you to think about adequate staffing. It also took considerable amount of my time just because it's such a public responsibility, and the auditor's office gets in the middle of campaigns, where allegations are made against each other, they need to be reviewed. The timing of complaints was -- I can -- I've lived through all of this, I can tell you all the concerns that arose that we didn't anticipate --

Fritz: If I could interrupt, I really appreciate you coming in, by the way, thank you for doing the voter election system, otherwise I wouldn't be sitting here. If you would be willing to meet with me and my staff to have a more thorough discussion in hindsight and looking forward. We absolutely agree that the auditor will not be where the staff will be.

Blackmer: Great. From my perspective it's a program that is critical to have but it's also critical to get right. And so I would strongly encourage you to kind of study it and do it well.

November 3, 2016

Fritz: Thank you very much.

Saltzman: Can I ask a question? I guess I'm the chair. I'm just curious would either of your opinions change if this were an approved charter amendment by the voters of Portland.

Hull Caballero: No. Because it's a capacity issue for me. I couldn't do it justice, I couldn't.

Saltzman: Okay.

Blackmer: And, you know, Ipr took a lot more work than I anticipated when we first proposed it, and it's grown since then, and to that degree, I have to defer to the auditor. The auditor's the only one that really has a good sense of the capacity of the auditor's office and the work load.

Saltzman: Do you have additional --

Fritz: I do, yes, I really appreciate your being so patient, we wanted to make sure everybody understands what we're talking about, we are going to time people coming up now, Casey, from United Oregon, Jesse Beason and Amanda Manjarrez from communities of color.

Saltzman: You want to go to timed testimony?

Fritz: Yes.

Saltzman: Three minutes.

Saltzman: Welcome, if you could give us your name and you each have how many minutes?

Moore-Love: Three.

Saltzman: Three minutes, there's a timer in front of you.

Amanda Manjarrez: Great. Thank you to Mayor Hales and the commission for having us today, I'm Amanda Manjarrez with the coalition of communities of color, I'm the advocacy director and the coalition is an alliance of 20 culturally specific community organizations with the Latino community, the African-American community, the Native American community and several other communities. We work to advance racial justice by addressing socioeconomic disparities and more. The coalitions have been very active in the open and accountable elections campaign. We believe in the spirit of the act. We think it will do great work to amplify community voices. One, raising voice with the match program, two, reducing the influence of big money, requiring the caps for those who participate. We think the work to establish the oversight board is -- will make sure the system is accountable, work the way it's supposed to. We also believe it will give community leaders and people of color the opportunity to run for office. I know you have heard a lot of reasons for enacting this. We think that this -- elections are foundational to our democracy. For us the community has been very involved in this. And we think for our democracy to work we need two things reflected in this act, people's voices to be heard in the office and we need leaders that reflect our communities. We heard data around only two people of color have served on the commission. We think this hits at a fundamental barrier to running for office which is fund raising. I think Commissioner Novick hit it right on the head when he talked about requiring candidates to be wealthy or well connected to be successful. It's part of the thing. I've worked with candidates before, and a lot of times a candidate is scared off by running for office when you ask them to sit down and make a list of everyone they're going to have to call to run for office. And there are cultural barriers to running for office. They have issues asking for money when stepping too far outside of their communities and ask their neighbors. If you can show enough community support and if you can do the work to reach out to small donors, you can be successful. We elected each of you to enact these solutions. We think this requires a thoughtful approach, and our communities are calling and ready for it. We ask you to support the open and

November 3, 2016

accountable elections act. Thank you.

Saltzman: Mr. Beason?

Jesse Beason: Good evening, Jesse Beason, founding member of color pac, thank you all for having me here today. Color pac is building an organization to regularly recruit, train and elect candidates of color to run for all candidates of color in Oregon. I'm here to read an open letter from our diverse group of folks in the coalition. As a diverse group of advocates that represent tens of thousands of Portlanders, we urge you to build on your work to advance transparent and participatory government in our city and join us in supporting this reform. Portlanders are indeed concerned that the current system of how candidates raise money creates barriers from people from our communities to participate in democracy. For instance, in the 2012 elections 60% of our money raised for city campaigns came from just a few hundred donors who gave over \$1,000. Their \$1.7 million in donations dwarfed the 570,000 from 6,000 small donors who gave less than \$250. This dynamic makes it more difficult for the everyday person to feel engaged in his or her democracy. Our city is stronger when everyone has a greater say in equal opportunity in our democracy, running for office, representing their own communities or bringing their perspectives forward on the policies that affect us all. Portland face as host of challenges but we know we can meet them together. We want to raise all of our voices to unlock meaningful solution to our city's biggest challenges. Open and accountable elections create new pathways to get us there. Our groups are on the front lines every day advancing the interests of Portland's women, people of color, working families, immigrant communities, small businesses, young people, seniors, lgbtq individuals and other underrepresented groups. We believe in a Portland where the people we serve contribute to meaningful solutions to our city's biggest challenges, and where we will have a truly equal chance to run for office to do so but there are real barriers to running and participating under our current system. Open and accountable elections Portland offers a powerful suite of tools to boost the trust and the pride that Portlanders have in their local government and to offer more Portlanders an avenue to engage in the city we all love. We hope that you will vote in favor of this reform, and our letter is signed by the coalition of communities of color, common corgis, league of women voters in Oregon, rose community development, main street alliance of Oregon, unite Oregon, naacp Portland branch, cousing oregon, communications workers of America, the bus project color pac, that's me, the urban league of Portland, Portland forward, thousand friends of Oregon, opal, associated students of psu, democracy spring Oregon, Bernie pdx, Oregon walks, the sierra club. thank you.

Fritz: Thank you.

Saltzman: Give us your name.

Kayse Jama: Good afternoon. Commissioners, my name is Kayse Jama, the director of Unite Oregon. You have my testimony but a couple of key points. UniteOregon, I'm here today for unite Oregon and community coalition. We are supporting on this process because we believe Portland, we believe Portland that's accountable, inclusive, to represent all the people that it serves. We run a program, for example, unite Oregon, funded by the city of Oregon. I can attest to you there's many folks that in that program graduating who I believe have the capacity to be sitting in that chair that you are sitting today if it's given the opportunity and they have -- the barriers that they face have to be removed. I can tell you we can do this. I know that there's a lot of questions that has been raised in this process, and it's important to have those discussions and have those questions be answered but at the end of the day we're not an island, we're not a unique city, there are other cities across this country who have the same issue who decided that this is important issue for them to implement a fair and accountable election. They did that

November 3, 2016

because they want to make sure that everybody's represented. We are in a -- we are polarized, and people are fearful of participating, so an opportunity for creating this type of program, number one it will show that everyone, Portlanders, their background, country of origin, race, social status can actually talk to their average Portlanders, their neighbors, friends, colleagues, and be able to raise the funding necessary to be able to run and represent in Portland if Portland gives the opportunity. So for me the end of the day is that we can -- what is the options we have here? We can answer the questions and do the hard work and then create a program that's equitable and serves the city of Portland or we can sit back and be talking about it, asking questions and creating and staying with the status quo that we are today. I do believe we are better than that. I do believe that Oregon, Portland deserves better. I do believe that you care, I believe that you want to be accountable to the Portland community. I do believe that Portland wants the first council members, I believe they want accountability. I believe that Portland does not equate people, if you get money from the -- the way you do right now, it doesn't mean that you are -- it's a corrupt system but we need to create an opportunity where people like me can be sitting in this chair, table in front of me and -- I have 16-year-old twins, I want to see people like me, average person, be able to sit in that chair and say these are members of my community, I can be at that table, a child of Portland, she needs to see someone like that sitting in that chair.

Fritz: A couple of other people, Susan Mottet from every voice and Kristen Eberhard from sightline institute.

Saltzman: Welcome, if you could just give us your name, you each have three minutes, there's a clock in front of you.

Kristen Eberhard: Hi, thanks for having me. I'm Kristen Eberhard from sightline institute, a think tank, you saw some of our research in the presentation. Why does Portland need open and accountable elections? We all agree our democracy should be of, by and for the people but things are out of balance. Wealthy donors have an outside influence on elections, and candidates for public office have to spend an amount of time talking to those wealthy donors. This is true not just in d. C. But here in Portland. So for example in 2012 just 600 big donors accounted for nearly 60% of all of the money going to council races. And these few big donors drowned out the voices of those who could only give 10 or \$20. In this year's the mayoral race raised almost half a million dollars from just 400 wealthy individuals. It's not just about the money but about how candidates spend their time, who they make it a priority to talk to. These numbers indicate that candidates for public office are probably spending a lot of their time talking to wealthy donors leaving them less time to be talking to people in working class neighborhoods or to renters who don't have that much money to give. And this imbalance between these few big donors and everybody else impacts how people feel about their city government. So when candidates aren't coming to their neighborhoods, aren't calling them, people feel disengaged and feel that local politics is an insider game. We know that a public match can change this dynamic, restoring balance, strengthening the voices of everyday people and freeing up candidates to spend more of their time serving regular Portlanders. The mayor from New York explains that their public match system lets a candidate run a people-powered campaign. You can make small donors the centerpiece of a campaign not relying so much on big money donors. Portland could do the same. A public match allows candidates time to reach out to more people and more diverse people. In New York candidates in state races without a state match only get contributions from 30% of the neighborhoods, mostly the wealthiest neighborhoods in New York. In the city council races where they have a match available they do about to 90% of the neighborhoods including african-american, Latino and immigrant neighborhoods and their donors include artists, barbers, cab drivers,

November 3, 2016

carpenters, police officers, all of them participate when there is a match available. It also makes it possible for more regular people including women and people of color to run for office. Jimani Williams a New York council member who defeated an incumbent to win a seat said it was the public match that made it possible for someone like me to run for office. Without the matching funds winning would have been difficult if not impossible. Portland has the opportunity to do the same thing, to empower and engage everyday people in city elections, and especially at this time of change and growth for Portland it's important to level the playing field and empower a greater diverse of people to participate in shaping the city's future.

