



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
 MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **8<sup>TH</sup> DAY OF MARCH, 2017** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5. Commissioner Fritz left at 1:34 p.m. and Mayor Wheeler left at 2:18 p.m. and Commissioner Eudaly presided.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Senior Deputy City Attorney; and Jim Wood, Elia Saolele and Mike Cohen, Sergeants at Arms.

On a Y-5 roll call, the Consent Agenda was adopted.

The meeting recessed at 12:53 p.m. and reconvened at 1:34 p.m.

Council Chambers in City Hall was updated with new audio technology March 1-April 14. City Council meetings were held in the Portland Building Auditorium on the 2nd floor while the changes were made.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>217</b>	Request of Sarah Hobbs to address Council regarding representing the Oregon Chapter of American Foundation for Suicide Prevention (Communication)	<b>PLACED ON FILE</b>
<b>218</b>	Request of Katherine Smith to address Council regarding what action is being taken to assign her case to another police officer (Communication)	<b>PLACED ON FILE</b>
<b>219</b>	Request of Michael Withey to address Council regarding need for and way to produce mobile showers, laundry, and toilets for homeless and emergency preparedness (Communication)	<b>PLACED ON FILE</b>
<b>220</b>	Request of Heather Young to address Council regarding sexual harassment and the need for a sex crime policy for massage therapists (Communication)	<b>PLACED ON FILE</b>
<b>221</b>	Request of Lopez Martinez to address Council regarding years of unpaid City Business Taxes (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		

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<b>222</b>	<b>TIME CERTAIN: 9:45 AM</b> – Accept 2017 Graffiti Abatement Program update (Report introduced by Commissioner Eudaly) 30 minutes requested <b>Motion to accept report:</b> Moved by Fish and seconded by Fritz. (Y-5)	<b>ACCEPTED</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>		
<b>Mayor Ted Wheeler</b>		
<b>Bureau of Planning &amp; Sustainability</b>		
<b>*223</b>	Accept and appropriate a grant in the amount of \$64,000 and authorize an Intergovernmental Agreement with Metro for funding to support waste reduction efforts at Community Collection Events in the City (Ordinance) (Y-5)	<b>188267</b>
<b>Fire &amp; Police Disability &amp; Retirement</b>		
<b>224</b>	Appoint Jennifer Cooperman as the Mayor's designee to the Board of Trustees of the Bureau of Fire and Police Disability and Retirement (Resolution) (Y-5)	<b>37273</b>
<b>Office of Management and Finance</b>		
<b>225</b>	Authorize an Intergovernmental Agreement with TriMet to provide detuning work on the Mt. Scott radio tower and reimbursement to the City in the amount of \$44,132 (Ordinance)	<b>PASSED TO SECOND READING MARCH 15, 2017 AT 9:30 AM</b>
<b>226</b>	Extend term of a franchise granted to NewPath Networks, LLC to build and operate wireless facilities within City streets (Second Reading Agenda 200; amend Ordinance No. 180376) (Y-5)	<b>188268</b>
<b>Portland Housing Bureau</b>		
<b>*227</b>	Authorize application to the Department of Housing and Urban Development for a grant in the amount of \$3,000,000 for the implementation of lead-based paint hazard control activities and administration and \$400,000 to address in-home health and safety hazards (Ordinance) (Y-5)	<b>188269</b>
<b>City Auditor Mary Hull Caballero</b>		
<b>*228</b>	Assess property for system development charge contracts and private plumbing loan contracts (Ordinance; Z0822, T0180, W0053, K0166, T0181, T0182, Z0823, W0054, P0143, P0144) (Y-5)	<b>188270</b>
<b>REGULAR AGENDA</b>		
<b>Mayor Ted Wheeler</b>		

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<b>Bureau of Planning &amp; Sustainability</b>		
<b>229</b>	<p>Improve City tree regulations through the Regulatory Improvement Code Amendment Package 8 – Technical Amendments (Previous Agenda 207; amend Title 11)</p> <p><b>Motion to delete amendments proposed to sections 11.05.110 Liability and 11.60.060 A.2.a. Tree Maintenance Specifications and Responsibilities, and return to Mayor’s Office for further evaluation; ordinance directives a, b and c to read “as amended by Council” following the date of January 2017: Moved by Saltzman and seconded by Eudaly. (Y-5)</b></p>	<p><b>PASSED TO SECOND READING AS AMENDED MARCH 15, 2017 AT 9:30 AM</b></p>
<b>Office of Management and Finance</b>		
<b>230</b>	<p>Accept bid of First Cascade Corp. for the 1900 Building Hearings Room 2500 Remodel project for \$779,963 (Procurement Report - Bid No. 00000460)</p> <p><b>Motion to accept report: Moved by Fritz and seconded by Fish. (Y-5)</b></p>	<p><b>ACCEPTED</b></p>
<b>231</b>	<p>Establish rules of conduct, ejection, and exclusion procedures for City Council meetings and at City Property and establish responsibilities of City Council Presiding Officer, the Bureau of Internal Business Services Director, and Persons in Charge for enforcement of rules and procedures (Ordinance; amend Code Chapters 3.02, 3.15, and 5.36; add Code Chapter 3.18) 1 hour requested</p> <p><b>Motion to remove emergency clause: Moved by Wheeler and seconded by Fish. (Y-5)</b></p>	<p><b>PASSED TO SECOND READING AS AMENDED MARCH 15, 2017 AT 9:30 AM</b></p>
<b>Portland Housing Bureau</b>		
<b>*232</b>	<p>Authorize acquisition of certain real property at 7104-7120 and 7126-7130 SE Foster Rd from Portland Development Commission for the development of a mixed-use affordable housing project (Ordinance) 15 minutes requested (Y-4; Fritz absent)</p>	<p><b>188273</b></p>
<b>Commissioner Nick Fish</b>		
<b>Bureau of Environmental Services</b>		
<b>233</b>	<p>Authorize a contract with the lowest responsive bidder for construction of the SW 45th Avenue and Fanno Creek Culvert Replacement Project No. E08676 for an estimated cost of \$735,000 (Ordinance) 10 minutes requested</p>	<p><b>PASSED TO SECOND READING MARCH 15, 2017 AT 9:30 AM</b></p>
<b>234</b>	<p>Authorize a contract with lowest responsible bidder for the construction of the Wheeler Basin Reconstruction and Green Streets Project No. E10219 for \$7,033,000 (Second Reading Agenda 213) (Y-5)</p>	<p><b>188271</b></p>
<b>Water Bureau</b>		

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<p><b>*235</b> Authorize a contract with Confluence Engineering Group, LLC in the amount of \$664,930 for the Corrosion Control Treatment Pilot Project (Second Reading Agenda 215) <b>Motion to add emergency clause so the work can commence immediately given the importance of this issue to the community:</b> Moved by Wheeler and seconded by Fish. (Y-5) (Y-5)</p>	<p><b>188272</b> AS AMENDED</p>
<p><b>Commissioner Dan Saltzman</b> <b>Bureau of Transportation</b></p> <p><b>236</b> Create a local improvement district to construct street improvements from NW 9th Ave to north of NW 19th Ave in the NW Front Ave - Naito Pkwy Local Improvement District (Hearing; Ordinance; C-10056) 10 minutes requested</p>	<p><b>PASSED TO SECOND READING MARCH 15, 2017 AT 9:30 AM</b></p>

At 2:20 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.

<p><b><u>2:00 PM, MARCH 8 and 9, 2017</u></b></p> <p><b>DUE TO LACK OF AGENDA THERE WERE NO AFTERNOON SESSIONS WEDNESDAY OR THURSDAY</b></p>	
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**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.**

**MARCH 8, 2017 9:30AM**

**Fritz: Here Fish: Here Saltzman: Here Eudaly: Here Wheeler: Here**

**Wheeler:** Individuals have three minutes to testify unless otherwise stated at the meeting. When you have 30 seconds left you will hear a beep and a yellow light will flash on the box before you. When your time is up you will hear four beeps and the red light will flash. I will need you to conclude your testimony at that time. If you have any handouts for the city council please give them to the council clerk, Karla, over here, and she'll distribute them to the council members. Conduct that disrupts the meeting, for example, shouting or interrupting other people's testimony or during council deliberations is not allowed. If that behavior is observed this guidance serves as a warning anyone disrupting this proceeding may be escorted from council chambers and excluded from city hall. If folks would like to show your support or displeasure for a particular item or comment please do so with a thumbs up or down so that no one is disrupted, but that we can see your expression. Before we call up the communications I have a quick announcement. I am going to try something different this week starting this Friday at 11:00 a.m. Right here in this chamber at the Portland, the city building. I will be holding an open mic session for people who would like to address me as your mayor, if there is any comments that you would like me to hear or any thoughts that are on your mind, there is no particular agenda. People can come in. We'll allocate time, depending upon how many show up but we will start that this Friday at 11:00 a.m. Right here in the chamber. It's not a town hall so you are not going to hear me going on. It's an opportunity for the public to be heard and share whatever it is that you want to share with me as your mayor. So without further ado, communications. First item please.

**Item 217.**

**Sarah Hobbs:** My name is Sarah Hobbs and I am here representing the Oregon state chapter of the American foundation for suicide prevention. As an organization we have a number of strong outreach programs that we are letting people know about. A big one that we are really promoting this year is our collaboration with the national shooting sports foundation, which it is a joint collaboration to teach gun suicide reduction measures to gun owners, as they purchase their firearms. Another big area of focus with the foundation is support for those who have survived an attempt with support for those supporting those who -- support for the person who has attempted. As well we have a new support program for survivors of suicide loss where it is a peer support program where you can meet with the peer support person directly through a phone call or online within ten days of each other last year I lost two people I knew due to suicide. There was no way that I was leaving my apartment. No way that I was wanting to talk to anybody. I wish that they had then the option that I could have communicated through the internet. There are two programs the foundation is doing that have direct Portland, Oregon connections. Last year as a foundation, awarded \$1.4 million in suicide prevention research grants, and 91 requests were sent in. 17 were funded. One is the grants funded, ohsu, mental health researcher who was working with mental health researcher at the Portland regional medical to learn ways to identify Iraq combat-- can I have more time.

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**Wheeler:** You bet.

**Hobbs:** Iraq and Afghanistan, combat veterans at high risk for suicide. As well they are focusing on the special needs of children and teens who have lost people for suicide. This is a direct collaboration with the Dougy center, and they are using Dougy center publication for this work. Our primary event is our out of the darkness walk which will be this October 8, and I will be back to talk to you when we get closer to the event because I know that you all dedicated and You will be out there.

**Wheeler:** Thank you very much for your testimony. [applause] next item.

**Item 218.**

**Wheeler:** Good morning.

**Katherine Smith:** Good morning. Can you hear me ok?

**Wheeler:** Yes. The light is on?

**Smith:** It is on. Ok. Dear mayor wheeler and commissioners, those at least eight to ten Tigard police officers are shooting me remotely 24 hours a day with microwave weapons, leading to sleep deprivation and etc. They tell me they are shooting my son with these when he's sleeping to give him cancer. They say that they voiced to scold him all day long. As I mentioned before that's a mind control weapon. The cops have had more than 20 years. They have incriminated thousands of people with it. Tigard cops, that is, including kids, they say. I live in Portland, so does my son. It's the Portland police's job to stop these crimes. Mayor, did you receive a certified letter, report and request I sent you February 21st?

**Wheeler:** I don't know to be honest.

**Smith:** I think you would have remembered it, did you receive a second certified letter, report and request I sent you that arrived recently?

**Wheeler:** I will check with my staff. I personally have not received it, no.

**Smith:** Ok. If no, and you said no, there must be somebody in your office who screens your mail. May I know who that person is who screens the mail?

**Wheeler:** I am not going to give that person's name out here.

**Smith:** Just in case you did not get them, here are those letters, reports and requests, with a letter from Kate brown's office that says that you should talk to the city or county commissioners implying about these issues for you to do something about them. Why didn't you talk to the police chief mike marshman about my case yet and ask him to assign my case to another cop?

**Wheeler:** I will read your letters, thank you.

**Smith:** Could you tell me what is your legal reason for not making Portland police do their legal duty to make the Tigard cops stop shooting us, stalking us and harassing us?

**Wheeler:** Just to be clear the comments -- this is your opportunity to say whatever you like to say and we can follow up later.

**Smith:** Ok. You seem like you want to do the right and fair procedure about many issues and problems of Portland. But your response to my request for you to intervene is that you did not do anything. Therefore, you are also facilitating these attempted murders to us. What did your city attorney or other employee or person tell you about my case? No comment?

**Wheeler:** They have told me nothing.

**Smith:** It appears by your actions or inaction someone or some people may have given you false information, also known as perhaps lied to you about me or my case. It seems that he or she may have told you some wrong information on purpose or simply repeated what someone else told him without verifying that information. Do you think that it is the police chief mike marshman's protocol to ignore an attempted murder case even if the people are being murdered with these slow kill or soft kill weapons? I don't. I am done, I

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just have a couple of sentences. His office employees and sergeant McCormack wouldn't have hidden almost all the 16 emails that I sent to him and ten of the 11, seven certified letters I sent him. They are doing this conspiracy and don't want marshman to find out about their participation. I don't believe that Larry O'Dea, it was his protocol either to ignore these. His office employees, McCormack is being blackmailed by the Tigard cops and other police, also in my emails and letters, and even certified letters and reports to him. That's all that I have to say because I ran out of time. But at the end of this, are a list of some of their other targets, it's really important information, and I will leave this for her, and the letters I sent you that somehow you did not receive, it seems. It's really important that you read these.

**Wheeler:** Thank you. I appreciate your testimony and thank you for being here. Next item. **Item 219.**

**Michael Withey:** Good morning. I did check with the office right after I asked for a date. Michael withey, sisters of the road, my apologies. So I was told that it's ok to bring somebody up to -- that could be more technical about what I was trying to say. I did check with Karla, and she said that I needed to check with you, is that ok?

**Wheeler:** It's your three minutes. You can use it however you would like.

**Withey:** So again Mike Withey I work with sisters of the road and before I worked with sisters of the road I was interested in the program for mobile showers and permanent showers and lottery units, hygiene centers. I know a lot of people have it but Portland doesn't so it's something that I am interested and a lot of us are interested in, obviously, so from this point on I am going to turn it over to Carissa and let her explain what it is we are trying to get done.

**Carissa Modin:** I am Carissa modin.

**Saltzman:** Push the button.

**Modin:** All right. Thank you. I am Carissa modin, a director at sisters of the road. Thanks for having us. For years at sisters we have intimately known the public health crisis in the streets. We also know that -- sorry, I am nervous. Insecure and we have inadequate housing also means an insufficient access to bathrooms, showers, and laundry facilities, and the rate is not slowing, so psu school of social work surveyed 550 people who are unhoused, previously or currently, and of those 40% reported experiencing serious medical conditions due to the lack of access to hygiene facilities. This leads to a cycle that is a burden to the individual as well as our medical system. The public health implications is that there are bacterial and viral disease as well as environmental toxins. With that study 21% also reported being denied access to services, food, shelter, and another 21% reported being cited or ticketed for having this lack of access. So these numbers represent a need not being met and people being punished for not being able to meet that need. So since October, in sisters we have been working to, with customers, with our customer community to better understand the impacts of the lack of access, it is having on people, and it's huge. The range is severe, and it ranges from physical health consequences to employment barriers and the daily erosion of dignity. We know that this is a multi-faceted issue, and that it means a matched response. So hygiene centers are a priority on the budget recommendations from the home for everyone, and we want to know how to partner with you in making sure that this happens. We also urge you to think about current -- oh, shoot, current spaces and facilities that could meet hygiene needs such as the Portland loo's existing empty schools, recreational centers and others I may not know about, and we also ask that you think about meeting two needs in one by offering mobile response hygiene access for people living outside now and for being adequately prepared for an emergency in the future. There is no one solution. Houselessness is not going away any time soon, so we believe that creative and dignified solutions must come in both the

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short-term and long-term, and permanent public hygiene centers is one long-term solution that we are building towards.