Saltzman: Thank you.

Susan Mottet: Thank you. My name is Susan Mottet, I'm representing every voice, a national organization dedicated to passing and helping implement small donor funded election reform. Thank you for the opportunity to testify today. It's hard to deny that money and politics creates a problem at the federal level and even federal elected officials are conceding that point although nearly all of them personally say they're not influenced by money and politics. However, I find that many state and local officials say that money in politics isn't a problem at their level of government. I have yet to meet a state or local officials who admits it influences any of their decisions. Kristen showed that Portland's democracy is out of balance with money and politics. I have something different to share. Because every voice did polling in Oregon last November I can show what happened in the backyards. Portland respondents believe that the middle class is struggling because the rules of the economy were rigged. 81% believe unless we change the way they are elected it will work for large donors. 72% support new laws that control the way political campaigns can raise and spend money. 70% believe that candidates receiving limited public matching funds after agreeing to take no large contributions is an effective way to clean up politics. 32 localities and states have small donor funded elections programs. These programs increase and diversify democracies so that participations by donors and elected officials reflect the diverse of the jurisdiction. New York city's program which is a 6 to 1 match on small contributions is very similar to the open and accountable elections act. It increased the number of neighborhoods that contribute to campaigns from 30% to 90%. It increased the diversity of the donor base. Donations from predominantly Latino neighborhoods went up 13 times, 24 times higher for african-american neighborhoods and 23 times higher for Asian American neighborhoods enabling people without wealth to elected office. The first african-american woman to be elected in New York credited her ability to win because of the fact that she was able to win with matching funds. It increased racial and gender diversity in elected office in New York, it elected its first african-american woman to city wide office ever. For the first time a majority of New York city council members are from communities of color just like the population of New York city. Data collected in other places reinforced that small donor funded election programs increase and diversify participation. In Arizona donations from Latino neighborhoods from the highest poverty levels increased dramatically in closer alignment with state demographics. There is a question about which office should administer the program in Portland. Many are administered by the person who administers elections such as Seattle and New Mexico. In Maryland the director of finance is administering the program with a citizen's commission to say how much money to appropriate annually. Many jurisdictions create new or use new commissions to administer the program including New York city, Arizona, Maine and Connecticut, all are five-members elected. It is not unusual for cities to enter into an agreement with counties for implementation functions because counties overlap with the way you implement a public financing program. There is a wide range of administration options available to Portland, and every voice would be happy to consult

November 3, 2016

with Portland officials on option and implement with other jurisdictions so Portland has access to the best practices that have worked in other jurisdictions. Thank you for giving me the opportunity to testify, and I'm available to answer questions.

Fritz: I understand you come from the east coast to be here to participate today.

Mottet: But I'm coming home I'm from Longview Washington.

Hales: Thank you for being here.

Fritz: Commissioner Fish if you would like to list your questions quickly for people coming up to testify may be able to speak to them.

Fish: I'll do it very quickly. Thank you, commissioner Fritz. I had the benefit the other day of sitting down with Tim Crail and walking through some of the open questions. There are some things marked to be determined in the draft we have. So I'm going to put some questions on the table. The first is, under the hard cap of .2% of the general fund, it is possible that there will be more participating candidates than available dollars. If that happens, you would go to a rationing system because there wouldn't be enough dollars to fund participating campaigns. How would a rationing system work, and what would be a fair way to do that? Number 2 there's an anti-collusion provision in this draft which I think is very important but there is also the possibility of collusion informally. Here's how it might work. Four or five people who are single-issue candidates who participate in this system for the purpose of talking about one issue for the duration of the campaign hoping to have someone make a run-off. In that instance, you could swamp an incumbent if those people all had a single issue that brought them to the table even if they didn't collude. Is that fair? There's a provision in this current draft which would lift the limits from 250 to \$500. In the event a nonparticipating candidate spent more than the \$250,000 in the primary. I'm using the example of a city council candidate. The idea, I guess, is to sort of have an elevator that raises the amount above the existing limits for people to raise if a nonparticipating candidate goes above the, excuse me, the 250,000-dollar limit. So again, using the example of multiple participating candidates how might that work to the extent there are, say, five participating candidates and one nonparticipating candidate, would each of the participating candidates be allowed to take advantage of the increase in contributions, and would that then therefore not work against the whole goal of taking big money out of campaigns because you would then have the prospect of participating candidates swamping the ability of a nonparticipating candidate in that particular race. Next, one of the hallmarks of this, cornerstone values is about transparency. My understanding is currently ore star, the state system where your contributions are reported, does not identify a donor if a donor makes a contribution of under \$100.

Fritz: That's not correct, commissioner. The police union has listed all the ten dollars ones on ore star.

Fish: If the candidate doesn't take affirmative action ore star will just lump them --

Fritz: That's reporting.

Fish: If transparency is a cornerstone I think there should be a requirement at a database that all the qualifying contributions are listed. Commissioner novick and I, I think, have a disagreement about the threshold amount for these races. Under this proposal, the number is pegged at \$250,000 for a primary in a city council race. And I want to just put that in context for a second. I looked at my last three races, and I averaged out how much I spent in my races because I'm I guess a typical city commissioner. Over my last three races my average cost of that race was \$120,000. Now, let's take me out of the mix and take someone who is not a typical candidate. If you were to take someone who spent more, then the question is what is the logic of going much above 150,000-dollars for the primary which was the limit which commissioner Fritz used it to get elected. 250,000 is twice what I have spent in my campaigns for the primary, and I have been successful in all

November 3, 2016

three primaries and substantially more than commissioner Fritz used. What is the appropriate amount? Where should it be pegged? It is not an idol concern if there was a hard cap because at \$250,000, which would per candidate mean 140-something-thousand under this proposal there's a greater likelihood of rationing if lots of people participate and the fund does not -- excuse me have sufficient amounts to cover it. The question of referral is something we're going to debate at some point. I hope people take the time to say where they stand on whether or not there should be a referral. Does it make a difference that voter-owned elections was repealed by the voters? Number two, yes this council appropriates general fund moneys for lots of purposes but this is appropriating general fund moneys for our own reelections, and is that something we can do and take advantage of without an intervening referral to the voters? On the question on in-kind contributions, independent expenditures, the reason I asked our friend from 555 that question, and the reason I think we have to grapple with it, as both auditors said very eloquently, these things are complicated, and there will be glitches, there are all glitches in all well-intentioned things, there might have been with the arts tax in its implementation so we need to be especially clear about what is allowed and what isn't. The last thing we want is a system where the election session is used filing complaints against each other. The definitions of independent expenditures with clarity about what it covers, the definition of in-kind contributions with clarity is important. Those will be guide posts. Those are some of the issues, commissioner Fritz, that I hope to hear from today and in the future and appreciate the opportunity to put them on the record.

Fritz: We'll go to the sign-in sheet now.

Moore-Love: 47 people have signed up. The first three please come on up.

Hales: When I ask you to try to be as succinct as possible, I think we're losing a quorum at 6:00, right.

Hales: Welcome, afternoon.

******:** Thank you.

Hales: Who would like to go first?

Stephen Bartlett: I was quite surprised, didn't expect this but I would also like to say I agree with everything that's been said here today.

Hales: Give us your name please.

Bartlett: Steve Bartlett

Hales: Thank you, Steve.

Bartlett: I'm in support --

Hales: The briefest testimony we've had in a long time. Thank you.

Bartlett: Total support of the concept, and I do appreciate some of the issues that are brought up. In answering those issues can only strengthen and make it more successful.

Hales: Thank you.

Sophia Bartlett Rose: I'm Sophia Bartlett rose, I second my husband.

Gary Marschke: I'll take the full 15 seconds this time. Gary Marschke, recently deposed executive director of the Multnomah county office of citizen of involvement. We screwed up public funding of elections and campaigns once before and we may not get a second chance. We really need to get it right, do it temperatures parentally and now. It's -- transparently and now. I support all of this. The thing that concerned me the most, that's why I have notes all over the margins on my testimony, is that it seems as though there was lots of input gotten from lots of disparity communities going into its inception. I heard that the oversight was going to be done by a committee or commission of experts and community leaders. And frankly with all due respect to all the community leaders and all the voices in this room here we need less community leaders and more community voices at the table. So what I propose is in addition to this commission, we also have a

November 3, 2016

community review committee that is equitably inclusively and transparently recruited through the city of involvement and armed with all the data they also in conjunction with the commission can be looking at this measure. A plethora of perspectives drawn from all over the community working with their city government to bring truly open access to elections to everyone who seeks a voice. Part of the past fraud could have been prevented in voter-owned elections if people from certain cultures could have been represented and shared their perspectives. Some was based on cultural misunderstanding of how government really works in this country. If we have those voices at the table, those people represented, what we have is better solutions and more sustainable solutions. People from communities experiencing the obstacles and barriers guiding new approaches that open doors to elections, people with personal and social and political agendas pushing the envelope of progress. And those people with privilege opening doors and stepping aside while the community does its work. So bringing all communities together to develop and administer along with the expert's viable community-based solutions to one of the fundamentals of our democracy is really what I would call the practice of equity and inclusion. That's what I'd like to see incorporated into this proposal. Thank you.

Fritz: Thank you, that's a great suggestion. Everybody we're going to continue having this discussion so send in your comments to me or Cristine Nieves and we'll make sure that everything moves forward. Thank you.

Rose: I second him, too.

Hales: Thank you very much.

Moore-Love: The next three.

Hales: Good afternoon, welcome.

Ethan Scarl: Mayor Hales, commissioners, I appreciate the opportunity, just like to affirm my support for the excellent testimony that we've been hearing both from the council and from the floor. My name is Ethan Scarl, I'm a retired physicist and computer scientist, currently work with the alliance for democracy. I would just add a couple of little points, one, we are in the midst of perhaps the most tumultuous and bizarre election season in American history. The dominant theme coming out of that is citizen cynicism. People who don't believe that they have a voice. I do believe that Portland, the situation in Portland is superior to that of the country as a whole in this respect but nevertheless there is cynicism in the street. I would love to be able to turn to the guy on a bus who says those guys in city hall, they don't care about us, they just after their own business and tell them, hey, if you can scrape together 50 bucks every couple of years, there's a multiplier that'll give you enough that it'll make it reasonable to ask for an audience or have your voices be heard. Another aspect of this proposal which has not been, perhaps, emphasized enough is transparency. And that when -- what this proposal does not restrict large money, wealthy individuals or corporations from making sizable contributions. But as long as those -- it becomes clear to the voters that that has happened and where that comes from, then we'll be a long way toward remedying the worst effects of that. That's much appreciated. I do have faith in this council, I believe that you are dedicated and will find a way to -- I understand that the problems are not trivial but that you will find a way to implement this and address the problems that the auditor has raised and give us some public financing again. Thank you.

Hales: Thank you. Thanks very much. Welcome.

Chloe Eudaly: My name is Chloe Eudaly. Today is a sad day for Portland housing justice community, forgive me if my testimony is raw, to be honest this is about the last place I want to be to talk about how our lack of diverse and true representation is contributing to the inequities and injustices that we deal with every day but here we are. I want to send

November 3, 2016

word from a representative canvassing for measure 97 and wants to express her support for open and accountable elections. So the fact that in over 100 years seven women and two people of color have ever been elected to council should be proof enough that our form of city government favors the politically connected and affluent. The current state of our city reflects the fact that too many of us do not have real representation but let's use my candidacy as a case study. Despite my lifelong connection and service to this community my decades of experience, my significant support, and my over 700 campaign contributors, I have struggled to raise enough money to run a competitive campaign in part because I've decline to take donations from entities that stand to profit from doing business with city councils for many reasons that people have already expressed today. And you know most of those entities include the 600 people who typically fund our elections, so I have had challenges. As a person of modest means, a single parent, a small business owner and a renter I have more in common with the average Portlander than anyone currently sitting on city council. That's a problem. That's a problem because when our elected leaders only represent a narrow and privileged segment of our community the rest of us tend to get left out. If we had a publicly funded option in place today I would have been done fund raising many weeks ago and could focus on building relationships with constituents and gaining a deeper understanding of the issues, we're facing as a city. It's not the fault of individual commissioners that they can't understand and address all the needs and challenges of our broader community but I do believe it's incumbent upon you to recognize and reduce the barriers to participation in our political process and help make way for a wave of new leadership which must include women, people of color and members of other marginalized groups in our community. I support commissioner Fritz's open and accountable elections, I am proof that it doesn't take half a million dollars to run a viable campaign for city council but I won't deny it's been incredibly challenging, and I want to ensure that people with less opportunity, resources than me can run and win in the future.

Hales: Thank you.

Maig Bergio: Yeah, hi, my name is Maig Bergio, I'm a member of Portland forward, and I also live and work in Portland as a case manager for adults with intellectual and developmental disabilities. Because of my job I get to see the daily struggles that so many have in our community. For individuals that are living in crisis and those struggling to stay safe and housed. You know, political rhetoric and policies are typically far from a priority. It's hard sometimes to find compelling reasons to motivate people living in these situations to get involved in our local political process with so many other things on their plate and on their minds but I believe that this proposal could truly make a difference in engaging everyday Portlanders. I'd like to offer an example how. Right now I have the privilege to help facilitate a self-advocacy group for 10 individuals with disabilities. Out of ten one person has a part-time job, every other member lives off of a social security benefit, \$733 a month. So as a group as we talk about the things that are important to us, about how government affects our lives, about why we should be engaged and involved and interested in our local campaigns and getting elected officials that share our values, asking even a donation of \$10 is a huge sacrifice for people. But if we could get as a group and each as a member of this advocacy group could donate \$10 I could say guess what that's going to be matched 6 to 1, your donation turns into a 60-dollar donation, if everybody in this group can give \$10 all of a sudden this group can give \$600 to a candidate for local office. That builds true political equity in that group. People running for office might want to come to talk to us at a meeting, we could share about our lives and what is important to us. So I just would like to say that I think you have the opportunity to show leadership here in passing a policy that really makes a difference in engaging everyday Portlanders, and I

November 3, 2016

hope that you take it. I think that all Portlanders deserve a voice, not just a voice that's proportionate with their income.

Moore-Love: Next three are.

Hales: Good afternoon, welcome.

Jason Kafoury: Thanks for having us. Money in politics is obviously -- Jason, I'm an attorney at a law firm, also helping with many people in this room on the local campaign reform which would have 500-dollar contribution limits and disclosures. I think -- let's watch and see what happens. I think that is gonna pass. I think you're gonna see it's a left-right issue, campaign finance reform. This, to me, is a great start. I think it still needs tweaks here and there. I love the idea that going to a coffee shop and meeting with a small number of people would be financially beneficial for candidates, I love that idea and the idea of going door to door, knocking, saying give 5, 10, \$20, and it matches, and I think we'll see a lot more people engaged in our political process if we pass this. I do have a couple of concerns. I think that these caps without some sort of flexibility and some sort of monitoring group could lead to people not deciding to run because there's too many people running, that the pot's not big enough. Commissioner Fish, I heard your concern, you know, just running this local campaign it costs tens of thousands of dollars to get up on tv, to do mailings. You have to have a. Enough money in the system, and you have to be able if we're going to get more people to participate to be able to not have folks feel like their hands are tied because there's not enough money and too many folks wanting the money to be will to run so I think there has to be flexibility. I don't know if it needs to go back to city council to change in the middle of the cycle but we don't want to create this brilliant idea but it turns out to not work in reality because people can't use the money. This doesn't do anything, obviously, in terms of the independent, you know, money that we're seeing now. So that's, I think, something down the road that we could add to it. Overall I'm a huge supporter in the idea of more, empowering small donors, getting more people involved in our political process. Oregon ranks 49th in the country according to the center for public integrity, 49th, one ahead of Mississippi. We should be a lead he shall, innovator, nationally, there's going to be public financing across the country in many states, let's see what happens in this election cycle but let's start something in Portland we're proud of and give it the flexibility to be successful and lead to more candidates.

Fish: You referenced dark money. Do we locally have any authority to go off the 501c4 abuses?

Kafoury: Well, I think we can correct tag lines like we did at the county line where at least the independent expenditures, you know where the money's coming from. We don't have power under citizens united in stopping it currently but knowing where the money's coming from is a start and that's a popular thing, they have it in California, they have for decades and it's in Maine, on the statewide ballot in Washington this cycle. So we'll see what happens.

Jefferson Smith: for the record my name is Jefferson smith speaking as a resident of Portland. I had the privilege of being a guest facilitator for a group of about three dozen community organizations that were discussing how to add greater balance to the political system they came out with a set of recommendations that were reflected very well in this proposal. Rather than going through those again and there being very well covered by the good turnout today and by the invited testimony. So instead what I wanted to do was take a stab at responding to some of commissioner Novick's three concerns and maybe also to the question that commissioner Saltzman raised. First I heard the question about who administers I agree got to solve it I might disagree with the auditor that the definitions of elections wouldn't cover this I think it might have something to do with administrative preference, but I don't think she is the only option whether it's something in the cities

November 3, 2016

apparatus or contracted or come with strength to the county. Vote this unanimously and I'm looking at this side of the table as well approach Deborah Kafoury and friend with humility to administer elections and greater city county collaboration would be useful anyhow. Annual limits of the fund I agree we want to make sure this has enough money that would be worthwhile. A few thoughts or at least a couple one I view it as a base. I don't think the first \$100,000 that you raise would not matter even if there are a few people competing so you couldn't get your second \$100,000. You may be able to raise the next \$100,000. I don't think that eliminates your concern. There's a discussion that should be had now and an iterative process of the commission to think what that proper cap, fund, size should be. It's worthwhile to consider the amount. If the amounts need to be increased in the future that should be an option. That raises the question how to pay for it. I start with a basic belief that this is as big a priority as anything else we do. That an expenditure to allow more participation in our democracy is as high a value for city investment as a road or sidewalk, as important as roads and sidewalks are. For people in my neighborhoods who die on streets that matters more than anything else. For people who want to get something quickly feeling they have an opportunity to weigh in to where that money gets spent matters as much as anything else. Also let's imagine practically this will get a little bit thick, so I apologize in advance, that costs of elections increase in the city as they have been in the state. I think thanks in part to the public financing regime before they were chilled a little bit. We saw a little plateau in cost. But if you'll bear with me for a moment, the year that the majority of the city council, I think '74 when the majority was in high school, I think commissioner Novick you were 11. Also in high school. [laughter] I was in diapers. [laughter]

Smith: Likewise,

Smith: Cost of the state house race in the state on average is \$3,000. I'll be almost done. In 1994, \$30,000. This last election not average but expensive race \$750,000. If that trajectory increases the kind of pressure, it will take to raise money from people with business to bear at the city council will be significant. All you have to do is avoid one, two, three deals that would be avoided to pay for this for many years. Thanks.