**Wheeler:** I would actually love to follow up with you guys in a little more detail. I think that there is good material here.

**Fish:** If I could make a request, so our representatives for home for everyone, the mayor and commissioner Eudaly, and on the piece that has gone with the ask, the city budget ask, if it would be possibly to share that, and if not we can contact commissioner Kafoury's office but I would like to see the ask, the dollar amount and I think that we would like to be able to discuss that at budget time.

**Withey:** Before we put the incomes together we would like to build a bigger coalition that might be able to help with that. Maybe show some options that we have not seen yet. So today, today's objective really was to find out who we can reach out to.

**Item 220.**

**Wheeler:** Excuse me, you are interrupting. Please be seated.

**Wheeler:** Is Heather Young here today? Apparently not.

**Item 221.**

**Wheeler:** I am not seeing this individual either so why don't we move to the consent agenda. Have any items been pulled from the consent agenda?

**Moore-Love:** I have had no requests.

**Wheeler:** Please call the roll.

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

**Wheeler:** Aye. The consent agenda is adopted and with the agreement of my colleagues what I would like to do today is start with the time certain item which is the next item, and then move to the second readings and cover the rest of the agenda. So if you would not mind pulling the next item, the time certain item.

**Item 222.**

**Wheeler:** Commissioner Eudaly.

**Eudaly:** Good morning. Happy international women's day everyone. Today we have, I believe, are you Juliette?

**Eudaly:** Juliette Muracchioli and Theresa Marchetti, and forgive me, Michael Martinez to present the abatement report, thank you.

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

**Juliette Muracchioli, Office of Neighborhood Involvement:** I am Juliette, the program coordinator for the abatement program.

**Wheeler:** Could I ask you to move the mic closer.

**Muracchioli:** Can you hear me?

**Wheeler:** You bet.

**Muracchioli:** Thank you for having us today, I am the program coordinator for the graffiti abatement program in the office of neighborhood involvement.

**Marco Mejia Yopez, Office of Neighborhood Involvement:** Marco Mejia

**Theresa Marchetti, Office of Neighborhood Involvement:** And I am Theresa Marchetti, the manager for the office of neighborhood involvement, graffiti portfolio. We have three members from the community for invited testimony at the end of the report. I am not sure if you would like to hold questions until after their testimony or before. We're open.

**Eudaly:** Let's hear what they have to say and then save the questions for the end.

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

**Muracchioli:** Let's go ahead and get started. The graffiti abatement program works with concerned residents, neighborhood associations and business owners and youth and other stakeholders to locate report, and remove the graffiti from public and private spaces to promote livability in the communities of Portland. We are a staff of 1.5 full-time



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employees to run the entire abatement program essentially. We partner with two private contractors who do removals on private property for free or reduced costs across the city. Our other roles are taking in all of the graffiti reports that we get, that's an average of 15-30 per day. It can be higher during the summer, during the drier times of year when we are busier. We manage the database in which we process those reports which is track It, and also enforce chapter 14b.8020.020 which is the graffiti abatement code. We oversee like I said before the functions of the two graffiti removal service agreements, and we coordinate several cleanup events with volunteers throughout the year. Our program capacity and the impacts of what would happen if the program was cut during this budget cycle are as follows. We have seen graffiti increase, the reports increase significantly over the past few years. We have seen an increase in hate or bias graffiti. We met with the hate crimes investigator with the police bureau last week who said that while they are not seeing a notable increase surrounding their reports, our program is getting an increase in reports and an increase in the fear surrounding those reports, as well. We have -- it's notable within the database that we are seeing the increase but I don't know if that can be attributed to an increase or closer to tracking over the past several years. The fiscal year 2017-2018 budget proposes eliminating our program. Some of the consequences of the elimination would be as follows. There would be no removal assistance for victims. No immediate removal of hate or gang graffiti, no volunteer coordination or free supplies provided for volunteers who do graffiti removal throughout the city. No tracking of any sort of graffiti cases throughout the city. No enforcement of the graffiti abatement code for those few property owners who do zero to address the graffiti on their property. And of course, increased fear and decreased sense of community livable. This is just to show you the uptick that we have seen in reports over the years. We believe that this can be attributed to an increase in graffiti combined with more capacity to do reporting. We are seeing more people, almost everybody has a smart-phone now. More people find out about pdx reporter and submit it via the pdx reporter, and there is more staff time to process the reports, more abatement services from the removal teams as well as city bureaus responding to those reports to remove the graffiti on city property. This is to give you a breakdown of the cost implications and damages that are associated with the graffiti. We estimate that the average cost of a removal by one of our contractors or anyone else who is a professional painter or deals with this in a professional capacity would be \$225. That is being the average of something that would cost far less and something more expensive. We have removals that cost thousands because of the damages, either they are very large or being glass etching. Those are small but costly to repair and take a long time to do so. So you can see the steady uptick over time as far as reported damages. We estimate that this is considerably higher because this is estimated from the other reports, as well. Thoughts on how to slow down the proliferation of graffiti in Portland. Currently our program operates on a complaint driven process. We respond to reports. We don't have the capacity on private property, well, city bureaus that have the capacity to do removals as they come up. They do so. They respond to our reports when we refer them over to them if it's not on their radar, however removals on private property, those services can only be done on a complaint driven basis. An abatement notice is only generated if a complaint is received. We don't have the capacity to go out and do proactive or regular inspections in the field based on our 1.5 staff in the program. We are limited to graffiti removal on private property with our programs' current structure. We expect other city bureaus to do removals unless it is extreme extenuating circumstances when there is hate graffiti or otherwise something that's highly needs to be taken down immediately, in which case our contractors are amazing. They can get out there within a matter of an hour usually and address those locations. But in order to improve our service we need to

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improve our capacity and increase it. At this point in time we are so limited and stretched thin with the 1.5 people that we have on the staff that we're maxed out. Volunteer coordination report processing, breaking down the fear associated with a lot of graffiti, via the phone. These things take time and we're really limited as to how much we can handle as far as the volume goes. Graffiti appears in an instant, and sometimes it takes a bit longer for it to be addressed as well depending on the weather and other considerations. That said we're very grateful for our contractors. They are able to get the removals done within three days of receiving a referral. But if there are other locations within the same vicinity, of private property that have graffiti on them, if they have not received a report, or a complaint on our end, from us, about those locations they have to have leave it there so it feels a little limiting when they can address this property but next door the building is hit and they can't do the removal there so our hope is to move forward with a proactive model and be able to talk to businesses out in the field or reach out in order to get permission to do more removals at once. The police bureau partnership. I think I lost the photo. I apologize. Prior to 2015, there were two investigators assigned to graffiti cases specifically. Currently there are no investigations taking place within the bureau due to staffing shortages. So we have -- we have had conversations with like I said recently with the police bureau regarding hate crimes specifically. If we have instances of repeated incidents of hate graffiti or we receive a report that has not been sent to the police bureau we of course direct community members to file a political reporter, reach out as quickly as possible to get that addressed. We will be having ongoing conversations with the police bureau about these instances. We had several swastikas pop up within the vicinity of northeast 28th and that neighborhood, and we're going to have them kind of keep an eye on things in that area to see if there is some follow-up that can be done. That said we will continue to track graffiti in our data base, and we put a label of what type of graffiti is on a specific case within our data base, that's associated with an address that can be mapped, and we'll continue to do that tracking until the investigator roll is introduced so that they have an ongoing system and database of information that we have been tracking. We believe that a proactive abatement notice combined with the police investigations would allow us to remove and stop the graffiti in a more equitable fashion. We are able to provide these services in a more proactive, boots on the ground fashion. We can provide services to more people throughout Portland and areas that might not necessarily be reporting as heavily as other parts of town. To speak to some of the volunteer and program partnerships that we have, which is one of the greatest parts of being in this position, we value our partnerships beyond words and in 2016 we coordinated approximately 26 cleanup events with more than 325 volunteers who leveraged nearly 50,000 in removal costs. Our partnerships range from independent volunteers working to sweeping cleanup events with neighborhood associations, business alliances and other community groups. We have an ongoing partnership with community volunteer corps who --

**Wheeler:** I am sorry to interrupt. If you would like to talk, could you please go out into the hallway and talk otherwise we need to hear what's going on up here. Thank you.

**Muracchioli:** We have had central city concerns and community volunteer corps. We partner on about two cleanups a month during summer, fall and late spring to clean up the private property and the city property locations that have considerable amounts of graffiti on them. We have 15 people at each of those events. With that many hands on deck we can clean massive stretches of graffiti within a few hours. It's very effective. It's great to be out working in the communities, as well, and I know that working with some of those volunteers is something that we would love to do, to duplicate with other organizations if we had the capacity to do so. We also coordinate trainings and services with volunteers, and you know these partnerships are really an integral part of how Our program is

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successful. It's one of the best forms of outreach that you can do. Some of these photos are not popping and I apologize. I am not sure what happened. I don't know if it's a lack of internet. Here are a couple of photos, there were more than this on this collage but these are some of the cleanup events and some of the volunteers with whom we worked with in the past year. We did cleanups with younger kids, and we try to cater to all groups interested in doing these events, that said we cannot have young children out on the street close to busy traffic doing cleanup so we'll go out in parks events or in parks and do scavenger hunts or other types of, you know, more fun events to get their interest. Up on the right was a cleanup a couple of springs ago, and down there on the right was -- on the southeast, central east side, southeast, near omsi and the train museum there. So disappointing. This was a very effective slide showing you of what a large tag on the side of one of the industrial warehouses --

**Fish:** It does not show up on the screen but it's one of the most effective presentations that we have seen.

**Muracchioli:** Can you see?

**Fish:** No, just making sure the record reflects.

**Fritz:** I learned it's not good to show the pictures of tags because that's what the vandals want.

**Muracchioli:** The majority are not tagged.

**Fritz:** I know you've been very careful in the images you show you can't tell what it's like before.

**Muracchioli:** This was a fire extinguisher tag so there are those folks who will fill a pump style ancient Extinguisher and you can spray out massive walls, it is thousands in damage, had that occurred when it wasn't a drier time of year they would have had to leave it for months because they would not have had the means of painting it. We were lucky to provide removal assistance with the contractors and get it taken care of. Let's move to a slide that you can see. This was at one of the volunteer cleanup events and this was a way finding map by bike parking on Hawthorne, actually. Two volunteers were able to clean this map completely in a part of two hours. Imagine if one staff person or city staff person was having to do this on an ongoing basis it's time consuming. That's where partnerships with volunteers can be effective in doing removals like this where, you know, this poor map probably gets hit, as soon as it is cleaned it is probably hit again and if we had the capacity to have somebody adopt this location as a volunteer and keep an eye on it, it would probably deter that, and slowing it down some. This is some recent gang graffiti that we have had in the last few weeks' pop up. We are very fortunate now that our contractors can get out and take care of these removals, usually within the same day. If our program does not exist these tags will stay up until they are removed by the property owner. We have seen an uptick in the hate graffiti going up, like I said, the reports that we are receiving are more noticeable. There is more fear associated with this activity, and these tags are less than a month old, all three of them. You can't see this. How many of you are familiar with the Gary safe and lock building on the corner of northeast weidler and mlk, heavily recovered warehouse that was an eyesore for the community for years and years. We've been in touch. Toyota owns that location and we've been in touch with them about getting an abatement schedule which needed to be more than the once a month cycle that they had it on typically, slower at times. We encouraged them to get a mural up at the location. We worked with them on that a few times in partnership with our crime prevention coordinators to have that discussion and facilitate it, and to my surprise I didn't know it was happening at the end of 2016 there was a mural up on the building and it looks incredible. It was sponsored by Kaiser, I believe, so -- Just in conclusion, the graffiti abatement program is based on the principal of partnership and engagement, moving forward we

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hope to increase these partnerships and expand our program. To respond to the present need of graffiti and removal in Portland we must increase that capacity, expand staff removal crews, volunteer coordination, and community outreach and report processing. Ultimately this is how we will promote the livability in Portland. We are grateful always for the continued support of council and the community and we look forward to all of the work ahead. [applause]

**Fish:** May I have a question if I could? Can they come back up?

**Eudaly:** Go ahead.

**Fish:** Thank you commissioner. You used the term hate graffiti and bias graffiti. I see they are the same?

**Muracchioli:** More or less, yes.

**Wheeler:** I have seen the swastika like on Vera Katz esplanade and other places. Do we have a working definition of what hate graffiti is?

**Muracchioli:** That was the purpose of meeting with the police bureaus, hate and based crime investigates was to educate ourselves on how to make the definitions. We had internal conversations as a bureau about fuck trump, how do you fine that, is that hate graffiti? Excuse my language.

**Wheeler:** Is it safe to say --

**Fish:** Is it safe to say you are working on working out those definitions?

**Muracchioli:** If it's targeting historically oppressed groups we would consider it hate graffiti.

**Fish:** My second question is, I saw a sign over the weekend that had information about work the city is doing in the rivers and so as a partnership of the bureau of environmental services and parks. It was painted over, blowtorched and then someone took some metal cutters and cut the sign in half. In something like that, that is the work product of two sister bureaus, who is responsible for fixing that and who bears the cost and how does that work?

**Muracchioli:** Right. I typically -- I have my list of contacts between the bureaus when there are those locations that are shared properties. I reach out to both those contacts and figure out how should we handle this.

**Fish:** Ideally either bes or parks would address it with their teams, replace the sign, is that right? That's the nature of the partnership. My final question has to do with you mentioned both staffing at the office of neighborhood involvement and positions, are those subjects of ad packages that will come to us through the budget process? Have they been submitted by the police bureau and office of neighborhood involvement?

**Marchetti:** The graffiti is a line item to be cut completely from the city of Portland budget this session, so there are no additional ad packages coming from police or the office of neighborhood involvement around graffiti removal. We are in constant conversations about potentially other solutions. We have the current grant, \$150 that provides the removal on private properties. We would like to see the graffiti abatement program not only sustained in its current fashion with staff at oni but also potentially expanded in a way that is more proactive as other cities have done.

**Fish:** Has it been offered up as a general fund cut because the budget guidance that you had to identify the cuts and the advisory committee has identified this as a cut?

**Marchetti:** Correct.

**Fritz:** To respond to your other question about the ad package in police, it's my recollection the city budget office can check this, that we specifically funded graffiti positions within the police bureau and that because of the shortage those positions were not filled, they were filled but the officers were doing something else while they were so

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short staffed so I don't believe that we need to add a package, we need to make sure that the police understand that -- the urgency of this.

**Fish:** If I could follow up on that. I've been advised that there has been a big jump in new positions, both people deferring retirement and recruitment. And the last time that we had this conversation we were faced with the prospect of cannibalizing specialty units to get more officers on the streets, so I would hope in the budget discussion that we can talk about restaffing the programs that were, in fact, cut in order to get more cops on the street and this would be one of those examples.