Hales: Thanks very much. Welcome.

Daniel Lewkow: I'm Daniel Lewkow, political director for Common Cause Oregon. Common Cause urges you to pass the proposal by council vote. Common Cause is a nonprofit grassroots organization. We work to create open, honest accountability government that serves the public interests, promotes equal rights, opportunity and representation for all. Empower all people to make their voices heard in the political process. Open and accountable elections will help grow our democracy. Right now the average citizen is less connected to our democracy than any other time in our history. People believe their voices are not being heard by lawmakers. Even in this toxic and bitter election one thing that unites people of all parties is the feeling that a voice matters less in the process than those of big donors. This is a collapse in trust in our government, disillusioned, disenchanted. When we limit big money and mass small contributions candidates have incentives to canvas neighborhoods. That gives everyone an ability to participate. This participation broadens discussion and ultimately supports a more robust and representative government. This is how we rebuild confidence in our democracy because democracy only works when everyone owns a piece of it together. Our country has a long history of growing democracy. First we gave men the right to vote, then men without property, then women, then people of color. Then we let people vote by mail, then we let them register in a simple manner. Open, accountable election is the necessary logical step. Thousands of Portlanders have come together to call for open and accountability elections please pass this by council vote. Thank you.

Hales: Thank you. Reiterating a request that came earlier, by happenstance the three of

November 3, 2016

you ended up together. All three sound like you may be qualified to be tuning mechanics in terms of making the proposal work better and answering some of the questions. As commissioner Fritz said, could you keep it coming, please, in the interim between this hearing and when we work on the next. Some of the questions about where it's administered and how caps work, those details will matter. Your ability to bear down on the details and help get them right would be much appreciated.

Lewkow: Let's get through Tuesday.

Hales: That's right.

Smith: Mr. Mayor, if I might respond related to that, the iterative nature of this policy making at least for commissioner no vote and I think commissioner Saltzman and Fish, one reason daniel's testimony is apropos, it's expected to make improvements and adjustments. Not just yes or no at the ballot and never change but it's thought that we will change it. That's another reason to do it here not only because it would be tough for people in the chairs to raise a quarter million to a million dollars to pass it but also trying to get access to the system and money is a barrier. Also that it should be iterative. Should be a chance to make it clear that we anticipate to make it better over time.

Fritz: We found with the arts tax because it was sent to the voters a lot of people say it has to be exactly what was sent to the voters even though some things should be fixed.

Hales: Thank you all.

Hales: Good afternoon. Welcome, who would like to be first?

Carol Cushman: I'm carol Cushman representing the league of women voters of Portland. As an organization that promotes active, informed arts passion in government, we have made money in politics reform a priority issue since 1973. At the local, state and national level, the leagues throughout the country are working toward our goals of more political process with broad-based open elections. We urge you to move forward one step closer in getting greater participation by directly enacting open and accountable elections reform. This reform would reduce the influence of big donors by matching small donations from ordinary Portlanders making it easier for all to have their voices heard and allowing candidates without access to networks of wealth to run for office and win. In Portland we don't shy away from breaking with the status quo when the status quo isn't working. We don't have to wait for Washington d.c. to act. You have the opportunity to reduce the power of money and increase participation in city elections right now. This approach to reform has proven to work in places such as New York city because their small donor matching system candidates are campaigning in 90% of neighborhoods instead of just the wealthiest areas. Here in Portland we can replicate this success and ensure more people have a say in our elections by encouraging candidates to campaign and seek donations among voters in all parts of the city. These donors will have a stake in the success of their preferred candidate. And likely will be inspired to increase their involvement in city politics and policy development. Participation. This reform will enhance political equality, ensure participation in the political process, protect representative democracy from the distortion of big spending in election campaigns, ensure transparency and the public's right to know who is using money to influence elections. Enable candidates to compete equity ply for office. The league urges your support for this reform. Thank you.

Hales: Thank you. Welcome.

Amira Streeter: Hi. Mayor hales, commissioners, thank you for having me. I'm Amira Streeter, the policy advocacy director for the urban league of Portland. The urban league is a community based organization founded in 1945 to empower african-americans and other Oregonians to achieve equality in education, employment and economic security. The urban league supports this measure in elections reform. Our democracy is stronger when we increase participation. The center would allow more equitable representation in the

November 3, 2016

most important form of government that we have in the state. It would raise the voice of the people. It would reduce the influence of big money and increase the ability for people of color to run for office. This meaningful election reform will foster great diversity both for those who run for office and for the policies taken up by our government. The method being proposed today has a proven track record of success to break down barriers that prevent people from having a voice in our democracy by making an impactful contribution particularly for underrepresented communities. I was shocked to see that there had only been two people of color and seven women total in the past 100 years. We need to work to fix that. People from every Portland neighborhood in every back ground should have an equal voice and that's simply not happening. This method could be part of that solution. Ordinary people in their concerns are the no getting the attention that they deserve. We can change how candidates campaign because of small donations being matched candidates would have incentive to go door to door, going to neighborhoods that maybe they don't live in to understand the issues that real people are actually facing every day. In conclusion, with this reform more neighbors can run, process and represent their communities equitably and you would see more women, more people of color, more diversity over all. We trust our elected officials to work this out on how to get this reform passed to fulfill the wishes of your constituents. When everyone is empowered in our elections, everyone has a chance to have a seat at the table. That's basically what it comes down to. Just bringing down the barriers so people have a chance to make an impact in their community. Thank you.

Hales: Thank you. Welcome. Good afternoon.

Octaviano Merceias: Good afternoon. I live, play and work in Portland, Oregon. I'm manager for civic engagement and policy Latino network. I had a bilingual presentation but time is a dictator and time is precious so I'm going to keep it in English. Our team develops trainings and works alongside the leaders from the Latino communities and communities of color. Our motivation comes from my experience working with diverse community for the past 18 years in topics related to community development, civic engagement and leadership. The struggles and success of many families are imprinted in the history of Portland. Today we face many obstacles such as affordable housing, equal opportunity employment and moving forward to break the generational cycles of poverty. This has kept many members of our community distanced from the political process and development of policies. We have learned that participants have become more engaged when they learn about the opportunities to contribute to their city. Their willingness to be part of the process increases when there's a fair way to become part of the fabric of democracy. Members of our programs have participated in focus groups, working groups, initiatives that one day they will simplify and support their elected officials in transformational levels. Running for office is very expensive. It has become almost unthinkable for members of our diverse community to give it a try therefore slowly vanishing the opportunity to bring a full range of perspective and voices to flourish to the table. Contribution of small donors toward election process is one way to open the door to new and emerging leaders to contribute. Additionally, it provides a space for new and vibrant communities that bring important elements of the democratic process. The dream to achieve a more inclusive process can serve and represent their community without having the fear of the obstacle of finances and expensive campaign. The multiplicity of voices are diversity and actions on pressing issues. This proposal is an opportunity to include more people of color, emerging communities, young people, immigrant communities. We believe in a more transparent, open and accountable election that includes a stronger transparency rule. We ask for the support for this resolution. This beautiful city, the city of roses, shines in a colorful way of prosperity when diverse voices become an integral part of the democratic process. Thank

November 3, 2016

you very much.

Hales: Thank you. Thank you all.

Moore-Love: The next three.

Hales: Good afternoon.

Charlie Fisher: Good afternoon. Mayor Hales, commissioners, I'm Charlie Fisher. We're a statewide citizen based organization with thousands of members in Portland. I think we bring a unique perspective to some extent because we have thousands of conversations with people at their doorstep in Portland every year. One of the things that's on the minds of a lot of our members is influence big money has in our elections process. People want to participate and make a difference as a candidate or donor but too often they decide not to because they think they can't run a successful campaign or they don't think there are five, even \$50 dollar contributions can make a difference. We think this reform can play a positive role in how our candidates are. I can say from experience that the fact that we fundraise small dollar contributions at people's doorstep leads to greater accountability and awareness of things people care about. We get the vast majority of our funds from small individual donors. It means we do have to think long and hard about what people care about and what they want us to support. That concept and philosophy can be translated through this. It will mean candidates doing on which the same thing we're doing, asking for small contributions and giving them an opportunity to invest in their democracy. For that and many other reasons we urge a unanimous vote in favor of this.

Hales: Thanks. Welcome.

Jesse O'Brien: Mir mayor, commissioners, I'm policy director of ospirg. Mr. Fisher ably represented our position but I have the distinct pleasure to deliver a petition signed by over 1,000 Portlanders from all over the city. I'm going to read it. I would like to note it's in the first person but I hope you will not think of me except in as much as I'm one who signed the petition but think instead of over 1,000 Portlanders from every corner of the city and every walk of life. Dear Portland city council. As an important voter and constituent I write in support of the open and accountability elections act. Portland candidates are spending too much time raising money from wealthy donors and powerful corporate interests instead of campaigning among everyday voters. In 2012 a few large donors gave three times more to candidates than 6,000 everyday voters. This creates a disparity in which some voices speak louder than others in our democracy. I want to restore balance by ensuring all Portlanders have an equal voice. I'm strongly -- it supports community supported candidates and ensures that people of diverse backgrounds can work to represent the interests of everyday Portlanders. With this in mind I hope you'll support the election reform vote coming before the city council. Thank you.

Hales: Thanks very much.

Fritz: I received over 500 emails on this topic, so thank you very much.

Emma Easley Darden: I'm Emma Easley Darden, one of the co-chairs -- Portland forward. I also have worked on petitions and having members of the community write letters which you hopefully received and read. Over the last year and a half as I worked with the Bernie Sanders campaign to organize the main grass roots in arm in Portland known as Bernie pdx I spent countless hours engaging with members of our community. My two little girls are creating havoc in the hall --

Hales: That's quite all right.

Darden: Countless hours engaging with members of our community. Teachers and students, middle class homemakers, homeless veterans, high school students, blue collar workers and seasoned activists. It's been eye opening to say the least. So many people never engaged in the political process or have gone years since they have been involved. The common thread was I don't have a voice. There are two few politicians who reflect my

November 3, 2016

views, desires, who understand my life and my needs and concerns. They simply feel disconnected from the proceeds. As we try to engage them on the local and national level during primaries I heard those phrases again and again. Then an amazing thing. One by one they gained a vision of what might be possible. Those hopes didn't just lie in the presidency. Over and over we were encouraged to work from the bottom up, to prepare a groundswell that could change this country on every level. You 15 that today. She said a year ago I don't know that I would imagined testifying before city council now I'm involved and engaged. One day I got a call from my friend rob. I won't yell as loud as he did but he explained over the phone I did it. I filed papers to run for office. He was so inspired that he just had to dive in to represent the voiceless people. He ran an engaged campaign with dozens of friends canvassing. He was outspent exponentially. We weren't surprised when his challenger backed by the normal power players won. Over the last few months I have seen others step up. One is for mayor of the dalles, one for lake Oswego. They face steep uphill battles because they struggle to compete with the big money of opponents. It's time to change the dynamic. We can start in Portland. We can make it so that small contributions become donations that allow a campaign to rise. That isn't to say that knowing big donors is a bad thing but wouldn't you rather spend time meeting with constituents in large groups or small groups, some of them with large amounts to spend up to the \$250, some with \$5 or \$10 like Bernie collected throughout the nation. This would mean more people could be part of our democracy and contribute their voice and vision to continue to make Portland the kind of city that I grew up in. The one I want to raise my three little girls in. People should be able to run for office based on their ideas and passions and not the passions of those whom they have to raise money.

Fritz: Thank you very much. Can you send the rest in writing please?

Hales: Maybe if we get this right one day one of your daughters will be causing mayhem inside office.

Hales: Good afternoon.

Mark Sturbois: Good afternoon. Mayor hales, commissioners, I'm representing the communication workers of America local 7901. I'm also privileged to be a membership and supporter of many of the groups testifying today. Instead of citing statistics I would like to give you an observation which I'm sure most if not all of you can relate to. In today's climate you are tasked with making decisions that can occasionally disturb a significant portion of the electorate. You have a reason for making said decisions. Your rationale is lost with a simple trip to Worcester. Instead of being able to defend your path to reaching your decision you're hit with innuendos on contributions and independence of your votes. Regardless of the validity, it clouds the decision. With the exception of the open and accountable elections this could be a moot point if you were a participant. As incumbents you should have the networks to meet the participation requirements and still have the main recognition and free media in the course of doing your jobs. You would be able to meet the public and talk to them on their doorsteps or phones instead of dialing for dollars and you have a record to run on. I volunteered on campaigns and interviewed candidates for many years, and over the years I have gotten to meet many bright, principled community advocates. One is sitting on the council at this time. We are richer for having these people enter the process. We are richer for the debates and the passion that these people bring but so many of them have little experience in running a campaign or raising funds. The city is richer with more voices at the table. The foundation this plan would have in enabling these robust discussions with people passionate enough to be put on display. Portlanders want the city council to pass open and accountable elections. Over 30 organizations representing tens of thousands of people have come together to call for this reform. We hope that the city council will listen to the voices of the voters and work

November 3, 2016

together to make our democracy to everyone. To open our democracy to everyone. This plan has a track record to protect the city. I believe that the price of implementing is a pittance compared to what it offers. Thank you.

Hales: Thanks. Appreciate that point. Sort of how it works on this side of the dias. I'm a little bit of a laboratory experiment here in that I announced a year ago that I wasn't going to run for office and people have disagreed with me on one or another issue as is always the case but people immediately stopped questioning my motivations. I noticed the difference. Welcome.

Steve Carter: Thank you. Mayor Hales, Commissioner Fritz, Novick and Saltzman, thank you for the opportunity to speak in favor of the open and accountable elections reform. I'm Steven Carter, a volunteer here representing AARP Oregon, which has over half a million members in the state. AARP supports this proposal because we believe it will encourage broader representation in city government, greater participation of citizens in political campaigns and elections and create more trust in government and greater transparency and accountability that campaign contributions and spending. Transparency is a critical component of good government. Citizens deserve to know and must know how public money is being spent and who is spending that money on political campaigns. There's a tremendous amount of public distrust about the influence of big money in government. The trust may be concentrated at the state and national levels, but it inevitably seeps down into local government whether deserved or not. The open and accountable elections reform tightens ordinary state reporting requirements for campaign spending and contributions at the local level. There can be very stiff penalties in this proposal for violations of these requirements. So with tough penalties equal more transparency in political campaigns. I want to touch very briefly on the importance of civic engagement. AARP believes it's vital that citizens participate at all levels of our democracy. This proposal has every chance of improving that. In New York City which has had a similar proposal for almost 30 years' studies have shown the fair elections act there has invigorated civic engagement. The donor match program has increased the number of campaign donors overall and it has increased the number of small donors. Candidates who have participated in this program in New York say they can profitably spend their time in small neighborhood meetings talking to a broad spectrum of residents. They report this outreach in many cases has resulted in local citizens getting involved in their campaigns. That is civic engagement, my friends. So for these reasons and many others we at AARP-Oregon urge you, the council, to improve our local government by passing the open and accountable elections reform. Thank you.

Hales: Thank you. Welcome.

Ann Littlewood: Thank you. I'm Ann Littlewood speaking as a small donor. I have lived in Portland most of my life, a good many decades, on the east side. I have always tried to be informed about my city. I read the news, I vote, I talk to candidates that come to the door. I make contributions. My contributions are small potatoes until about two years ago when I accidentally entered my visa number code for an online campaign donation. [laughter] it wasn't a huge amount but apparently it was enough. Ever since candidates call me to chat and hear my views. What I really want to tell you today is that I never once thought of running for office. Now and then I would wonder why people would do the hard work, put up with the aggravation and drain their bank accounts to get elected. Like everyone else I'm quick to criticize but not so fast to step up. When I looked at this campaign finance reform measure it finally occurred to me that it really ought to be possible for anyone with a start to run for office including people who don't go access to big donations and people who represent the diversity of Portland. I have been persuaded that this is a tested practical approach that can work for Portland and will open a space for choices that really

November 3, 2016

should not be so hard to hear in our political discourse. We all know that our national politics are not very representative and are in gridlock. Changes has to come from the bottom up. Let Portland show the way. Please pass the open and accountable elections. Thank you.

Hales: Thank you all.

Hales: Welcome.

Gregory Monahan: Thank you for having me. I'm Gregory Monahan here as a representative of the Oregon sierra club where I'm a volunteer organizer. I'm going to truncate my testimony which you have copies of in interests of time. The Oregon chapter supports adoption of the open, accountable elections policy. I'm skipping the reasons, which are a testimony. In summary the outcome will promote a more representative government that is more responsive to the needs of the diverse residents of Portland. This in turn will make our city a better prepared to meet the challenges thrust upon us as we seek to make a just transition to a carbon neutral society. Thank you for giving us the opportunity to share our views. Thank you for listening.

Hales: Thanks very much. Good afternoon.

David Delk: I'm David delk, president of the alliance for democracy. It's a little grass roots organization that believes that we need to establish true democracy. I am very pleased to say that the alliance is totally supportive of the proposal by the commissioner Fritz and we're very grateful that she brought it forward. We need to move from a privately financed system of electing our city mayor and commissioners is very clear. The present system causes people to believe that their officials are bought and sold to the highest bidder. Certainly not a system which builds confidence and trust. However, we do note that all other governments using a public financing system mechanism also have limits on campaign contributions. Seattle, which earlier this year enacted a public funding system, at the same time tighten the limits they already had in place. The danger with not having limitations is privately funded candidates can swamp the publicly funded candidates making elections noncompetitive and subject to the same distrust that the present system engenders. On the Multnomah county ballot is measure 26-184 to limit campaign contributions and expenditures and require disclosure of major funders. The city of Portland should consider and then adopt the same requirements for city elections. We also think the candidates who accept public funding should be identified as having accepted and participated in the system while those who have not should be identified as not participating. At minimum such identification should be part of each candidate's vote of conflict statement. Limitations combined with public funding and clear identification of participation is the way to create a democratic system. With public and build public confidence in the system. Thank you.