**Fritz:** Right. But my point is it's already funded. Not that we need to add to it.

**Marchetti:** We do have three community members with invited testimony, Stan penkin from friendly streets. Marcia Dennis who most of you know and love, the former graffiti abatement program coordinator, and Paul watts, who is one of the contractors that we contract with currently and provides free cleanup for property owners.

**Wheeler:** Very good, come on up and a reminder, this is on cable tv. It's family television. So if everybody could keep it clean that would be great. Thanks. Good morning.

**Wheeler:** If you could state your name for the record we would appreciate it. Thank you.

**Marcia Dennis:** Good morning everyone. I am Marcia Dennis. I was from 2003 to 2013 I was the city's graffiti abatement coordinator working at oni and under commissioner Fritz and I loved that job. The only way that I could get away from graffiti now is to move out of Portland, and I don't want to do that. For your information the graffiti hotline and the graffiti abatement program was established. I hope I don't lose my voice, was established by mayor Katz in the mid-1990s. At that time, I worked at the police bureau on the city's first inr line information and referral and that's where the graffiti hotline was set up, so I was, actually, involved in graffiti abatement for a long time before I got the job as coordinator I was a member of the graffiti task force, which mayor Katz also started and continues to this day meeting once a month on the third Thursday. So as a crime prevention coordinator I worked on the task force. Since then between 2003 and 2013 we established such a great partnership with the police graffiti investigations unit which at one time as the previous speaker said had two officers assigned to but not dedicated. They were pulled off of graffiti investigations whenever the police bureau needed them for some other activity. So it's not like they were not doing anything else, but we had them to follow-up on trends and graffiti and to identify taggers, graffiti vandals, and that program working in conjunction with our graffiti abatement program gained national recognition during that time. We were a model for other cities, one of the most important things we did was we had free trainings which includes officers from all over Oregon, Washington, some from Idaho, and they gained at least the Oregon police officers were able to get continuing education credits through dpsst for those trainings. We also invited interested volunteers and we had an average of about 100 people attend those trainings. Our program was also a volunteer program model for other cities. We were contacted constantly about how we did things and

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**Wheeler:** Could I ask you a question? You said something interesting and I apologize for interrupting your testimony. You said that if an officer takes training they get credit through the dpsst?

**Dennis:** Yes.

**Wheeler:** Could you explain what is the value of that credit? If you don't know --

**Fritz:** We should say what those letters stand for.

**Wheeler:** The department of something public training something.

**Dennis:** I was trying to figure out what the others means.

**Wheeler:** I am more interested in why there is the credit and what value is of the credit. We don't know.

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**Dennis:** It helps them to gain more knowledge to help them do their jobs better. With graffiti abatement training, it is not often looked upon by law enforcement as a very serious crime. So they kind of tend to blow it off while it's just, you know, just what it is. And really it has a profound effect on neighborhood livability and other things. I talk to people all the time who thought they were targeted -- I lived in my house for 50 years, and now I have graffiti and is somebody threatening me, so it really creates a very, very serious sense of unease. We had a network of law enforcement agencies across the country who communicated with our police officers and were able to track tagging in that respect because these guys don't just stay in one place, they move around the country. Without that relationship taggers have no fear of arrest unless they are caught in the act and they only get charged with that one incident. Juliette is in a hard position because she does not have the support from the police bureau that she can call and say we are getting a lot of this tag reported and what can we do about it? The thing most disturbing to me, there were taggers arrested, prosecuted ten years ago who are back who are now getting up again. I recognize the tags and I know it's the same people. That's very upsetting. We need to not only maintain the graffiti abatement program, but keep it going, those task force meetings are still happening. We have partnerships with all the city agencies, county agencies, and metro has an officer who comes. They are very important. Volunteer cleanups are extremely important because of the educational piece. A lot of people don't pay attention to things like graffiti. They know it's there. It does not make them happy. But until they go out and do a cleanup they really are not aware of what's happening. So that's one of the most important, besides cleaning up a lot of graffiti, having volunteers actively involved, educates the community. I hope we can establish another unit at the police bureau to support the really good work that the program is continuing to do on little money. One more thing and I will shut up. Many other cities, I was in Bakersfield a couple years ago and they had a graffiti removal. They are 300,000 people may be. They had a budget of \$3 million for their program. So thank you.

**Eudaly:** If I could interject, dpsst is the department of public safety and standards training.

**Eudaly:** Thank you. Thank you to whoever passed me that note.

**Stan Penkin:** Good morning again, I am Stan penkin, the vice president of the pearl district neighborhood association and the board secretary of friendly streets, a nonprofit that works on livability issues across the city. I am speaking today on behalf of both organizations. I am also speaking on behalf of Jan valentine who could not be here this morning but Jan is the president of friendly streets and a colleague on the board of the pearl district association as well. And I mentioned Jan because Jan was instrumental in establishing a graffiti buster's program in the pearl district with the help of the graffiti abatement program back when it was more robust a few years ago. With that effort the pearl district, in essence, became graffiti-free. I wish that I could say the same for today. For a number of years' friendly streets sponsored the annual national graffiti summit in collaboration with oni and the police bureau. Unfortunately, due to the overall reduction in resources in matters relating to graffiti over the last years this acclaimed event no longer takes place. This is symptomatic of the problem that Portland now faces. Graffiti abatement and investigation are essential ingredients in maintaining the quality of life and keeping the neighborhoods safe and livable. The failure to properly enforce our graffiti laws encourages an influx of taggers from all over the country, and leads to other insidious activity -- activities. I lived in New York city in the 1970s, I can speak for a fact to what those conditions were back in those days. You literally could not see the finish of a subway totally covered in graffiti, windows and all, if unchecked graffiti can quickly be a significant factor in causing a city's decline in livability and reputation. It is obvious that graffiti has dramatically increased all over a city with hate tags now an added problem as you heard

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before. The ever increasing deterioration of Portland in this regard is unacceptable. Portland was a progressive leader in graffiti enforcement along with other quality of life matters. I will save the noise issues for another time. Failure to allocate appropriate resources to livability issues is akin to deferring street maintenance for which we face the kinds -- consequences today. Any reduction of the abatement program will further the proliferation of graffiti in Portland if free and reduced costs of graffiti removal services are eliminated. Cutting the program in its entirety will virtually take any Abatement efforts enforced by the city on private property. Allowing for this problem to get even worse than it already is. We urge the council to adequately support the graffiti abatement program at once and to restore the now defunct graffiti investigation unit at the police bureau and to maintain this vital service as a priority it had been in the past. Failure to do so will send a poor message to all Portlanders. Thank you.

**Paul Watts:** Good morning, I am Paul Watts, the owner and founder of graffiti removal services in Portland, Oregon. I've been in graffiti removal for 17 years now, started with the abatement program in Sacramento, California. We are the city contractor for abatement, so we're out there every day seeing what is out there. Not only have we seen an uptick in graffiti but what we are seeing is because of the lack of law enforcement and enforcement of going out and actively going out trying to find the taggers. We're seeing taggers come in from other cities, New York, east coast.

**Wheeler:** Excuse me, again if people would like to talk please walk 15 steps, go out into the hallway and you can talk there. We need to hear the testimony here today. Thank you.

**Wheeler:** Please go ahead.

**Watts:** What we are seeing is obviously everybody has seen an uptick but also what we are seeing is basically it's open season out there for graffiti taggers, and people coming into our city. They are not only coming into our city to tag but coming into the city to destroy it. We do a lot of work --

**Wheeler:** Inside chamber everybody gets to express their opinion whether you like it or hate it. Let him continue his testimony. Thank you.

**Watts:** Graffiti is our living room so we want to keep it clean and make sure it is livable and it actually reduces housing values and livability and tourism in the area. So what we're trying to do is, what we're seeing is not only are we working with the federal government and metro and the regional arts council, the regional arts council has seen an uptick in tagging on their art work, so we're helping them to remove graffiti off murals and murals back in the day was -- if you put it up it has a hands-on policy but nowadays once it goes up we're seeing taggers come in from out of town. They are tagging the murals because there is no code of ethic. They can tag what they want to tag. And not get caught. There is no retribution to it. We have the tools to implement a great proactive graffiti removal program. I am also on the national, a national trainer to go around to parks and recs and I train other cities on how to set up the programs with their trucks and trailers and product that they need, response time, how to, you know, speak to customers. Using all the tools and the resources that we have here in Portland we can become a graffiti-free city if we dedicate the man hours to it and a bit more money to it and actually have everybody on board. We have to get the community involved, but it's not everybody, not the only city's responsibility. The community, it's the community's responsibility.

**Wheeler:** I will have to ask people to let people testify, if you want to testify on this matter you can do so but not while others are testifying. Thank you.

**Watts:** Our dedicated staff is out there five days a week, eight hours a day, removing graffiti and we cannot keep up with it. So what we need to do is come up with a proactive approach where the parks department, the city, we work with a lot of private companies, architects and builders, and with the building going on in town they go discouraged when

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they come out there and they see graffiti plastered so whatever we can do to help as a contractor to help Portland be more livable and come up with ideas and strategies and implement cleanups and stuff like that to have people take a proactive approach to it, we're all for, so I am just hoping that it stays within the budget and maybe has an increase in funds where we can make Portland livable again. Thank you.

**Wheeler:** Is there any public testimony on this item?

**Moore-Love:** We have five, six people Signed up.

**Wheeler:** Three minutes, and police state your name and if you like what you are hearing thumbs up if you don't thumbs down but give people the courtesy to testify and be heard. Thank you. Good morning. Please state your name for the record.

**Mary Sipe:** I am Mary Sipe and I am a member of the pearl district neighborhood association. Livability and safety committee. Portland resident, obviously, and I just want to say that in a lot of people's minds once upon a time graffiti was art, and what we're seeing right now is not art. It's vulgar, hateful, destructive activity. Unfortunately, Jan valentine as Stan mentioned worked for years to coordinate the efforts of the graffiti investigation and abatement and task force work that's been going on in Portland for a number of years. When the investigation unit was disbanded, and I don't know if it's for lack of funds, you know, funding or just because lack of staff, but overnight things changed dramatically. And again the nature of what we're seeing is -- this is not art. I just want to encourage the city council to really take this seriously. It's a small amount of money. Granted there are a lot of issues bigger than this that we're dealing with in our society today.

**Wheeler:** Folks, give People the chance to be heard.

**Sipe:** All I am asking is to be treated with the same respect that you would treat your mother if she were sitting up here. You know. Just because I live in the pearl district doesn't mean that I am an entitled person. I lap to live in low income housing, and my neighborhood is being destroyed, literally destroyed. And one thing that I would like to say is that maybe one of the things that we could think about is do we need, "police officers in the investigation unit," do you need a registered nurse to change a baby's diaper in the pediatric unit? No, so let's look at taking the appropriate resources and applying them to that. Let's not literally throw the baby out with the bath water. Let's put the effort you know, that -- it's sad to see this work just go away overnight when we had such a great program going. Thank you.

**Wheeler:** Thank you. We appreciate the testimony. Good morning.

**Mimi German:** Good morning, I am Mimi German. This talk is repulsive. I find that this is really all based on race. It's a race attack. It's an attack against the black community which is usually referred to as whatever, whenever gang is used. We know who people mean when the city uses the term, gang. What I would like to know from the people who are asking for \$2 million is how do they know That this is gang graffiti? We do know what hate graffiti looks like. We know exactly what that looks like. There is nothing ambiguous about it. Gang graffiti. What the hell is that? Who defines that? When is the last time that was defined? I would like to know what the definition of true gang graffiti is today. Right now. I would like to hear from these people who want \$2 million to clean up -- \$3 million to clean up the city. What exactly gang graffiti is. I understand going after hate crimes, hate graffiti, and I understand that. I also understand that if this is hate graffiti, which it is, why isn't this being reported to the fbi? Why is this not dealt with in the city in a larger fashion than just giving this anti-graffiti group some money? Why should they get the money? If this is a hate crime it has a policy. There is a federal policy for hate crime. You don't give 3 million to a group of people calling themselves, we're the anti-graffiti police. And we actually believe that most of this is gang related. And oh, by the way, where are the cops? Maybe



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we should bring more cops out. We always need more cops to go after the black community.

\*\*\*\*\*: Livability matters.

**German:** So my feeling about this is first of all, the other part, before I get to the first of all, is who are the art critics here? I think that we really -- I am serious when I say this, who are the art critics and maybe we need to create an exclusion for all art in the city since somebody can get \$3 million to determine what art is. I say that we need to exclude all art. Or we need to allow freedom of expression. If we allow freedom of expression the only thing that we should be talking about today regarding graffiti is that hate crime or graffiti needs to be dealt with and let's deal with that in the proper way, not by giving 3 million to a group of people who call themselves the anti-graffiti police. This is disgusting. This needs to be called out. This is a racist attack against the community that I am a part of. Are you going to blame -- I bet folks in the pearl district, blaming the homeless people. Blame those homeless people because they don't have anything else to do but create graffiti on your buildings. I am done. [applause]

**Wheeler:** Good morning. State your name for the record.

**Lightning:** I am lightning and I represent lightning watchdog pdx, and the points brought up on the hate graffiti is a issue that needs to be addressed plain and simply whether you have to create a committee of the public to go over those types of issues, the reality is this, is that we don't just see it on the fences and on the homes. On different buildings which the city has ownership of. When it's on a private individual's home and they feel threatened by that hate graffiti, that, in turn, possibly can create them to want to move from that location. Where the city steps in as the helping hand, they will send a police officer over there or somebody from the nuisance lien division and write that property owner up for nuisance liens sometimes in excess of \$20,000 on the first time that they go out this up to 100,000 on their homes which they have been victimized and nobody has looked at this to protect their interests, protect their house and protect them from being removed out of their neighborhoods in the, and the city doesn't care and I will tell you why. You turn back around and foreclose on their homes and steal their equity to pay those liens off. That's why. There should be no, no foreclosures on these people's houses in the event that any of this has taken place on the property to drive them out of the neighborhoods and end up padding your pockets on a cost recovery basis to cover your costs that have already been paid by the taxpayers up front and you just want additional money for their equity. The doj needs to investigate any and all foreclosures that happen in the city and get the background reports from these police that have every bit of documentation on these, know who is out there doing the crime.

**Wheeler:** You are testifying to us, not testifying to our people.

**Lightning:** I can point anywhere I want in this. Yes, I can. You, on the other hand, come in and buy these properties at a low price and put them into your little investment portfolio, Portland police, and I can point over here, and I can point over there, and I can point back there, and you cannot tell me not to. [applause] end of discussion.

**Wheeler:** If we cannot maintain decorum we are going to have to call a recess. I do not want to do that. I want to be clear, I do not want to do that. Any other public testimony on this item? Thank you.

**Wheeler:** Good morning. Thumbs up, thumb's down please so we can get through the testimony. Whoever would like to start please state your name for the record.