Fritz: Reminding me about the stipulation to have the other participating candidates we had to that in the old one, thank you.

Hales: Thank you. Welcome.

Akash Singh: Good afternoon. I'm Akash singh. My testimony will not be the record for the shortest one. The phrase that we the people that is the creation realistic referred to white men of gentry in 2016 as we hopefully expand the definition of people we are confronted with troubling circumstance regarding our democratic institutions. When governor Romney, which seems like ages ago, said corporations were people too there was understand anger but as abhorrent as those who truly cherish the meaning of a democracy find that sentiment to be it is a reality. When corporations and donors have a greater degree of power than the citizenry we the people garner an oligarchy instead of democracy. With oligarchical -- in their best interests even if the constituents ardently voice opposition. There's little to no accountability. Without that accountability there is not a

November 3, 2016

system beholden to the public. People of color, women, lgbtq, other marginalized populations are often barred from corridors of power. Individuals in spite of their experiences are thwarted by voter checks long before they get to the ballot box. Open and accountable elections is a way for the barrier to be eradicated. Without individuals of all walks of life the amount of progress Portland can make is truly minimal. I urge each and every one of you to support our democratic values and be in favor of open and accountable elections. I urge each you to stand up against the diluting of democracy in a renewed age of voter suppression by respecting the power of the public. Make it known you value your constituents, your voters, your public more than you value large donors who believe democracy can be purchased not with a vote but with a check. Thank you.

Hales: Thank you all.

Kelly O'Hanley: I'm Kelly O'Hanley I'm a physician I'm speaking on behalf of the climate action coalition composed of about 11 local organizations that have been responsible among other things for helping stop the proposed propane terminal as well as advancing the no new fossil fuels infrastructure measure. While two thirds of the population acknowledge climate change is real the overall political response has been muted at best. This begs the question why. Fossil fuel companies pour money into political system. Exxon knew about climate change about 40 years ago and spent millions to promote misinformation. In 2015 fossil fuel companies spent upwards of \$140 million on lobbying efforts. In the past year they spent \$90 million in campaign contributions. We're up against goliath. We need to place voters' interest not those of outside donor's front and center in the political process. Open and accountable elections will help ensure Portlanders concerned about climate change can be heard. Therefore, the climate action coalition views any steps to get corporate money notably positively fuel money out of politics is crucial. So the climate action coalition says bring on Portland campaign finance reform, yayy. Thank you.

Hales: Thank you. Welcome.

Cassie Cohen: I'm Cassie cohen. Thank you for having me tonight. I'm here on behalf of unite Oregon. I also come before you as my experience as a woman born and raised in the Portland metro area. As a former city employee who worked to help complete Portland's largest city-wide community visioning process, vision pdx, as a volunteer who has contributed hundreds of hours of service on community and city commissions and boards. And as a lead who are has helped ensure communities ever color and people experiencing homelessness, houselessness, had and have a say in the Portland harbor superfund cleanup process. But yet even I could not run for office today. I do not personally have the network and the connections with the 600 folks who are the most common contributors to elections. Many of the folks that I have worked with over the years cannot even though I think there are many, many candidates who would be interested. So I believe that open and accountable elections is a very critical step towards removing the real barriers of wealth, knowledge of systems, special interests or connections to major donors that are present to people of color, immigrants and refugees. For you all, this may be personally a vulnerable step for you to take on as city council members to endorse this, but I feel a critical step in your journeys as leaders to take the steps to find a way to work out the logistics that I have heard tonight that are issues around who will operate this new program and find a way to make it work. I really feel encouraged by your good questions and it sounds like there is some genuine interest in finding a way to make this act happen and I do envision starting a new trend where the city of Portland can lead in its practice of having full representation of all communities on its city council. So thank you.

Hales: Thank you. Good afternoon. Good evening. Welcome.

Sourixay Vilalay: Good afternoon. I'm Sourixay Vilalay I go by s.v., I'm honored and

November 3, 2016

thankful to have this venue, this opportunity, this ability. Actually a back story is united Oregon used to be known as cio, and I was fortunate to be a graduate in 2009 as the first pilot. So just wonderful to see that the progressing and growing and building a strong network. They did not ask me to come in contained. I was born in 1980, and I feel I'm a bridge in the way forward for generation x, and the millennials of our time. What spoke to my heart to speak today was attending an event that kboo is thankfully around to listen to when I drive around town in lyft and uber. I was able to catch an event about a documentary by an investigative reporter showed his premier. Powerful, insightful. I highly recommend everyone to watch it before the second gathering so we can have a bigger picture of what we are worried about as a society where we live. It was wonderful to see Chloe here sharing her testimony and I got this by hanging with some kboo people afterwards and it was like wow, you're here in the flesh. It was fun to see that. My hope is that as city council representatives lead us in our city that they would not only learn from investigative reporting but listen to the wisdom of Howard Zinn, the question that he has asked through cable as well. I have come across 1776 and the 56 people that signed the independence declaration. What were their reasoning? I want us to be reminded this is a proponent to help more diversity for us to see more representatives out there of color and sex, both. Times have changed I would say. We need to change with it. With technology we can have more creative ways to go outside the box to get votes, to get donations. I wanted to address over in New York where this is being adopted from, we had the statue of liberty which represents freedom but I read a book recently by victor E frankel, man's search for meaning in life. His quote is, if a man knows his why he can bear just about any how. He suggests not only the statue of liberty but I see Portland being the underdog story where we can have a statue of responsibility.

Hales: Thank you very much. Thank you all.

Hales: Good afternoon.

Valdez Bravo: Thank you. I'm Valdez Bravo. I'm a native Oregonian, a Latino and veteran. I am a descendant of a sioux chief. And an affiliated member of the standing rock tribe I'm also proud to have served 8 years in the army before returning home in 2003 I now serve my fellow veterans at our local v.a. Hospital. 12% of Americans served during world war ii. Today less than half a percent of Americans serves. This with economic barriers to entry have resulted in lack of veterans running for office. In 1975 70% of congress had served in the military these days its closer to 20%. There are also less veterans serving in local government. There are no veterans on Portland city council. This there hasn't been in 24 years since mayor bud Clark a former marine left office in 1992. Open and accountable elections will ensure veterans have a voice at the table, an opportunity to participate in the civic process. Veterans bring their loyalty, duty, selfless service, duty, honor, personal courage and diversity. People of color while underrepresented in government are more than overrepresented in the military. Veterans' leadership and diversity will have a powerful and positive effect on government. It will create a pipeline of future leaders who look like the communities they serve. Every day at the v.a. I see the lasting damage that war has wreaked upon my fellow veterans and their families, men and women, old and young forever altered by their experiences. The impact of war is often invisible and when our elected leaders do not have that experience they are more likely to repeat the same mistakes, more willing to send our young people into harm's way. We need campaign finance reform in all levels of government and Portland has the opportunity to take the lead and be a model for other cities, counties and states. If we can demonstrate a commitment to transparency and open elections, we can transform the landscape and open the door to achieving real progress. At the micro and macro level whatever your passion, climate justice, economic justice, social justice or not going to war, we need to reform our political

November 3, 2016

campaign finance system. When the donors of open access we lose. When the average American citizen has open access we win. When we, the average American, has an equal chance at being elected we'll achieve a representative government and a government truly of the people, by the people and for the people. Thank you.

Hales: Thank you.

Fritz: Thank you for your service.

Karly Edwards: Hello. I'm Karly Edwards, state director for Oregon working families party. We represent 11,000 registered voters and over 30,000 supporters. I would like to thank commissioners for your leadership in and bringing this issue, particularly commissioner Fritz for your leadership and values, using the system Portland has had in place in the past and for hosting town halls which I had the opportunity to attend. I little want to thank those who helped put on the community aspect of this bringing people here today. There was a tragic loss in the social justice community and I think it's very poignant given the issue that raided the quo from Sarah aiona today please give us fierce hearts for the fight and soft hearts for the fighting. Thank you for helping organize this. It feels like a common theme for me to come in the last few weeks and highlight proposals being brought up that are the exact kind of creative, common sense policies that our voters want to see. In particular I know that our voters are overwhelmingly enthusiastic to support policies that limit big spending in politics. This policy has the power to fundamentally improve our local democracy. Our voters are tired of the big money in politics that citizens united has unleashed and are also tired of feeling narrowed into choices because too much of our community leaders are left out of the political process. Because of their lack of access to big dollar donors. Many of our voters purposely have chosen to be part of a third party that they feel represents their values and part because we aren't supported by the big dollar donors. This policy excites voters like ours because it gives a breath of fresh air that we can change broken systems. Our voters also want to be seen and heard by those elected. We know public financing models help promote candidates talking to more people which helps our democracy as those elected have stronger connections and understanding to the issues in our communities. In short, this policy is exciting. This policy is proven. This policy will overwhelmingly make our community better. In passing it by city council is an excellent reflection of our city, your leadership, and the work of all those involved to make this happen. Thank you for your time.

Hales: Thank you. Welcome.