**Jonah Majure:** I am Jonah majure. Not Jonah Majure so I ditto what Mimi said. She already said it amazingly but also treating all graffiti as if it is the same is diminishing our response to hate graffiti, so if we are focusing on removing graffiti as quickly as possible all the time, then when there is actually swastikas and hate speech that prevents us from

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being able to address that, and you know a lot of the property owners like they have insurance, businesses do, and they can take care of that, it's not a huge crisis when some yuppie business or whatever gets graffiti painted on the building. I think that there is a lot of graffiti that is artful, if people knew it would stay up longer and maybe they would, you know, put more time into it and make it look better, a mural make it look beautiful and make the community better. I would love to do street art with my neighbors that looks amazing and beautiful if I knew it was not going to be cost prohibitive to get a permit or taken down. Also there is a lot of graffiti that is really important public service announcements and lets people know about issues like knowing about white supremacist gang symbols, knowing that mark Krueger is a Nazi cop who hasn't been fired by the police commissioner yet, knowing that -- there is important things that make people feel safe, if people see acab or ftp in their neighborhood maybe they will feel safer because they know the police are not welcome there. If they know that ted wheeler is a fascist who is supporting a fascist president, and sicking riot cops on people who are peacefully protesting, then maybe they would feel safer in the city and feel more welcomed instead of like we live in a white utopia.

**Wheeler:** Thank you for your testimony. Good morning.

**Jessie Sponberg:** Good morning guys. I am Jessie Sponberg before I start my testimony I would like to, since it is woman's day I would like to acknowledge the youngest woman that I know Ms. Teressa Raiford. I would also like to -- is my microphone on? I would like to acknowledge Mimi. I would like to acknowledge heather. I would like to acknowledge Loretta. Cameron just has long hair. As well as both of you council persons, I respect you guys a great deal and you have a hard job. Thank you for being here today. And you Kristen. I just came up today to counter balance the first people you had speak. In my opinion if I were to close my eyes and wouldn't have been able to see the gentleman was wearing a tucked in sweater, I would have already been able to identify that kind of dialogue and that kind of sentiment about something like graffiti as being the microcosm of something bigger that represents what's really going wrong in Portland, and I think to come out chasing graffiti artists, especially at a time when the city is on a great crisis and art is well-known as the voice of the voiceless, and nothing speaks louder than graffiti on a wall so if I close my eyes, I hear this guy telling me how ugly new York was in the 1970s, I am thinking you never listened to Lew reed buddy. If Portland is getting, compared to New York city in the 1970s, and if we have to have a bit of graffiti to make people uncomfortable, the only other option to getting you to give her money to pay for the graffiti removal is for her to move out of Portland. The rest of us who live and die out here in the streets, the graffiti is our last fricking concern, sir. Thank you for your time.

**Teressa Raiford:** So for the record I am Teressa Raiford I am the founder and lead organizer of a social justice organization called don't shoot Portland. Some of the concerns that I have as a citizen here and a fourth generation going on six to eight generation Oregonian is that in my community in northeast Portland a couple years ago I think it was back in 2011 over there on Mississippi, there was graffiti that was covered up by a Portland police officer. The media and the people in that community were excited about using materials from the rebuild center to cover up graffiti. The problem is that the graffiti was placed on the last owned businesses from black community members. The community has been gentrified. The graffiti was hate and it included nooses and the term nigger, so it, so it would not a slang word but an atrocious, terrorizing reflection of that community and was branded on that building because it was a masonic lodge which basically reflects the empowerment, sustainability and foundational support that it brought into that community and it was a sign that they wanted them to go brought because when you say nooses and killing and get out of here you are implying by any means necessary,

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right. White supremacy does matter because it is founded on slavery of indigenous people so let's say we are spending 3 million to cover up graffiti without investigating it or without reporting it to the proper agencies, what's happening is that when out of control murders happen in that community we already objectify them and say that maybe the blacks are killing one another. What I am learning from the white indigenous groups out here that call themselves nationalists, and white supremacist that is they do contests and they are obligated to hunt us because policy allows it. I asked somebody one time under the anonymous tip do you think that they are hunting negro this is Oregon? There is so many unsolved crimes and they said of course we are. So I would think that investigating hate crimes in any form, fashion, not telling the Portland police to dismiss, you know, allegations of materials from the kkk would show that we want to make this livable city for all of us. I don't think that saying that criminalizing and chasing down children or people that don't have access to art supplies and art resources which you have turned into a corporate entity, when you take those things away and people use their freedom of expression, find out how you can put more money into programming to make it accessible for them and use the time of reporting to file hate crime investigators where you know that there is terror in our community. Thank you. [applause]

**Wheeler:** That completes the testimony. Any further council discussion? Yes. Commissioner Eudaly.

**Eudaly:** What an amazing conversation. I want to thank everyone who gave testimony today. I am perhaps in a unique position on this subject as a community member, a small business owner, and someone who has been a champion of street art for the last 25 years. Graffiti doesn't disturb me on the level that it seems to disturb a lot of other community members, other than hate graffiti. I recognize graffiti artists are part of a vibrant subculture. So this is not a simple conversation or matter of instantly removing every piece of graffiti that we see. We need to have an enlightened policy around it. I want to clarify a couple of - - or respond to a couple of comments made. First thing I have to say that one of the ironies of the job is that I am actually the commissioner in charge of graffiti abatement and removal. It's something that I've been struggling with a bit to be honest. I have asked my team to avoid using the term gang graffiti as a blanket term for graffiti. In fact, they are. The reality is less of what we are seeing is gang graffiti, and I can say as a bookseller that had a large following among this community that most of the kids that were putting up tags were middle class white kids, so I just want to make it clear that I am aware of that, and that when I talk about graffiti, I am not -- I am definitely not intending to disparage black youth. So I think that this warrants a larger conversation than we can have here today. I don't think that we are going to have the satisfactory answer to the line between street art and vandalism. I think that there is consensus in the room that hate and bias graffiti is unwelcomed in our communities, and in fact, it, you know, it is disproportionately affects lower income and marginalized communities so although what, some of what we heard today was from community members from more affluent neighborhoods, we know that it is affecting our lower income neighborhoods as much or more, so it's not against them in that regard. So I am just reading my chicken scratches here. At its best street art is a democratic form of popular art, and at its worst it is a way to have hate and fear in our community and that will be the priority moving forward with this program and I want to thank the oni staff for their presentation. It is a legitimate issue. It is something that we need to have further conversations about, and maybe I will add that to my list of town hall topics. So I think that I will leave it at that.

**Fish:** Commissioner Eudaly. Can I ask you a question, I am looking at the materials in our packet and this is a report and it is our tradition to accept reports. There is no action item in

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the report. The report does not require us to take any further action, and you have recommended that we accept the report and continue this, is that your recommendation.

**Eudaly:** Yes.

**Fish:** So that's my motion.

**Fritz:** Second.

**Wheeler:** Any further discussion? Please call the roll.

**Fritz:** Well first thank you to Marcia Dennis for coming in. A long-time Stallworth who worked diligently on this for many years as she said, and I can see that retirement seems to be favoring her, and I am glad for the opportunity to say thank you for the years of service within the office of neighborhood involvement. I need to clarify, the suggestion of 3 million was in reference to another city, the graffiti abatement program in the office of neighborhood involvement isn't a thing like that, its probably a tenth of that. So it's important to listen as well as state our opinion. The difference between graffiti and art is permission. If you don't have permission to write on somebody's property, then you should not do that. There are many ways that people can offer a wall to have a mural Painted on it with the community participants, and it is a, there is a process to do that.

**Wheeler:** Folks, thumbs up or down. This is council deliberation.

**Fritz:** You need permission because it is not your wall, you need the permission from the property owner, so I appreciate the presentation. It's evident that this program is greatly needed and the reason that it is even on the list is because its maybe the least core to oni's mission of community engagement. It is very important so people feel safe in their neighborhoods and safe in their businesses and in their homes. I am looking forward to the rest of the discussion. Aye.

**Fish:** I appreciate the report and the testimony and the conversation that we have had today. Aye.

**Saltzman:** I appreciate the report and the conversation. I was intrigued about the notion of having businesses or residents adopt locations to keep them graffiti-free, that seemed to work very well on right of ways in terms of litter patrols so I hope that that's an idea that we're exploring. I heard illusions to it and I would like to hear more about how we are pursuing those efforts. Aye.

**Eudaly:** I agree we need to leverage resources through our neighborhood associations and business associations because the city does have more urgent issues and we can't necessarily afford to do all this on our own. I do want to address one more thing I forgot to say and that is how dismissive some of you are the impact of graffiti on small business owners. I was a small business owner for 22 years, spent thousands of dollars and hours and hours of my time removing graffiti from my building, having windows busted out or replaced and those are not things that are covered by insurance, and by the way every time you submit a claim to your insurance company your rates go up. So some of you are tired of being painted by the same brush and I am tired of hearing small business owners, being painted with the same brush and we are also community members and also struggling and also contributing and it's just -- it is obviously a lack of understanding among people that have never owned a small business that we just get that paid for us aye.

**Wheeler:** Aye the report is accepted. I would like to move to -- excuse me. Please, folks, I would like to move to the first, second reading item and if I am correct about that I believe that that's 234. Is there any -- go ahead and read it, sorry.

**Item 234.**

**Wheeler:** Is there any further board conversation, or council discussion on this item? Hearing none, please call the roll.

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

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**Wheeler:** Aye. Adopted and second, next item please, which I believe is item 235, second reading.

**Item 235.**

**Fish:** In the interim over the past week we did receive a letter from the Oregon citizen's utility board urging a yes vote.

**Wheeler:** Commissioner Fish with your acceptance I would like to offer up an amendment to include an emergency clause so the work can commence immediately rather than the traditional 30-day waiting period given the importance of this issue with the community.

**Fish:** Thank you. We are on a tight time line and I second that motion.

**Wheeler:** Any further discussion on the amendment. Please call the roll on the amendment.

**Wheeler:** The code requires a 30-day waiting period, we are in the second reading so it would be done today were you but we would have to wait 30 days to start the work and given the importance of the issue lead in the drinking and certain people's homes, we think that it would be good to expedite the work and I am offering up the emergency amendment so that the design work can commence immediately.

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

**Wheeler:** Aye. The amendment passes, if you could call the roll.

**Fritz:** Aye.

**Fish:** Mayor I have some thank you's and brief remarks, I would like to begin by thanking the water bureau team who has been working so diligently on this, and a number of them are here today, and director mike stuhr, deputy director Gabe Solmer, yone Akagi who leads our water quality group, Scott bradway, dr. Paul Lewis, who testified in his Multnomah county health director and all the community members that came in and testified at our hearing. Colleagues, public health and safety is a high priority for me and for the water bureau. The recommendation of the bureau today is based on good science and Portland values. It's one step forward towards protecting water quality as well as the families and children at highest risk in homes with bad plumbing and bad faucets. The next step as we discussed last week is that the bureau will come back this summer with a further ordinance to seek approval before taking any further actions on a proposed treatment facility. I thank you all for the discussion we have had and today I vote aye.

**Saltzman:** Aye. **Eudaly:** Aye.

**Wheeler:** Aye. It is adopted as amended and with this I think we go back to the beginning of the regular agenda item 229, if I'm correct on that.

**Item 229.**

**Wheeler:** That's not quite right. Could you reread that, please? Tree regulations.

**Wheeler:** Colleagues with your permission I would like to offer up an amendment today. There was discussion last week around this item. There were a couple of news stories with regard to the liability of adjacent property owners and therefore I would like to propose an amendment two sections of title 11 in the liability and maintenance section of the code. Because parks bureau is undertaking a project to look at how street trees are managed I think it's premature for us to make this particular change at this time. I would like to work with commissioner Fritz to take this up as part of the evaluation of the tree code and what refinements need to be made to those sections of title 11, so specifically I would move to delete the following sections from the amendment on the table and amendments brought through the recap 8 process specifically sections 11.05.110 b, and 11.60.060.a.2 a, and return them back to our office for further evaluation.

**Fish:** Second.

**Wheeler:** We have a motion and second. Are there further are questions or comments on the amendment? Yes. Legal counsel.

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**Linly Rees, Deputy City Attorney:** I do not get to make friendly amendments but I would suggest the directives of the ordinance say what is being adopted is the planning commission recommendations so if you would simply add the words as amended by council following the date of January 2017 in directive a, b, c, which would reflect that you made the changes.

**Wheeler:** I would accept that as a friendly amendment.

**Saltzman:** Second.

**Wheeler:** Because you can't make the friendly amendment commissioner Saltzman could I have you making the amendment and get someone else to accept it?

**Saltzman:** I'm make the amended as stated by our city attorney.

**Eudaly:** Second.

**Wheeler:** Any further comments or questions.

**Fritz:** Doesn't that particular number in the amendment packages -- I wasn't expecting this particular way of doing it but --

**Rees:** I'm sorry?

**Fritz:** Each of the recap elements -- 42? So we could just withdraw back to our offices amendment 42.

**Wheeler:** Could staff come up, please? Make sure all of the is are dotted an ts are crossed.

**Sandra Wood, Bureau of Planning and Sustainability:** I'm Sandra wood with bureau of planning and sustainability. The item from the recapped project was 42, liability for right of way trees. Some of the language I believe you're planning on not moving forward but some would still stay. Some other sections of that item.

**Fritz:** And your advice having helped work out this compromise is what the mayor has --

**Wood:** Right. To delete the amendments to those two sections.

**Wheeler:** I have the correct sections.

**Wood:** But you don't want to delete the whole section just the am many times proposed by the planning and sustainability and the forestry commission.

**Wheeler:** Exactly. We clarified that through the amendment commissioner Saltzman just made on behalf of legal counsel.

**Wood:** Right and your changing the directive in ordinance itself.

**Wheeler:** Any further questions? Please call the roll on the amendments.

**Fritz:** I very much appreciate you being here and your guidance throughout the entire package its been excellent work as usual. Aye.

**Fish:** Mayor, thank you for your amendment and the intent is to pull this back so your office, the parks bureau and bureau of environmental services can have additional time to discuss this with planning and sustainability and decide whether at some point in the future to bring back this or something different. Aye.

**Saltzman:** Aye. **Eudaly:** Aye.

**Wheeler:** Aye, and this then moves to second reading as amended.

**Moore-Love:** We have just one motion. I have two --

**Rees:** I think the second amendment was treated as a friendly to the first.

**Wheeler:** That's correct.

**Wheeler:** Thank you. We're moving it to second reading. Thank you. Next item, please.

**Item 230.**

**Wheeler:** Very good. Good morning.

**Christine Moody, Procurement Services:** Good morning, mayor, commissioners.

Christine moody procurement services. You have before you procurement report recommending a contract award to first cascade corp. The engineer's estimate on this project was \$800,000 with a confidence level of optimal. On January 19, 2017, three bids

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were received and first cascade corp is the low bidder at \$779,963. The internal business services facilities division has reviewed the items and accepts proposed pricing as good. The city put forward an aspirational goal for subcontractor and supplier utilization at 20% of the hard construction costs for this project. First cascade identified three divisions of work for dmwsb opportunities with participation at 15.6% or \$121,438 with work being performed in electrical, hvac, and drapery. I will turn this back to council if you have any questions. Randi Selleck from facilities is here to answer any technical questions about the project.

**Wheeler:** Further questions on this issue?

**Saltzman:** How many bids did we receive?

**Moody:** Three bids, commissioner.

**Saltzman:** Thanks.

**Wheeler:** Any further questions? Great. Thank you. Any public testimony on this issue? I think you're done for right now.

**Moody:** Thank you.

**Moore-Love:** Mr. Johnson wishes to speak to this. I guess there was not a signup sheet.

**Wheeler:** Good morning.

**Charles Bridge Crane Johnson:** Good morning. Green is great. I didn't have a chance to read how green a \$779,000 remodel is. For the record my name is Charles bridge crane Johnson. And aside from the fact we probably need to keep this \$779,000 to pay to the family of Quance Hayes the 1900 building is the second floor 2500 room, is on the second floor not the 25th floor like some would expect, and there's nothing wrong with that room. The only thing wrong with that room is when we went there to save the reservoirs we failed so now we have a \$200 million expenditure on Washington park reservoirs. Good has come out of there. The 1900 room works just fine to have the hearings to do the fossil fuel infrastructure ban. And yet it's amazing that you could consider voting yes on this item. I know like it's a building that's used exclusively by city employees and you need to maintain good relationships with all the hard working employees, but we just heard the city of Portland has almost suffered complete collapse from a dangerous graffiti attack. We need that \$779,000 for graffiti defense. [shouting] you cannot in good conscience no matter how beautiful, no matter how great the subcontractors are, no matter how much minority small business women whatever the acronym is, even if it's 100% minority women small business, in a city where people have told you that they couldn't read the gang tag they feel like their life is under threat because of a piece of paint on the edge of a abandoned building you can't have credibility in front of the city people when you're axing graffiti issues to put new furniture and new carpet and a setup fancier than this in the 2500 room which is only on the second floor of the building next to the computer lab. So you're welcome to vote yes and improve this infrastructure for the city but it sends a very clear message. Thank you.

**Wheeler:** Thank you. [applause] is there any further --

**Moore-Love:** One more person.

**Wheeler:** Come on up. Good morning.

**Sarah Long:** Hello my name is Sarah Long.

**Long:** Hello? Mr. Mayor, do you happen to remember what you told me last time I testified before you?

**Wheeler:** I do not. Sorry.

**Long:** You told me you would speak to me later about the issue that I was speaking to. And I never heard back from your office. And Mr. Mayor, do you know what happens in a society where the leaders are inaccessible to the people?

**Wheeler:** If you're not testifying --

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**Long:** I am. I have a problem with you spending \$779,000 on remodel of a room upstairs that I'm sticking to it. Okay? Do you understand why city council meetings have become so much more disruptive? It's because we're not be listened to. Our concerns are not being addressed. It's because you guys are so isolated from what's actually going on in the city of Portland. This is a fascist corporate state. You listen to your cronies. You give money to them. They are allowed to be heard, to have their concerns addressed. But the people are not listened to. Do you understand that?

**Wheeler:** I don't but you're demonstrating it here. Please try to keep your testimony germane to the --

**Long:** Spending \$779,000 for something besides draperies upstairs.

**Wheeler:** Thank you. Any further public testimony? [applause]

**Fritz:** I move to accept the report.

**Fish:** Second.

**Wheeler:** We have a motion and second. Further discussion? Seeing none, call the roll.

**Fritz:** This is the 1900 building room that bureau of development says it's been paid for by fees on development so it's not coming from the general fund. The improvements will make it more accessible for both public testimony and other meetings that happen in that room. Aye.

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

**Wheeler:** Aye. The report is accepted. Next item, please.

**Item 231.**

**Wheeler:** Good morning. This is being brought by my office, omf is here representing my interests in this matter. I have now been in office for a little over two months, and most city council meetings we actually don't complete. We do provide opportunities for public testimony as I mentioned right up front there are two opportunities for public testimony. Unfortunately, what we have seen and we have seen an escalation of this is people who come here to testify are shouted down, they are insulted, they are verbally abused, they are sworn at, and therefore, we're not changing anything except that when people repeatedly exhibit this kind of disruptive behavior we want to have an ordinance that allows us to take action because everybody has -- everybody has a right to be heard in this room. It is not currently in my opinion either a safe or welcoming environment. We have had people who have signed up and we have signed up people to testify who have left before they have had the opportunity to provide their testimony. We have had employees come in and say that they feel this is not a good work environment for them and they would rather not come forward and testify. [shouting] and therefore, we are introducing this ordinance and I hope it's very clear and straightforward and we'll hear what people have to say about it. Good morning.

**Betsy Ames, Office of Management and Finance:** Good morning, mayor, commissioners. I'm Betsy Ames with the office of management and finance.

**Wheeler:** Is the light on?

**Ames:** The light is on.

**Wheeler:** Thank you.

**Ames:** Today you have before you a series of amendments to city code and new language to add to the code. The purpose of these changes is to accomplish four things. One, establish clear, fair and reasonable expectations for the behavior of individuals when they attend or participate in meetings of city council or public meetings of city boards and commissions. Secondly, establish clear, fair and reasonable process by which the city can manage disruptions by individuals during council, board and commission meetings so as to enable city council and staff to effectively carry out city business. Third is to codify clear, fair and reasonable rules of conduct at city property. Fourth is identify clearly who is



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considered a person in charge for purposes of directing an individual that is being disruptive to leave a city meeting or leave city property. As the city and council and public are aware there's been a noticeable decline of decorum and civility in city meetings, boards and commissions. This has resulted in increased frequency of significant delays in and an obstacle to conducting city business in a respectful efficient manner. The goal of these amendments is to clearly state the rules of conduct for city meetings and property and clearly state administrative authority of the city of Portland to eject and/or exclude an individual from city meetings and/or city property if circumstances warrant while ensuring an individual's ability to attend and participate in such meetings as appropriate. I'll briefly explain the changes through the different sections of city code we're recommending council adopt today. Chapter 3.02 of city code describes council organization and procedure and is shown in exhibit a to the ordinance. 3.0206 describes the rules of conduct at city council meetings including the process and procedures for ejecting and/or excluding someone from city council meetings. Rules describing threatening and dangerous behaviors and describes how may lead to ejection or exclusion from a council meeting there are opportunities for individuals engaging in such behavior to self-correct, recognizing the need for common courtesy and respect for all participants in these meetings. There are also opportunities for guided correction with presiding officer providing the individual a warning before need to move forward with other options. The code identifies progression from warning to ejection to exclusion for a person that repeatedly engages in disruptive, threatening and/or disruptive behavior. Ejection will generally resolve the issue and exclusions are only needed if at subsequent meeting the same person fails to self-correct or follow a subsequent warning from the presiding officer does not correct their behavior. Exclusions may increase in duration based on repeated behavior and severity. The code language further describes the notice requirements allows for appeal of exclusions and specifically describes how an exclusion does not affect or limit the right of the person excluded to submit written testimony or materials for inclusion in the record in consideration by the council. The language in section 3.02.060 will apply to any public meeting of a board or commission. You've received testimony about this paragraph asking about direction for board and commission chairs. The city attorney's office has and will provide direction to boards and commissions about the applicability of the code. The process itself as specific to each public body so ejections or exclusion from council does not affect an individual's ability to attend other public meetings. Chapter 3.18 rules of conduct for city property is proposed new chapter in title 3 specifically addressing real property, the city buildings, facilities and lands. While the chapter is new, much of the language in the concepts are not new. Many have been taken from existing code rules and processes. Section 3.18.010 identifies positions of city officials as person in charges for the purpose of ordering persons to leave city property or a meeting. This section moves and updates language from the current chapter 5.36 to have all relevant requirements in one place. Those requirements are for what applies meetings and properties regardless of who the assigned property manager is. Section 3.18.020 rules of conduct at city property states its put is to enable the city to establish an environment that allows for ordinarily administrative and business operations of the city and identifies behaviors prohibited at city property. The 19 rules protect health, welfare and safety of all persons at city property and protects the city's assets. These rules apply and are to be enforced at all city property except for specific rules of conduct or prohibitions have been adopted such as for parks properties. These are default expectations of behavior and clarify rules in place at city hall, the Portland building and elsewhere. Posted for all employees and visitors to see. Section 3.18.030 city property exclusions identifies consequences violating rules of conduct at city property to include exclusion from city property. City property managers are authorized to

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exercise administrative exclusions based on process and procedures in the section. The section also describes a person's course of action if excluded from city property including appeal to the city hearings officer and/or ability to request limited modifications to the exclusion. Chapter 3.15 of city code describes responsibilities of the bureau of internal business services including duties of the bibs director. Amendments to this section are shown in exhibit d. The amendment language included there is intended to clarify authority of the bibs director to enforce rules of conduct at city property and city property exclusions and specifically describes the properties including city hall, Portland building, 1900 building and others for which the bibs director is responsible. There's no exhibit for the changes to subsection 5.316.115. We recommend repeal of the entire subsection relates to property control and mostly addresses now nonreal property assets of the city are handled from a financial and accounting standpoint. Subsection 5.36.115 in the current code relates to designation of persons in charge and we recommend repealing and replacing with a new language I have described in chapter 3.18. To recap, the purpose of this collection of changes is to enable the city council and staff to effectively, efficiently and safely carry out city business while ensuring the ability of the public to attend and participate as appropriate.

**Wheeler:** Thank you. Is there any other testimony from staff?

**Ames:** No more presentation.

**Fritz:** Could I ask clarifying questions?

**Wheeler:** Absolutely.

**Fritz:** I was thinking about city property. This would not apply if the council or another city board or commission was meeting not in a city building.

**Ames:** For the purposes of ejecting someone from the public meeting, the person in charge of that for that meeting would be the presiding officer and they would have the authority to eject them from the meeting. But not necessarily from the property as a whole.

**Fritz:** Right. So if for instance the citizens review committee is meeting at pcc-cascade there's an exclusion for that meeting and subsequent meetings.

**Ames:** And ejection.

**Fritz:** I appreciate Kristin Malone the chair of the citizen's review committee asking these questions I just want to make sure I understand them. Does each body have a -- do the exclusions carry across different meetings? Like --

**Ames:** No.

**Fritz:** Crc meeting, each meeting --

**Ames:** Each body is treated as a separate forum. If you're ejected from a city council meeting, you still are able to go to a crc meeting.

**Fritz:** Right.

**Ames:** Or excluded from city council you would still be able to go to the crc meeting.

**Fritz:** The presiding officer of each set of meetings keeps track of it.

**Ames:** Yes.

**Fritz:** The question about persons in charge and concern it might be overly broad, how did you get to that definition?

**Ames:** I might want to see if -- my colleague linda --

**Fritz:** Maybe you could take testimony and get to that later.

**Wheeler:** That's it. Was there -- we can wait until later. That's fine. So we accord courtesy to people with small children or people with disabilities who would like to come up first for public testimony. Come on up. [applause]

**Wheeler:** Good afternoon. Three minutes for testimony. The things work a little different here on the microphones. Just make sure the light is on when you testify. The yellow light that beeps first is not -- that does not mean your time is up. You still have 30 seconds left

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to testify. It's annoying but ignore that one. When the red light goes off that's three minutes. Thank you. We appreciate everybody stepping forward to testify. Mr. Walsh, you've done this before. Would you like to start, sir?

**Joe Walsh:** I would like to defer to anybody that would like to start.

**Sarah Hobbs:** For the record my name is Sarah Hobbs. Commissioner Eudaly, mayor wheeler, we are getting to know each other. The rest of you know in the three years I have been coming to city hall I have never once yelled at anything until I yelled at you, sir, last week. It was out of severe desperation of feeling shut down constantly on last week personally. It's not taken into consideration when people are yelling they are feeling shut down by the system and they are desperate to be heard. That is why I started yelling here in chambers last week. Anybody who knows me knows I'm one of the people who always strives to be professional in all my dealings at city hall. The fact that I was yelling, that was severe desperation on my part. We are yelling because of desperation. My concern is when we are expressing desperation who gets to make the decision that we don't have the right to be desperate? And we don't have the right to be heard? Basically what I have to say.

**Wheeler:** Thank you. Appreciate it.

**Wheeler:** Mr. Walsh?

**Walsh:** For the record my name is Joe Walsh. I represent individuals for justice. I'm really the cause of this hearing. [laughter] [cheers and applause] because I dragged the last mayor into federal court and beat a \$200,000 attorney because I did it pro se because they didn't know what they were talking about and I'm going to tell you five right now you don't know what you're talking about. Your city attorney should be fired. [cheers and applause] your future attorney should be fired. The judge in the 23-page decision said to you do not use prior acts as a basis for exclusion. What are you going to do? You're going to use prior acts as exclusions. This is the same judge you're trying to appeal twice. You lost one. The other one is in limbo someplace in the 9th circuit. They are going to shove it down your throat. Where to start. You criticize us for disrupting your little meetings. While people die on the street. While young kids 17 get blown away by your gang of cops. By people freezing to death. Babies freeze to death. And that is the thing that you're looking at, that you're inconvenienced? Why not look at this? Your idea, mayor, of having the meeting on Friday is a good idea. You know why I say that? Because Mimi suggested it to you. Because Teresa suggested it to you. I suggested it for ten years. [laughter] so you didn't even give credit to any of us. I'm going to hold a meeting on Friday. You didn't say because Teresa asked or Mimi asked or star asked or any other activist here. These people are running out in the middle much the night feeding your homes. [shouting] all you had to do is to say let's have this meeting on Friday, and let Walsh vent. Let star vent. Let Teresa vent then ask how do I resolve this? We can't do this every week. I'm getting exhausted. I'm old. I can't do this every week. Every one of you who vote for this is going to be run out of office. [applause] every one you hear me? Do you hear me. [shouting] we already have a candidate running against you.

**Wheeler:** Thank you, Mr. Walsh.

**Walsh:** Don't thank me. That's an insult.

**Wheeler:** Okay. Good morning. [shouting]

**Wheeler:** Thank you, Mr. Walsh. Good morning, sir. You may go ahead and testify. No, it was already on. Push it one more -- there you go. Thank you.

**Wheeler:** Good morning, sir.

**Injured and Pissed off:** My name -- My name is injured and pissed off. And I brought a paper from the Willamette week that was printed here, and it was august 9 of 2006. I know this is diverting it somewhat, but it was addressed as uninvited guest. I like joe Walsh and

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he wasn't around at this time. And of course you're familiar with me under a different name. As my previous name Paul Phillips. You had wrote a letter after five dog attacks explaining the service animal law after I explained it to you and I was subsequently attacked another two times and fell and broke my hip and fractured two of my vertebrae in my spinal cord and to call that not a civil -- civil conspiracy is false. The up in -- anybody that signs up to publicly speak is not an uninvited guest. Rather it's here or anybody else. Certainly in the newspaper got everything wrong. My service animal was not a guide dog. As I have wrote here on the up in, your article was written to me and you read the article over at the Multnomah county board meeting when you were a board member or head of the board, and that was august 16 of 2007. Subsequently, with this news article, this false, fake news article that the Portland bureau of housing is also where I was living, I still am living there, but I agree with joe was saying that and these people yelling and everything I can yell that loud too, myself, when I'm in pain. I mean physical pain. [shouting] I wish I had had lawyers at the time and there is no statute of limitations for a civil conspiracy because the catholic church was overriding the law and they got sued of course for pedophilia. And they were getting away with that for 40 to 60 years. And seven dog attacks on a service animal by the same dog is a conspiracy.

**Wheeler:** Thank you, sir.

**Injured and Pissed off:** I'll be addressing that here at the meeting. I'm sorry -- april 26th.

**Wheeler:** Very good. Thank you for your testimony, sir.

**Wheeler:** State your name, please.

**Terry Parker:** Good morning. Is it on?

**Wheeler:** Yes.

**Parker:** I'm terry parker. About a year ago one of senator wyden's town hall meetings at pcc southeast was shut down when protesters showed it up. First beating on the windows from outside, then coming inside and shouting demands while marching up and down the aisles between the rows of chairs. Last year I came down to testify at an afternoon council session only to find city hall full of protesters and the doors locked. I have also been at council meetings when protesters disrupted the council proceeding. Where is the aclu when it comes to protecting the rights of non-protesters? In all cases my right to free speech was selfishly violated by what could be called an unruly mob. If I were to park my car in the bike lane during the evening rush hour --

**Wheeler:** Excuse me. Could I please ask people if you're going to be here that's great and remember, you're not going to like all the testimony you hear. That's why we do thumbs up or thumbs down. You like some of it you won't like some of it. That's the name of the game. Please treat everybody with the same respect you would like to be treated with when you testify. Thank you. Please continue. Sorry for the interruption.