Sami Alloy: Hi, good afternoon. Mayor Hales, commissioners, thank you so much for your dedication to this issue. I'm Sami Alloy I'm the deputy city director of the working families party. The party seeks to create a voice for working people in politics. We're working to create a future where our economy works for everyone, not just the wealthy and the well connected. When our politicians are accountable to working people instead of corporate donors and wealthy people. Should have the ability to focus on policies that matter to working families. Good jobs, secure housing, accessible health care and quality affordable education. Open and accountable elections is an exciting step toward achieving those goals. This is a game changer. By amplifying small contributions, it will change the way candidates campaign given them more time to focus on the needs of constituents and their policy goals and less time fund-raising. By adding more transparency around campaign contributions it will make it open and accessible to everyone and by limiting the influence of the wealthy and well connected it will make our democracy more representative of all of us. In considering open and accountable elections Portland is on the right track. Similar policies have been tried and proven in other cities. This is the right time for Portland to follow suit. The Portland city council rather than the ballot is the right place to pass this reform. Voters have been made clear they are fed up with big money and corporate

November 3, 2016

sponsorship. Voters want our elected officials to focus on solutions. People of all backgrounds and political affiliations want democracy for everyday voters over large and out of state corporations. That's why there's such strong public support for this reform. I want to share a couple of the pieces of information? Where they have public financing in Connecticut, the data bears out that this is a system that works. The New York center for justice took a look at who was donating to campaigns. They were shocked by the results. In 2009 they compared city council races governed under public finances with 2010 legislative races in the same neighborhoods which weren't. In the low income communities of Bedford Stuyvesant low income donors were 24 times as likely to donate to political campaigns. I think the proof is in the pudding. Also I want you to consider that in New York and Connecticut their public financing system were a result of political corruption scandals that happened there. We're lucky here in Portland that we have not had to have such a crisis and let's not wait for that to occur. So thank you again for your vision and leadership. I urge you to keep moving forward.

Hales: Thank you very much.

Fritz: How many more do we have to testify? I think we should perhaps go to two minutes.

Moore-Love: About eight more signed up.

Hales: We can make it then.

Fritz: Thank you.

Bill Harris: I'm bill Harris. I am a board member at Oregon common cause. We're going to project the photographs for people to see of a large group of people, scores of people, who filled out cards describing why they want this measure passed. I'll be reading the cards while the projection occurs. After a while. Sometime.

Hales: There we go.

Harris: Everyday Oregonians. Here they come. There is a card. I believe we need more diverse representation in our elected offices. The current state of elections unfairly amplifies the voices with the most money. We need to change that now if we believe we are truly a democracy. Big money cannot have more of a voice than the people. Please support meaningful election reform for us all. I believe that candidacy for city council should be more open to people of color and to women. People should not have to spend so much time raising money from big donors. They therefore could talk more with the people of Portland. All should be able to run for office without being held back by people with weighted pockets. Please support publicly funded elections so that everyone regardless of their economic situation has an equal opportunity to run for office and so elected officials are not unduly influenced by their donors. Money is not speech. I support election processes that increase public participation and decrease special interests financial influence. An investment in our democracy is an investment in the solutions we find together. Despite a country whose ideals empower the individual, it is discouraging how much influence money and those who hold it control things. This can be changed. Please help. I want open, democratic elections in fact and appearance. Let's do this now. Thanks for voting yes. I believe in democracy and I believe this is an important protective measure for keeping ours healthy. People like me who would like to run for office can't afford to run a campaign and don't have access to big donors. The political priorities of large donors frequently do not align with mine. With open and accountable elections, I believe that my views will be more openly represented by our policy makers. Thank you.

Hales: Thank you, bill. Welcome.

James Ofsink: I'm James ofsink current candidate for Oregon senate and longtime democracy advocate through organizations like the league of women voters, common cause, city club, hack Oregon and others. I was heartbroken to see the promising program fade away due to a few hundred votes. Throughout my tenure in local activism and I would

November 3, 2016

convenience consistently pressed with members of the community outside the traditional circles of power. These individuals have a lot to contribute to the way our society is run but as our system exists today they will most likely never be put in positions where they can enact real change. Being a candidate in our system as it exists today requires a tremendous amount of money to present literature, make lawn signs, use voter tracking technologies and other things required to run a viable campaign. That's an invisible barrier to who even starts the process. For someone working full-time and making \$30,000 the idea of raising \$200,000 or more in just a few months is daunting to the point of discouraging. Without being part of an existing network of wealthy individuals or organizations it's difficult to know where to even begin. The result is that the groups of people who most need a bigger voice in our democracy including communities of color and young people, the groups are exactly the groups who have the least developed network of wealthy donors and are shut out from an important part of our process. Our existing system experts pressure shaping the type of candidates that will be viable and we miss out on a lot of potential of these individuals. Aside from who can run for office it's important how community members can participate. When people see the tremendous amount of money going into political campaigns and know they don't have a lot to donate they may be discouraged from donating and end up believing that they don't matter in a political proceeds that place so much emphasis on campaign contributions. Open and accountable elections offer time tested solutions allowing any Portlander an opportunity to galvanize grass roots support and have the resources to run a viable campaign. Our democracy works best when everyone has a voice and when people know they can meaningfully engage in the same way that everyone else can. While other places in the country put up block aids to people participating in their democracy here in Oregon we can continue to build upon our legacy as democracy trail blazers. For a fair, better and more participatory democracy I urge council to enact open and accountable elections. Thank you.

Hales: Thank you, welcome.

Benjamin Gerritz: I'm Benjamin Gerritz, I'm a seiu 503 board member from the private nonprofit sector, also the chief council chair for the Portland region. I want to thank our honorable commissioners, our mayor, the people in this hall coming together in celebration of democracy. I'm here today as a lifelong Portlander in a city that's rapidly changing. I embrace this change provided everyone new and old Portlanders alike have the opportunity to shape our more inclusive future. I'm here today for my family, for my husband, who is an immigrant from Spain and Mexico. For our daughter, who is studying in Veracruz on the dean's list in her college getting a law degree. Our daughter who will soon have the opportunity to join my husband and me shaping Portland's future as a first generation who has had this opportunity through marriage equality. I'm here as a broken hearted case manager serving so many people who are ill, doing their best to stay healthy, and forced to sleep on our streets every single night. They may have very little in superficial sense and they are among the most gracious, grateful, humble, appreciative Portlanders I have ever known. I imagine the unlimited potential that our city holds when we uplift the voices of those that I serve, the voices of every family that shapes our city. How Portland is changing and whose voices are valued raises really important questions about our political process. Currently that process is out of balance. The voice of a wealthy donor writing one check too often silences the voices of families like mine. We struggle to pay the bills; we contribute what little we can with the hopes that our working class voice may be heard. So I ask of you to raise your voices, raise your voices of leadership and support this resolution for the people of Portland who are here today and the new Portlanders like my daughter who will help shape our future. Thank you.

November 3, 2016

Hales: Thank you. Thank you all.

Hales: Welcome. Good afternoon.

Jordan Earls: Hello. I'm Jordan. I'm a senior at Portland state here in support of the open and accountable elections act. I was born at ohsu in 1991. I decided to attend psu because I wanted to integrate my education with a goal of positively impacting the city I call home. As a young student I see my future as tied to the future of our community. Move towards a brighter future we need to find come presence of solutions to the problems we face together. Our current campaign system prevents us from doing that. right now candidates are required to fund raise from wealthy individuals to run competitive campaigns. When candidates focus their time and energy on those that can give the most they spend less time with the people most hurt by the problems we face together that means the experiences of those most impacted by these issues are divided from the solutions that are sought on our behalf. I'm a political science we say policy making is problem solving. You don't have to study political science to know that all good problem solving requires nuance. As commissioner novick pointed out at the beginning of this hearing, when candidates have to spend their election campaigning toward a specific set of people we lose that nuance and problem making. That's why this should be a priority both in terms of the policy making of our city council but also in terms of our budget. Candidates will get to know the public face of the community more intimately because we'll be exposed to more diverse perspective which can only improve the solutions brought to the table. Commissioner Fish is not here but I would like to address some of the questions that he posed. votes as commissioner Fritz pointed out was repealed because it didn't work. I can say with a degree of confidence if this were referred to the ballot it would pass with an overwhelming majority. That's not really the reason it shouldn't go to the ballot. The reason it shouldn't is because before you we have 30 organizations who serve the most marginalized sectors of our community. They have spent their time and resources advocating for this proposal because it will serve those people and if it goes to the ballot that means they have to use their resources and time raising money against individuals and groups who the proposal is designed to defend democracy against. Their time and resources are better spent serving the groups they represent. This is something that should be passed in-house for that reason.

Hales: Thank you. This afternoon.

Hugh McGavick: Good evening. I'm Hugh mcgavick, a retired civil rights attorney from Washington state. I came to convince and persuade and argue as I'm trained but I'm not going to do any of that. [laughter] this page of comments is moot now because I haven't heard any opposition to this from the commissioner Fritz thank you for bringing this forward. Thank you, mayor and commissioner novick for hearing the citizens. I have heard comments and constructive suggestions. This is moving forward I strongly feel as it should. This is a great way to empower people, to change the definition of what it means to be a candidate in a Portland election. It's no longer who is the marathon person who can go the distance and raise the most money. Who can become the most beholden? Who can become the most burdened? Who can do the things that are not essential to govern but are essential to getting elected. It's a beautiful pathway to that and I strongly commend where you're at. The other thing it will do is change public perception. Who is a candidate? Why should I pay attention to them? Will they pay attention to me? Who are the people we have elected? I know them. They came to my house with 17 other people and we each gave them ten bucks. That was great. I'm in the game. I got skin in the game now and they know who I am and they will listen to me. I can go to city council. This is democracy. This is democracy exemplified. This is beautiful. And I have heard ideas and comments and questions and they are all with regard how do we do this? Not shall we do this, it's pretty

November 3, 2016

clear we shall do this. This needs to happen now. May the angel be in the details.