**Parker:** If I were to park my car in the bike lane on Madison during the evening rush hour to protest gas tax dollars being used to fund bicycle infrastructure instead of the bicyclists being justly taxed to pay for it I would probably be ticketed or arrested and have my car towed. There needs to be consequences for disorderly conduct of protesters when they block streets, interrupt meetings and are at times a threat to others who disagree with the protest. In Washington d.c. Congressman Blumenauer and senator merkley are having tantrums. They are fueling rioting and fostering hate. People who live, work and/or just come downtown to attend meetings need to feel safe. Personally I am tired of one sided politics and plan to attempt to dictate life-style including travel mode and what we eat. We're assessed to tax to have art in our schools yet the art of coming together with compromise in a government has been lost. People have the right to protest. But it must be done in a manner that does not take away or negatively impact the rights of free speech of others and not be a threat to people who may disagree with the protester's stance. With

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all this hostility the city must continue to function. Therefore, I support establishing some rules of contact ejection and exclusion procedures for city council meetings on city property. It's a matter of protecting everybody's rights and safety. Thank you.

**Wheeler:** Thank you for your testimony. Good morning.

**Sarah Einowski:** Good morning, mayor wheeler and commissioners. I'm Sarah Einowski, an attorney in town. I'm here as a volunteer on behalf of the aclu of Oregon. Our legal director apologizes he could not be here in person as he's out of town. The aclu of Oregon is here to urge you not to pass this ordinance or at the least not to pass it as written. We understand the problems the city is facing. The aclu appreciates that there's been interruptions to the city council's important work and in some cases members of our community have been unable to make their voices heard on important issues. So we understand the city's impulse to do something and do so quickly as shown by the fact the city is considering this on an emergency basis and dispensing with normal process including second reading. We urge restraint. Slow down. The proposed ordinance is an overreaction and unconstitutional. The city council already has the tools it needs to deal with real disruptions during city council meetings. For instance, if someone is repeatedly shouting over others or disrupting a meeting to the point no business can be conducted or engaging in physically dangerous behavior the city may lawfully remove that person from the meeting but broadening the basis for ejection or imposing prospective exclusions are violation of the Oregon and federal constitution. In particular, prospective exclusions such as provided in paragraphs d and e are not constitutional and judge Simon could not have been clearer. He said no matter how many meetings of a city council a person disrupts, he or she does not forfeit or lose the future ability to exercise constitutional rights and may not be prospectively barred from future meetings. Our democratic republic is not so fragile or first amendment not so weak. Others are over broad and unnecessarily burden protected speech. The city's attempts to define disrupt and allow ejection based on direction concerning decorum is overbroad. The exception for constitutionally protected speech does not solve the problem. The ordinance fails to notify the public and city officials what is forbidden. The ordinance also likely violates due process clause through, for example, limiting the factual basis for review of ejections and exclusion and broad authority to eject persons who are not even city employees. None of the above are cured through providing limited online participation in meetings. The opportunities in paragraph l are inadequate substitutions for participation in live city council meetings which is a constitutionally protected right. Please do not pass this ordinance today on a rush basis and without full public discussion including second reading. We have submitted more detailed written testimony that goes in depth on the points I made today and the aclu will be happy to provide more detail on the points I covered today. Passing the ordinance today has potential harm of the ability of all Portlanders to meaningfully participate at city council meetings. The aclu of Oregon urges you not to pass this today.

**Fritz:** May I ask a question? [applause] I very much appreciate your taking the time to be here today and I will of course pay attention to your comments. I would like to know from the aclu what would you suggest when there are repeated disruptions so that citizens such as Mr. Parker never know whether their item will be heard on time or not or whether they will even be able to testify.

**Einowski:** We're happy to sit down with you and come together to create constitutionally protected ways to deal with these issues. Because of the emergency ordinance and because we didn't learn of this until Monday I don't have authority to speak on behalf of the aclu specifically but we're happy to sit and talk with the city attorney's office and with you to solve this problem.

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**Fritz:** Specifically, the Oregon constitution says freedom of speech should not be breached in any way and says that every person shall be responsible for abuse thereof. I would love to hear from the aclu as to what should define the abuse. Thank you.

**Einowski:** As judge Simon explained in his opinion, if somebody is disrupting a meeting and making it so city business cannot be done and there's been warnings they can be ejected from that meeting. We appreciate that it's annoying and perhaps a burden to be kicking somebody out every day, but the first amendment doesn't allow you to kick somebody out in the future for actions they took that day. But you do -- [applause] you already have the authority to eject people who are disrupting the city's important business so everyone's voice can be heard.

**Wheeler:** Thank you. Good morning.

**Craig Rogers:** Good morning. [applause]

**Wheeler:** Folks, let's keep things moving. Thank you.

**Rogers:** For the record, I'm Craig Rogers. I would like to refer to this week's tribune that says wheeler seeks code of conduct for meetings. I would like to bring your attention to the city code of ethics and it says under trust the purpose of city government is to serve the public. Please note that it says serve the public. It does not say rule. I would like to bring your attention to the 2016 community survey that goes from 2012 to 2016. Portlanders ratings of city livability dropped to new low. Here's historic lows. I have a copy of this for anyone who would like it. From my experienced opinion from May of 2014 from when I have been coming down here I believe this is this way because you are in a bubble. I have only in all that time from May of '14 I have had one commissioner tell me he appreciates me testifying and I have exposed a lot of things that have happened behind closed doors and underneath the table. This commissioner told me it gives him a different perspective. Nobody else has even come close to saying that. This commissioner actually said something to that effect several times. I will say it again, it's worth saying again. I believe you're in a bubble. The only people you want to testify are people that are going to agree with you. Here's this week's Oregonian on Thursday. Spending every meeting hearing from the same middle aged white guy's wheeler said in an interview Wednesday. Now, is this about disruption or this is about your right to discriminate? I have nothing further to say.

**Wheeler:** Thank you for your testimony.

**Shedrick Wilkins:** Good morning.

**Wheeler:** Is the light on?

**Wilkins:** It's green.

**Wheeler:** Go for it.

**Wilkins:** I'm Shedrick Wilkins. Number one there have been recent comments saying mayor wheeler has been nobody had anything against mayor hales. That is not true. Mayor hales kept the meeting going. He also had an excluded meeting where you had to go to another room. That's not true. Actually my feeling is that I'm a president Obama supporter but I believe the economy has tanked and it wasn't talked about and mayor wheeler has been hit by a lot of stuff that's been accumulated for two years. And another thing too, I want to give a humorous note, when I graduated from Portland state university in 1991, I tried to book bud Clark, who I met, very friendly, talk to him all the time. He got mad and said you don't book the mayor. There are people here that made comments that are not supposed to talk to you personally. You talk to your assistant and they can talk to you. You don't pin the mayor and you don't book the mayor.

**Wheeler:** Thank you. Good morning.

**Teresa Raiford:** Good morning for the record I'm teressa raiford. The first time that I provided testimony in city council chambers was in I think November of 2011 following the

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murder of my nephew Andre Payton. Sam Adams was the mayor at the time. He encouraged me to come to city council when I came to city council that was the first of hundreds of times that I attended and not only did I attend I created group pages on Facebook so that other people would know there was a process in place in our city where they could take their concerns. Ideas, opinions, issues, whatever. I also learned about that process from looking at it. I was very analytical because the issues that I was dealing with was the murder of my nephew, killed on northwest 2nd and couch on September 26th. So when I went to these meetings when I started attending these city council meetings what I saw was propaganda and pacification. I saw different groups that were partnered with Amanda Fritz's office and the different bureaus that basically came in there to get support for their benefits for their programming, for their outreach. It the only problem I had was that I recognized all of these groups but didn't recognize them from community members or in our community. They were not there. They were not connected. I had been promoting those groups on the pages I built, over 400 organizations that were receiving funding from the state, municipalities of our county and our city. None of those organizations that were getting these funds for the issues that were dear to my heart and could help support my community, people did not know about them. So when we brought people into city council we figured they would not only learn about these additional resources that they didn't know existed but they would also be able to speak to the need and necessity for community outreach and engagement. After a while when I became noticed and I ran against Amanda Fritz for a seat on city council for more inclusion not just window dressing and propaganda, I realized that that created a situation because if I was going to speak out on these matters then that meant that I was the other. The other should not be spoken for because you have leadership that is appointed by city council and by our state government that is appropriate for these issues. So I went outside. I started protesting. At that point our issues became the focus of everybody's industry. I mean all of the nonprofit organizations, all of the government systems, all of our senators like senator wyden whose town hall we shut down, not the governor yet but everybody knew that our issues needed to be front and center. That only happened because of protests. That only happened because we were coming and disrupting, because we were disrupting the streets. It didn't happen from following your process or going to our appointed leaders. It doesn't work that way because you guys are fascists. You don't want to listen to us. What we say does not concern you. We're not the people you serve. You only serve each other. Thank you.

**Wheeler:** Thank you.

**Wheeler:** Good morning.

**Stacy Rutledge:** Good morning I'm Stacy Rutledge. I have not taken the opportunity to come to these meetings in the last years that I lived in the city of Portland but I wish I had because I would like to be able to compare then to now. But I can't. All I see is what I see now. I am really amazed at your patience in dealing with the disruption that you have in these meetings. [shouting] an example is that I have a different opinion than most of the people in back of me but they would like my opinion not to be heard. I would like to share my opinion.

**Wheeler:** Please, folks. Sorry to interrupt. Folks, again, can we please let everybody have a chance to testify. Everybody's voice should count for something here. Please let her do her testimony. Thank you.

**Rutledge:** My opinion is that there is a lot of business that needs to be done in the city. There are a lot of things that need to be fixed and corrected and I would like to be involved in helping that to happen just like these people would. But we have to do it in a way that respects and recognizes one another's differences of opinion. Reasonable minds can differ in their decisions but we have to have a conversation. We can't have disruptive yelling

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festivals in the business of the city. So I appreciate and I applaud your effort to do something about this problem, Mr. Mayor, because my time is very valuable to me. Your time is valuable to me. And their time is valuable to me. We need to agree on a process and a way to move forward and to stop this disruptive government that's going on here. And if what it takes -- if what it takes is a Friday afternoon meeting where you and anyone else sits -- don't tell me to shut my face, please.

**Wheeler:** Folks, again, in the back, please let her testify. Please. Thank you.

**Rutledge:** If what it takes for them to be heard is another meeting where that is exactly all that happens, the business of the city isn't expected to be done, other than listening, then perhaps that's what we need to implement and make that the time that if they want to yell - - [shouting] If they want to talk over each other and play recordings and be rude to each other they can do that but let's give them a place to do it. [laughter]

**Wheeler:** Let her finish her testimony. Mr. Walsh, people listened to you respectfully. Please extend the same courtesy to her. [shouting]

**Wheeler:** Please continue. Please continue.

**Rutledge:** In a democracy we all listen to each other. If they need to have a time on Friday afternoon I really do suggest that we have that. Make sure the press shows up and that it gets into the newspapers and they have their place to do this and then whatever things are followed up. Let's do that. But let's pass this ordinance today. Let's move forward with easier meetings and continue to listen to all citizens. Thank you.

**Wheeler:** Thank you for your testimony. [shouting] everybody has a right to testify here. Please continue. [audio not understandable]

**Lauretta Reye Austin:** I'm Lauretta Reye Austin, a Portland youth advocate. Protester, supporter of don't shoot Portland as well as organizer and leader of pdx information. I have been protesting and been on the record since 2014. Nice to see Amanda. I really believe that I didn't know the value of protesting until I actually was out there in city hall and actually knew what the value of freedom of speech was in that direct way. Now pdx information is a nonprofit single income financed organization dedicated to providing a safe outlet for women of color and youth to encourage love and to restore self-worth and self-esteem of those affected by the lack of legitimate resources as well as terrorism caused by the Portland police and other hate platforms. On the record, ted, you stated you are not intimidated by the community. So if there's no intimidation therefore if there's no intimidation there should be no problem writing a check to organizations such as this and don't shoot Portland that has shown support to the community directly. As well as any other organizations that are on the record that have been showing support. Youth, young adults and families of friends that have been affected by the deaths of Christopher Colangie and Quanice Hayes are people that are on my mind as well as youth such as Dina and Devita being arrested for peacefully protesting. I would like to just emphasize that you're putting fear, you're promoting fear into the youth. If you're going to promote fear then you need to give back into organizations that are going to help with those -- help encourage love and what not so that they are not fearful. That's exactly what pdx formation does. This is creating mental barriers, terrorizing youth and elders such as Peggy Zabuski. Please are justifying murder because a child runs from the police but you don't want to understand youth are conditioned to fear socially and run from your fears. So why are we getting shot and killed because we're running from our fears? [applause] with that being said I'm asking ted and the council to finance a grant of \$7 million with youth community advocates and those who represent don't shoot Portland as well as pdx information to finance and support youth and organizations that support their rights to speak about things that matter to them. \$7 million.

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



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**Lightning:** Yes, my name is lightning. I represent lightning super watch dog pdx. Now, when you were sworn in I believe that you're supposed to uphold the constitution. Maybe you should read it because everything you're proposing today when you pass this is unconstitutional. When the aclu sits across from you and says they will challenge this, we'll see you in court. You will lose on this, and I'm offended to the fact I can't point to a Portland police officer over there, which is freedom of expression, I'm offended by you for thinking you could interject and cut my speech off rudely which go ahead that's freedom of speech, bring it on -- here's another issue. The court holds pcc 3.15 violates the first amendment because the ordinance allows for the prospective exclusion of an individual from city council meetings based solely on a finding that excluded the person has been disrupted in the past. You can't exclude them a second time based upon the past number one. These meetings are supposed to be uninhibited robust people are supposed have free speech when they come out here. Able to debate. This is considered a limited public forum. The nature of the forum, the whole purpose of the council chambers to sit in front of the government is to say we don't like you, ted.

**Wheeler:** That's exactly right.

**Lightning:** That is our right to do that.

**Wheeler:** While you're doing it if you're shouted down or people say you don't have the right to do that --

**Lightning:** Feel free to shout me down. I respect. That problem. [shouting]

**Lightning:** Moving on, what you're proposing here is just a restrictive speech code that they are trying to do at college campuses, that they are failing every time a good attorney from aclu or any attorney that understands the constitution will take you in front of a judge, you will lose in front of Michael Simon. You've lost once. You'll lose again and next time, ted, Mr. Wheeler, let me say this to you, the other alternatives for the public at that point is to recall you. If we cannot have discussions with you in a setting like this and say what we want we need to remove you out of office, get someone else in there that has that ability to deal with the public in a respectful, reasonable manner and hear their concerns. If you can't do that, recall time is the next option we have if you pass this today. You will be recalled mark my words into the police man over there mark my words, mark my words.