[laughter]

Dan Meek: Good evening. I'm Dan meek. I'm a 33-year resident of Portland currently co-chair of the independent party of Oregon, about 120,000 members statewide and probably at least a few dozens in Portland. I would like to suggest that the ordinance could profitably incorporate a couple of provisions in measure 26 and 184 of Multnomah county which is on the ballot. I hope will win in about five days, described in great detail at honest-elections.com. One provision of your ordinance proposed ordinance is once a candidate receives public funding up to the limit provided then that candidate can no longer raise money from any sources. Not even from small donors. For example, for a council race as I read it in the primary the spending limit essentially is \$250,000 of which 144,000 comes from public funding, and about 216 comes from public funding. After that the publicly funded candidate has to shut down fund-raising is the way I read it. Can't even receive a dollar from min. -- from anyone. That shutdown has been lifted if a nonparticipating candidate exceeds those spending limits. That may not happen. Or you may have two publicly funded candidates running against each other. They get up to the limit and they are stuck. Far be it -- I'm sure that particularly commissioner novick will be interested in what I say that sometimes you rep strict contributions too much. Essentially shutting down even small contributions once you get up to a particular level of contributions received, I think you might want to reconsider. You may want to lift the limits under less stringent circumstances. In addition, let's say that you have a publicly funded candidate reaches the limit, someone comes in on the other side with \$500,000 of independent expenditures. This measure doesn't still allow the publicly funded candidate to raids one more dollar from anyone. So I think that the limits on what a participating candidate could raise should also be raised if independent expenditures come in on the other side. The two provisions are put tag lines on independent expenditure ads. The county measure says they have to identify the top five true original sources of funding. A provision like this saved city council and mayor ship of the city of Richmond two years ago. An example you're probably familiar with. Maine has adopted that; California has had it for a while. It's on the statewide ballot in Washington and I hope will pass in about five days. Finally, like the county measure I think this measure should ban or limit independent expenditures. The county measure bans it from everyone except an individual can spend \$5 thousand dollars in independent expenditures, a political committee can spend 10,000 but only from contributions received from individuals in amounts of 500 or less. Do those limits violate citizens united? They do. Absolutely. We don't need to be governed by the dead hand of Antonin Scalia and his majority unless Donald trump wins the presidency there's going to be a five-four if not 7-2 majority to go back to the pre-citizens united regime, u.s. Supreme court upheld statutes totally banning independent expenditures by corporations and unions as recently as 2003.

Fritz: Thank you for your time.

Hales: Do send whatever you can of your testimony in writing.

Hales: Looks like we might have our last three. Go ahead.

Gregory McKelvey: Just want to start by saying I know we had a rocky month or so right off. I don't hate any of you. I actually respect your commitment to public service. I'm going to start with a story.

Hales: Put your name in the record.

Gregory McKelvey: Gregory mckelvey. A few weeks ago when we were all considering any means necessary to get the elected officials up here who voted for the preceding contract out of office and commissioner Fish -- I feel like I'm preaching to the choir. I feel this is the three people my testimony doesn't really apply to. Makes these are the two that

November 3, 2016

oppose this. A man named Charlie Williams commented on the status of Nick Fish and asked him for Nick Fish to let him start writing checks. I looked into his donation. Him and his wife have given over \$2,000 to political campaigns or PACs just since 2011. I just asked what does it say about our politics that when a rich person sees that the community is standing up for something he believes he can squash that with a check. I've obviously become a regular here at city hall. Yet with all my work some of you have refused to listen to me, my group or the community. I estimate that it's probably not the same for Charlie Williams. Who would this hurt? It's hurt -- who is hurt by having community members combat politicians with friends like that and others who can write big checks? It hurts you guys other than Mayor Hales because he's not running for reelection who have developed as part of the establishment become less valuable but it helps the community as we get commissioners who represent us instead of wealthy donors. Not by choice but similar to what Steve was saying when you have to call these wealthy donors you start living in a bubble and there's a Portland that can't afford to give the political campaigns. I have negative \$36 in my bank account right now so when election season comes along I'm not the one that gets calls. If we had people in these seats who had our interests I think they would have stood up when one filed a false police report to beat women, children and disabled elderly out of this building when they came to testify. I submit if it was Charlie Williams dealing with pain in his ribs still it would be different. In 2012 600 people in Portland gave small donations to support candidates for city office but their voices were drowned out by 20 big donors from out of town. I believe you all have probably gotten into this line of work due to commitment to public service. Please do the right thing. If you don't I won't be quiet, we won't be quiet. We will analyze each donation specifically to Nick Fish or Dan Saltzman, they have reelection bids. I won't go away. Thank you.

Hales: Thank you. Welcome.

Karen Rogel: Good afternoon. I'm Karen Rogel. I'll be very short. I work in the educational sector of the city. I think as a community member it's important to be aware of the needs to restore our city and our elections. Every single person needs to have a voice. At the end of the day we are a community who needs to promote equality and reach out to individuals with the same values as anyone else in our community. The importance of having an understanding, leadership and representatives will make a great impact in our community. Instead they are underrepresented. This is important because by individuals we need to have representatives or we need to -- sorry. Represented by individuals who promote transparency, which is going to make the city better. The main reason why I'm here is because I want to make sure that people are being heard. Thank you so much for letting me talk.

Hales: Thank you. Good evening.

Michael Withey: Well, this is very exciting, obviously. Mike Withey. Just as a resident I'm really excited about this proposal because I think about five years ago we were doing something called Occupy Wall Street. Portland had something similar right near here, you probably heard about it. [laughter] basically what we were trying to say is that we really need to get big money out of politics, especially here where we live. That's where the homeless people live. That's where we live, where we need to work really hard. So this is personal to me having worked in the homeless field, volunteered, the homeless field because I have seen it firsthand. We talk about it all the time. When we look at our city leaders and we look at everybody's accounts and talk about recall elections the first thing we're going to do is say how many developers have been participating with him pretty cheap and is there pay for play here. Of course there is. It's part of politician. But unfortunately people die on our streets that don't have to. Nobody can tell me that terminal one like it or not was shut down because of political reasons. Political will and money. That became

November 3, 2016

very political. That's why people are going to die on the streets of Portland, on the sidewalks of Portland, because we don't have the other space, the other 100 bed set. Do you have another place in mind? I know you supported it, this is where we're getting to. This is a life and death situation.

Hales: I understand.

Withey: The thing I'm excited about is whoever says no to this proposal it's like political suicide. I just wish that at least one person would do it because that would make our recall election a lot easier. Thank you all very much.

Hales: Thank you all. So before we close the hearing, commissioner Fritz, why don't we outline the schedule of what you have in mind of when we have work sessions and hearings.

Fritz: First I want to state on the record we did invite the Portland business alliance to give testimony in the invited testimony. There are some people not entirely enthusiastic about this. There are also a lot of people very enthusiastic. Thank you for staying thank you for the 31 organizations working with us in getting the word out to people in Portland. It feels like something that we are all doing together. So obviously my staff and I have been making lists of suggestions. What I'm thinking is what we did for earned sick time, have a task force represent what we have heard, maybe representatives from each of the council offices to look at a number of issues that we should be able to work through, and to do it as we did with earned sick time, that the question wasn't whether we should do it was how to do it. So I'm going to take a leap of faith and hope there will be unanimity on the council and so that we'll take three weeks or so, maybe at the beginning of December, come back for another hearing. Come back for another hearing beginning of December so we could have the vote the week after.

Hales: We talked about the 7th or the 14th, right? Of December.

Fritz: Yes.

Hales: That's enough time to get the work done but still vote on it in December.

Fritz: We know what we need to do. One of the nice things about this it is based on a system used since 1988, so it's not that we have to think of the realm of things that need to be sorted out or who is going to administer and have some discussion about the numbers - - which I think we'll probably get even more testimony about. We have also met with former city council candidates and with other elected officials whose campaigns have been really different for all of us. So that's what we're going to continue to do. Does that sound like a plan?

Hales: That's helpful. I also want to look at some of the financial mechanics of it. I realize I won't be proposing future budgets but I know how to do it and I think there are some options we might want to think about, about how the funding works. There should be a general fund appropriation but could there be accrual and election when there's not a lot of demand on the fund?

Fritz: Yes, that what happens with voter run elections so the council regularly raided that fund once it had not been used.

Hales: Setting up funds and not raiding them would be my preference.

Fritz: Let me just be clear our proposal is that people could start campaigning the summer before the May primary in July of the previous year. It's set up to encourage people to get started earlier, so it's not that there's a cap -- there is a cap on the amount each candidate can get but you're worried about the pot itself being big enough. One of the purposes of doing it this way is so people don't wake up the beginning of march and think, I think I'll run for city council. That will work out well. It's not possible with 600,000 voters especially people in the community as was pointed out we as incumbents we're on television even as I speak and we have a lot of opportunities to show what our bureaus have done, but for a

November 3, 2016

community candidate like Cassie Cohen mentioned, they need to get their word out early to get started.

Hales: Thank you all very much. Commissioner Fritz, thank you for organizing an excellent hearing. That's the schedule. If you have specific suggestions to get to us in the meantime by email or other means that would be very helpful. Thank you and we're adjourned until next week.

Fritz: Thank you, everybody.

At 6:24 p.m. council adjourned.