**Wheeler:** Thank you for your testimony. Thank you. Dan, did you want to go next?

**Wheeler:** Please state your name for the record.

**Dan Handelman:** Thank you, mayor wheeler.

**Wheeler:** If we could let --

**Handelman:** I'm Dan handelman, cop watch we're here to oppose your proposal to exclude people from city hall for longer than one day at a time. Judge Simon's ruling in the case of joe Walsh was very clear. You can only exclude on the day that causes disruption we're talking as a group that's come before council to many times to count in the course of our 25 years as an organization as a group for better or worse made efforts to follow the city's protocols at all of these meetings. What would make sense is a two-part approach. First you can expand the communications section of city council meetings on an ongoing basis based on increased community interest or for special meetings from time to time. Council could like Multnomah county allow people to sign up on the day of the meeting to address whatever issue they see fit rather than being required to turn in their name to council clerk six or more days in advance. You can ask how many wish to speak and divide up the block of time. And/or council could set up a special session as you've suggested to hear from people about what's creating community concerns. This last type of meeting could be especially set well publicized to allow the public to air concerns. In any of these scenarios it's more likely than not that less of council's time will be taken up by public comment and by repeatedly clearing chambers and putting city hall on lock down.

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The next approach is more simple on one hand, but more unlikely on the other which is meet the demands of the protests. [applause] release information about Quanice Hayes death at the hands of the ppd. Create accountability. Work collectively to work for right 2 dream too. If you can't actually take action to make these things happen do a better job of expressing your support for just, equality and freedom. If there's justice maybe there would be no more disruptions. Additionally, we're concerned about the language in the proposed ordinance because power to the Portland police and security guards to determine what's disruptive, dangerous, and even threatening behavior. At most the meetings chair person should be directing law enforcement regarding ejections not leaving it to officers' discretion. I point to 3.8.010 e3 when I'm referring to. I brought a rubber mallet to a hearing on the doj to make a rhetorical point that the agreement is like using a rubber mallet to hammer in a nail. That could easily have been misconstrued by law enforcement as a weapon. The ordinance indicates council is concerned some people are not coming to meetings because they are intimidated by people who interrupt. This will lead to people fearing speaking against city policy will get them arrested which is chilling to the first amendment we urge you to rethink your strategy here. [applause]

**Wheeler:** Thank you. Good afternoon.

**Regina Hammon:** My name is Regina Hammon I'm also a member of Portland cop watch. Because some of you are new you may not know our history. Portland cop watch is a project of peace and justice works. We started in 1992 as the people overseeing police study group. But after networking with the Berkeley cop watch, the very first cop watch organization, we decided to change our name. Cop watch is a movement, not a franchise. We explain this to make sure you understand our next comments carefully in context. Mr. Kif Davis is not a member of Portland cop watch. Multnomah county cop watch did not grow out of our organization. We may share similar goals but we do not engage in the same tactics. That said, paraphrasing pastor bonhoeffer, if nobody is there to speak up for Mr. Davis, there will be nobody left to speak up for the rest of us if the council starts down this path. The very idea that a city hall staff person pursued and was able to acquire a restraining order which overrides Mr. Davis's first amendment right to redress grievances with his government is an outrage.

**Wheeler:** Please let her testify.

**Hammon:** It may seem like a clever work-around of judge Simon's ruling but it's just another in a long line of assaults on public participation and public process. Who is to say someone doesn't find members of Portland cop watch threatening or disruptive? You may have seen me over the last 13 years as a member of Portland cop watch raise my voice both figuratively and literally and I don't want to end up being excluded because my passion makes someone feel afraid. This could be true for anyone in this room or anyone watching this on tv who wants to come down here. This make no mistake about it is ultimately about class. If this room were flooded with people who wanted, you to keep homeless people out in front of their businesses you would not exclude them. But the reality is these people have paid lobbyists who are able to meet with members of the council unlike most of the people you're planning to exclude with this ordinance. Thank you.

**Wheeler:** Thank you for your testimony. [applause] thank you. Whoever would like to start.

**Phillip Chachka:** I'm Phillip Chachka with Portland cop watch. The council has to reverse the trend of holding more meetings out of public eye. In addition to exclusion of public from committees deliberating about important issues like police oversight council itself shutting out the public by ending discussion as items are heard through, sometimes with multiple amendments that have not been vetted through community comment, this happened with auditor's charter amendment most significantly with the police association contract. That

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was first time we can ever remember council sequestering itself from the public leaving an elite few to be present for the live train wreck. At the time attorney jack orchard commented to the Portland tribune that some remote legislation action violated the spirit if not the letter of public open meetings law. Our group tried to comply with the council's rules during the fiasco and while testifying about whether a contract to purchase a bridge inspection crane was subjected to the same council efforts as the ppa contract we were shut down and asked to leave chambers even though we did not violate any of your stated rules. This is just another example of why the ordinance is too subjective and should not even be considered. A few weeks ago council held an important appeal hearing for the citizenry review committee while city hall was on lock down. Two of us were able to attend but some had to watch in the Portland building by remote. At least one person decided not to come downtown when they heard city hall was closed. This is outrageous behavior for a supposedly open and transparent government. Council deliberated, voted but once done with the process of dealing with an anonymous officer's possible violation of policy did not entertain public comment. Its clear council will not apply this ordinance in content neutral ways but will shut out the public on sensitive matters especially police issues. Although the ordinance applies an excluded person may send written testimony that's hardly a fair alternative to appearing in person. Council doesn't always read everything submitted to them in writing and rarely asks follow-up questions and can't get nuance from vocal reflections by looking at the written words. In summary open up the meetings for more input. Don't criminalize and shut down speech. You only lead to a cycle of more unrest as you're perceived of telling your subjects to go and eat cake.

**Wheeler:** Thank you. [shouting] good afternoon.

**Dan Salomon:** Good afternoon. I'm afraid but this needs to be said. I didn't --

**Wheeler:** Could you state your name for the record?

**Salomon:** Dan Salomon. I didn't protest when Obama was elected the first or second time or when trump was elected so who did I vote for? It does not matter. What does is fascism. Webster defines this is as political philosophy movement or regime than stands for centralized autocratic government headed by dictatorial leader and forcible suppression of opposition. Does this definition match that of an elected official entering office where I can do what I want go where I want and say what I want all without fear me going to and from work or does this match the self-appointed leaders that have their people block streets and highways, destroy property, assault people and shout fascist because someone might disagree with them? A politician on Sunday, January 29 insisted on blocking traffic at the Portland airport. I have seen pictures of the guy that pulled out a gun. What happened to the guy that knocked out a man on January 29th the same day at the airport same location as this politician? Do you want me to somehow believe that after 9/11 that somehow they couldn't get a picture of the assault inside an airport terminal? You allow this criminal activity and are surprised it's affecting you. We don't need new laws. We just need the ones in place to be enforced. But if you really want a new one I propose you start with a bill for we the people because you feel it's more important that the council who are supposed represent us should receive special protection receive it first and allow the police who are doing outstanding work for little to no thanks to do their jobs properly. But only when it comes to allowing politicians to speak. The same politicians making an emergency ordinance which reduces ability for citizens to be heard. You want more law and order, more safety and security? I agree. Let's start with protecting the citizens. Let's start with protecting them, their rights and their lives. We can revisit this issue with the royalty here at the ivory tower later. Let's start by teaching the following four things in all schools. While your rights are important they are no more important than anyone else's. You have the right to speak, I have the right to speak. They are equal. Exercising your right does not

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give your permission to break laws. You should be held accountable if you break laws. Four, regarding the first amendment it gives you the right to speak, not to be heard, not to force me to listen. I have the right not to listen. I have the right to walk or drive away. My mother tells me you can disagree with someone; you just can't be disagreeable to that someone. Heck I'm even okay if you want to stop the criminal protesters inside and out at the same time just not you first and maybe us second. Thank you.

**Wheeler:** Thank you for your testimony. Good afternoon.

**Mary Sipe:** Hi. I'm Mary sipe

**Wheeler:** Again, folks, let's give people the opportunity to be heard. Thank you.

**Sipe:** Thank you. I'm really sad. I sad that our process of city government is actually breaking down I think. I'm sad that you feel that you have had to come to this point in order to conduct city business. I have been before the city council in the last few years several times and soon I'll be coming before you again on the same issue. But what I would like to say is that somehow we need to figure out how to make this process work for all of us. I have been watching the city council meetings on tv for the last several months and I have really watched this erosion. I decided to come down here today because it struck me that if I sit on my couch in my living room and I watch these meetings and I don't come down and participate, then I'm being complacent and I'm actually not supporting our process in any way, shape or form. So I'm going to be here more. I just want to say that while I don't always agree with everything that people are saying, I try to hear what they are saying. I try to educate myself so that I can be understand their position. I would just like to ask everyone in this room to do that. Also, I guess the other side of the coin is perhaps one of the things -- well, I have so much going on in my head it's hard to be coherent. If you'll bear with me, I would say to kind of go back and take a hard look at what you've proposed. Get some input from the aclu and others because I think this can be done in a way that is constitutional and that will work for everyone. You know, it's kind of interesting, again, like I say just because I don't necessarily agree doesn't mean I don't respect and won't listen to others. I have worked in the community for years on homeless issues and other issues, and I understand how frustrating and emotional it is when you feel like you're not being heard. Perhaps the other thing I would suggest is to try to figure out ways to make yourselves more available. Maybe an hour out of a day you just open your door to four or five people who want to come and talk to you and give them each 15 minutes to present their case to you without having to go through the process of trying to get a meeting with you. Just try to think outside of the box as to how you can be more available and be heard. I appreciate being heard and I also appreciate everybody in the audience for listening even though they didn't know what I was going to say or if I was going to sup or not support their positions. Thank you.

**Wheeler:** Thank you for your testimony. [applause]

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

**Andrew Olshin:** I think open door day is a good idea. I think it's something that a bunch of mayors have done. I'm Andy olshin. I'm a property owner and I have spent most of my nonparenting hours over the last year building tiny houses with the folks down in hazelnut grove. I have learned a lot about myself during that process. I don't think this ordinance is the way to go, but I think you guys can sit down and figure out some other way to do this with the aclu, with representatives from here. Mostly I wanted to take the opportunity to give you guys a calm voice for a minute and just know there are a lot of people out there that care about the folks out here that care about the houseless folks that are doing things for them and with them and listening. There's something going on tonight at the Kenton neighborhood association. There's a vote about whether the argyle village that has been created should go into Kenton. Now, I don't think there should have been a vote whether

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they should have been able to go into Kenton personally. That's something the city can say let's do this and let's go ahead and make this happen. I just want to say that the comments that the mayor and other council members have made about the houseless villages have been great. Looking at the right direction. I would just ask the folks that are here using up public time to work with the system here against the system that is very not positive on the other side of the country because frankly, they are working really fast. They are working against us and you're wasting our time and my time. So no, it's been two months, guys. Come on.

\*\*\*\*: It's been years.

**Olshin:** No, this mayor is new. This city council person is new.

**Wheeler:** Please, folks, let him finish his testimony.

**Olshin:** It's ridiculous. I should be able to come here with my kids with anybody and speak without people shouting.

\*\*\*\*: Freedom of speech. You started it.

**Olshin:** I'm sorry but decorum --

**Wheeler:** Please let him speak.

**Olshin:** You're wasting my time. I could be out building houses -- you're right. You are wasting my time.

**Wheeler:** Andy, don't engage. Just finish your testimony, please. Folks -- folks --

**Olshin:** I agree with you.

**Wheeler:** Folks, please. We're going to take a recess if we can't get it right. [shouting] thank you. I'm sorry, Andy. Did you have more? Okay. Thank you.

**Olshin:** I'm just sad.

**Wheeler:** Thank you for your testimony. We'll see you.

**Olshin:** Good luck.

**Mimi German:** I'm Mimi German. I'm sorry this white man is sad. [laughter] I would like to say that first of all thank you for trying to silence us today international women's day. Ain't I a woman? [cheers and applause] I would like to see just for a minute or feel all the women please stand up. It's our voices that are also going to be silenced today if this vote goes through. Please remain standing if you don't mind. Calling us. [shouting] calling us and what I have been doing and what my friends and family have been doing to bring issues to this city council since day 2 of your service for the city has been to bring the issues of major concern. They are an emergency. This there have been three, started out as one. That was the thing that this white man didn't remember is that there's been no help during extreme weather conditions for the houseless community. People died on our streets. That should never have happened. Now, I also want to say that calling us the emergency, that's what you guys have said, calling us the emergency creating this policy today voting on this today is an emergency ordinance is disingenuous, it's an alt fact and a lie. Whats real are the issues I have tried to get dealt with here and the issues my friends have tried to get dealt with here. One there is still a lack of shelters during extreme weather conditions. It's going to happen again next summer. We have had major flooding, major rains, major snow and major freezes all in the last two months and I only saw you, mayor wheeler, talking about this during the first snowstorm. Now, I am glad when I reached out after three shutdowns that the city finally listened and we had a meeting. Thank you for that. What didn't work from that is that nothing was done on time. The time I'm talking about are the people on the street getting brutalized by weather or cops by bullets from cop guns killing their kids. These are issues that are emergencies. I was here because these are issues that need to get dealt with before you give \$2 million to have some guy fix his sidewalk on northwest 9th to sweep up the houseless people on that street. I called for an emergency session. The time to do all this is now. That's why I have been coming here. People don't

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understand that out there because the media has not gotten it right. I want to be really clear about that. The reason that these shutdowns have been happening is because emergencies are happening outside of this bubble. And those when people are dying have to come before city business as usual. This needs to be heard. I will not be silenced. I don't care what you do. You guys want to go against the constitution, you guys want to go and strip our rights to speak here? You go ahead.

\*\*\*\*\*: We dare you.

**Wheeler:** Thank you.

**German:** We'll see you in court. [shouting]

**German:** I will not be silenced.

**Wheeler:** Thank you. [applause]

**Jessie Sponberg:** Hi, guys. I'm Jessie sponberg. You like people coming to your house, ted? This is how you get people coming to your house. [cheers and applause] you know, those people who came to your house the other day they tried to come to city hall on the prior Friday. While I would never come to your house unless Katrina invited me personally, I understand the anger which has other people coming to your house. I understand the anger that has people shouting out here. Ted, I have been coming to city council meetings since 2011. I have never once been shut down, been shouted down, never once been interrupted when I talk because I have respect. I have respect on the streets of Portland ted. These people know that I bust my ass for them. If these people thought that you were busting your ass for them they would let you speak and wouldn't interrupt you. You see the respect Chloe gets? People think she is working for them.

**Eudaly:** I didn't feel very respected last week.

**Sponberg:** I apologize for that. I would never condone that.

**Wheeler:** Let's let Mr. Sponberg speak, please.

**Sponberg:** It's okay. Let me give you a list, ted. Let me give you a list of things you could have maybe done to prevent this from happening. You could have kept your campaign promise of police accountability. You could have a new police chief for us, some kind of plan for tiny home villages, intentional communities, some comprehensive emergency shelter situation. Any of these things. You know what you just did a second ago? I wasn't here last week I didn't get to see how the water bureau was raking us for more money on fake scares but I did just see you when I had to turn around for a moment change a proposal to an emergency. While they are going to spend a bunch more of our water rate money on b.s. projects. This whole process has sped up. Let me tell you how it works in the city of Portland. Put everyone who live here under the great laws of the -- city council has granted three hours per week to take time off work to find child care to park so that they can come here and petition good king ted to address our grievances. King ted. There's a baby on fire right here. Sorry, this isn't the time to talk about the baby that's on fire. We have to talk about graffiti abatement. King ted, my baby is on fire. Yes, but we have to talk about pedestrian overpasses in the pearl Jessie. I'm sorry. My baby was just murdered -- [shouting] king ted, you have a glass of coffee right there. Just pour it on my baby. Instead of keeping those campaign promises that you told us you were going to be the guy to work for us you haven't done shit ted instead you act like Donald trump you're going to continue the legacy of a new government created under this regime by excluding people that you don't like from your meetings. That's no different than Donald trump did. It's an abhorrent policy and if you want to go directly against the constitution and end up in court like Donald trump, good job, buddy, you've only been in office ten weeks, you have four years to fulfill, right? These are the best and brightest people in the city. When they are not called to fulfill their duty they are out filling the holes that a failing government has

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given them. Thank you. Don't escalate to this point now, ted. These people aren't going to stop.

**Wheeler:** Thank you. Appreciate your testimony.

**Wheeler:** There are people who would like to testify. You guys got your opportunity. [shouting] good afternoon.

**Wheeler:** Whoever wants to start, there is no particular protocol.

**Zoëara Graham:** Nice to see you again buddy. There are many things --

**Wheeler:** You have to state your name for the record. Thank you.

**Graham:** Quanice Hayes, there are many things I would like to say or discuss with you but most of them are things that you only pretend that you don't know. You do not have the intel on police brutality that you could find on a simple google search. You just look at the concerns about the Dakota access pipeline with nonsense about renewing the contract with wells Fargo at the end of the year even though they are moving forward with it, and wells Fargo is not the only bank invested. Your ignorance is ingenuine and I know you are what I am talking about so I would like to dress a specific incident. You put out a statement on February 23 saying you had spoken to marshman about concerns with the pipeline and homelessness, creating false equivalency between a picture you had seen of a car surrounded by black lock wilding sticks and a 68-year-old woman who had her face bashed in. I found out later that car was driving through the crowd not the other way around. You said that you would be at the city council meeting the next day. I am not going to lie. I felt a twinge of hope that you would listen. My entire group wrote statements, I worked very hard to make mine concise and polite because that seems to be what I might respond to, I played your game, came with no blog, I told my friends we were not going to protest but talk so keep it cool. I had suspicions about being taken off into city hall so when the man said you were scheduled for jury duty I felt no surprise only vague disappointment. How is it that you get away with that? You can't keep playing dumb. This was all you. There was 20 plus peaceful people barred from city hall, at a council meeting without written exclusions despite the fact that is illegal. You are not above the law, and if you continue to conduct yourselves as if you are how do you expect us to muster up any respect for your system? We are treated like wild animals. Uneducated and with no objective but mindless chaos. That simply is because you avoid -- you actively avoid hearing our voices and when you do you treat us like children to be poo-pooed off. These issues are our lives. My friends and I live on the street and go head-to-head with police brutality on a daily basis whether they are beating us with batons are kicking us out of the few dry doorways to search through the rain at 3:00 a.m. To huddle up for a few hours somewhere, you know. I want you to admit that you don't give a shit and I won't hold it against you because these things do not touch you. You are afraid of passion and it's that passion that liberates that fear. You can unjustly arrest us and bar us from public meetings without written exclusions, but we will never be the police's bitch the way that you are. [applause]

**Jeff Singer:** I am Jeff singer; I wrote a bunch of stuff by I threw it away because whatever. How do you follow that anyway? We know you are Ted the don't care bear. There is no secret about it. I walked up to that hill, a mile up that hill, and some people won't come to your house, I will come to your house, I am not a nice guy. I walk up that hill a mile and walking up that hill I noticed one thing. I had entered a different world walking past the homeless capitalists and the politicians and judges and pigs. People that have no idea what we deal with on the street. They don't listen to moans from inside the tent, they don't see a pig dressed in armor ready to bash their dome in because you are peacefully blocking the street. Oh, let me cry you a river. It's ridiculous. I mean, politicians and cops, use these words like discretion. Why don't you use it? Instead of sending out an officer to

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redirect traffic you kick everybody's ass. Are you out of your mind? It was not you that gave the order but nonetheless it was you. People like Joe Walsh, Jessie Sponberg, Teresa Raiford they come to you to these tables and try to talk initially. Here's what we'll do, we'll partake in civic engagement. It does not work. I came to city hall a few weeks ago, same incident that she was talking about, and signed up to speak. I wanted to speak. And when I tried to enter the door I was met by 16 Portland police bureau officers, one of which I see right here today. This is what I call a -- what I call a friendly fascist. He will smile at you as he violates your rights. He will smile at you as he chokes you and say thank you, sir, as he pushes you over the back of the police car for maybe up until a couple of years ago having too much pot. We come here and we try to make our voices heard. You ignore us because you are from a separate class. The class that rules the rest of us. As long as we behave, you don't care. Fact. Period. No argument. Don't try. So this really, these disruptions are people pushed to the brink. Our last desperate plea, and after you push them off the brink they are going to stop begging you for bread and they are going to conquer it. So you know what you want to do up to this point, your vote, I know what you are going to vote, so what you really have to worry about is the political repercussion of your action. How is it going to screw you? How can you best clean up that mess? I can tell you can beat us up. You can shut us out. We're not going away. I look forward to a long four years, or a very productive four years' mayor wheeler.

**Wheeler:** Thank you. I appreciate it. Thank you for your testimony.

**Charles Johnson:** Good afternoon you all. If you help me crowd fund it things will move more quickly because I will shorten my name to just bridge crane and we won't have to say Charles bridge crane Johnson every time. And the injured and pissed off, that name has been taken already. But I am glad to have -- to me, she's still a leader, I have not followed closely but back at Christmas I was following the active leadership of Loretta Reye Austin, and what she was saying telling us that we needed to say because it was so true is stop killing us. The ice rink is bigger when we said that but the killing is still happening, Quanice Hayes, dead, you heard testimony from Sarah Hobbs, and Michael Johnson shot near Good Sam hospital a little over a year ago. And why is Quanice Hayes dead? The pigs will say something about some gun that has some, some toy gun thing. Tried to make Portland look like what, Tamir Rice's hometown of Cleveland? But you know, we, especially white men like me, you, and Ted Wheeler and Officer Hurst, we're firmly committed to the murder of Quanice Hayes because we did not get rid of Hurst when he killed an unarmed person outside of an emergency room. So you know, in addition to longer term further back in the past things like you know, my family technically didn't emigrate here until after slavery was over but we were brought in by some people to steal land from Indians and make sure that the white people settled that land while the Indians were forced onto reservations so I have that distant historical guilt but I moved to Portland in 2012, and I was a bit distracted by the Nazi paraphernalia Mark Krueger, captain of the police department now so I didn't know how urgent it was that we get Andrew Hurst disarmed from the Portland police department. Now we all know, but it's too late for Quanice. He's dead. The only positive -- we have not seen anything positive in the police reform. About ten months ago Portlanders made their 51% mistake and got you in during the primary election, after that for ten months, you worked arguably, diligently as treasurer, on the forest, but you could not, you could have spoken up and said that you wanted a safer, not less violent, less murderous police department, and you could have had Charlie Hales or encouraged Amanda Fritz to wait on that police contract, instead of having the Yom Kippur stampede where people get gas and had sprayed on the back steps, you could have said that, in your four year term as mayor you want to be able to start with the fresh police contract, the contract that hasn't taken effect but the Police have put it into effect when



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they beat 60 year old physicians assistance from Stanford into the ground in front of the federal building and that only gets attention because of the white woman.

**Wheeler:** Thank you.

**Nancy Newell:** Is it working.

**Wheeler:** Yes, it's just not a great mic, I apologize.

**Newell:** I have had a lot of history in the city with making things happen.

**Wheeler:** Could I get your name?

**Newell:** I am Nancy Newell, and the first thing here is obvious, Mr. Wheeler, that you are operating and you are sworn to protect the constitution of the united states. This is an obvious violation of the constitution of the united states. I would ask and I would say and I would enforce your resignation. Anyone that comes into this council and does not uphold the constitution does not belong in this council. I am sorry. I don't know why you don't better comprehend the legitimacy of our constitution. This is proof perfect and the aclu has told you so. The judge has reprimanded the city. You closed down the process. The coab process to have public oversight on the police department and you shut it down. So this is not the kind of performance that we asked for in a mayor. We don't want to operate without a constitution. Most people abide by the constitution. I think that this council should also line up to uphold the constitution. You are treating people as if they should take this. We don't want to take this. That's why you have had so many upset situations. We don't want the expense of more police. We don't want the expense of our water going right through the roof, water costs and causing health issues. We don't want all those expenses. We're strapped as it is under a trump administration that's spending 700 billion on the military. So how are you going to resolve this and go back and figure out what the constitution means and show some respect for people that have upheld the constitution? I got Enron out of here and I went into the 500-person breakfast at the Hilton of every member of this community that represents or participates in the school boards, and I have put literature around, we made our menu on the corrupt officials of Enron to every breakfast person. We were booted out, and we were told that we were going to be arrested, and this was the husband of the top assistant to mayor Katz. Who approved history correct and that is the action that had to be at that in? This is the action that you have to take. You have violated the constitution. Go ahead and resign. Try to figure out where you can improve your career. Because you are really wasting a lot of time and hurting a lot of people.

**Wheeler:** Thank you for your testimony. [applause]

**Robert West:** I am Robert west, with film the police 9-1-1. I heard the thing about kif Davis, and I am really ashamed at what nick Fish did. I don't believe that that's right, and I don't think that that was fair.

**Wheeler:** Could I ask you to keep the testimony germane to the ordinance under consideration.

**West:** It is germane. It is. Kif Davis came in and talked about the subjects that the city council did not like so the city council turned around and had one of nick Fish's cronies over there file an anti-stalking order against Davis.

**Wheeler:** Listen, I need you to please speak to the ordinance. Are you for it or against it?

**West:** This is part of it.

\*\*\*\*\*: This is relevant.

**Wheeler:** He is talking about something completely separate.

**West:** No, I am not.

**Wheeler:** Then connect it. Connect it.

**West:** Kif davis came in to city hall a lot and talked about stuff that you guys didn't like. Terry bean and stuff like that. Ok. So what happened is nick Fish and his little crony over there filed an anti-stalking order, which now prevents Kif Davis from coming over here. The

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guy works in nick Fish's office. When he got moved over here, Kif Davis came over here because the guy works in nick Fish's office and the guy just happened to show up and call the police and report kif as violating the anti-stalking order. This is a shame. I mean, how can you sit there and say that kif has a right to come to city council and make his complaints, and he's worried about going to jail because that guy over there will call the cops on him. He has a right to come to the city council, he has a right to say what he wants to say, and he has a right to re-dress the grievances. Just because he's not you know, all with it like me and some of the other people, you know, it does not mean a thing. He still has that right, and mayor and nick Fish I think you both need to resign. After you get rid of your worker. That's what I have got to say.

**Wheeler:** Thank you for your testimony. Yes, sir.

**Malcolm Chaddock:** I am Malcolm Chaddock is the mic working ok?

**Wheeler:** Yes, sir.

**Chaddock:** I've been coming here for 15 years. My first testimony here was right off the move from Fresno where the peace and social justice group was infiltrated by the joint terrorism task force and I came to city hall. And I testified that they should not cooperate. I've been coming here a long time and doing a lot of work around these issues and the thing that struck me is the complete disconnect between these are issues that have to be resolved and the fact that there is this idea that somehow that can be walled off or put aside. The higher wall you build the higher we will climb, the deeper you dig the harder we'll come. There is no way that we can allow people to die on these streets, to continue to live in misery. To continue to not have the basics to even stay warm enough, to not have a hypothermic death. This is not acceptable and not going to change. We're not going to stop saying stop this. We're not going to stop saying, cut the sweeps off and bring services. Stop bringing the crews to cart away tents and cart away the garbage. Help people to live and survive so they can do better. This is what we've been saying for god knows how long, and all you guys know how to do is shut the door. If you don't start getting there right, it's not going to get any better. I am telling you that straight up. And I am not just speaking for myself. I know I speak for thousands of people in the city who feel exactly the same way. And you are not going to have a Moment's peace until these issues start to be truly addressed. That's just the way that it is. Live with it. Work with it. Or don't because it's coming. That's it. We're fixing this if we can. If you are in the way we'll move you.

**Wheeler:** Thank you for your testimony.

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

**Wheeler:** So colleagues, I would like to offer up an amendment to the ordinance. I was a little disappointed that the aclu -- please.

**Wheeler:** Sorry, last one.

**\*\*\*\*:** I am really nervous.

**Wheeler:** Don't worry about it, just state your name.

**Kris Ramsey:** I am Kris Ramsey.

**Wheeler:** Thanks.

**Ramsey:** Thank you, so excuse me because I am shaking and I never have felt motivated to speak until recently. I'm here today to demand a no vote on the amendment regarding conduct at city council meetings. Please do not further limit the rights of citizens of your city. People have taken to these meetings because the traditional methods of getting assistance from city hall have gone unsatisfactory or not at all. And I speak to you with personal experience. I have tried to get a meeting with you to no avail. It is also alarming to give any at all more authority to the police in your city. Clearly police abuse the powers in full display. It is in no one's best interest to extend that for the Portland police feel an act above the law, they are virtually above the law and with no one accountable for their

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behavior. This is our city and we are citizens of it. We are not criminals. When you take away the rights of anyone, you undermine the strength of everyone else's rights. It undermines the collective strength of all of us. I have felt afraid here, well, there in city hall. I never thought I would have that experience in my life. I can only imagine the life of more marginalized groups than me. It is alarming over who will enforce the meeting exclusions. Will it be more police involved in secondary employment, cloaked in the shroud of anonymity and further unchecked power chilling our first amendment rights? Before you silence your unhappy community and limit our clearly fragile rights I urge you to focus on correcting police abuse of power and instead focus on the behavior of your police department. If you would focus on correcting police behavior all that would not be half full. You are the police commissioner, hold your police to the same standard as you expect from your citizens and really help your homeless and you won't have to lock the door and silence us, and stop putting the emt's in riot gear. [applause] I came here to smash the patriarchy, my dad told me to, No, it was my grandma. [applause]

**Wheeler:** So colleagues I would like to offer up an amendment to the ordinance. I was disappointed that we did not have more of an opportunity to engage with the aclu on this. The person who testified on behalf of the aclu seemed to suggest that they could offer up some strategies that could potentially work and withstand the criticisms that we have heard here today. Rather than make the decision today on an emergency basis what I would like to do is amend this to remove the emergency status and see if we can work over the next week with the aclu and come up with a compromise that is more acceptable.

**Fish:** I second the amendment.

**Wheeler:** There is a motion and a second. Is there any further commented or question on that issue? Could you call the roll on the amendment please?

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

**Wheeler:** Aye. And so with that we are moving this to the second reading as amended. The public record is closed. We have heard the testimony today. I will say this, if people have further thoughts, want to send emails, definitely I will read them.

**Fish:** We have now three or four things left, it's 1:00. Could you tell us what your intention is?

**Wheeler:** I'm not sure what people's schedules are for this afternoon, why don't we take a break for lunch and reconvene, it looks like it's five minutes to 1:00, could we be back at 1:30? Is that sufficient?

**Fritz:** I have a commitment of the 9-1-1 census so I will not be here.

**Wheeler:** Let me make an alternative suggestion.

**Fish:** We don't have any other emergency items so we would need at least, I think we just need four people to come back at 1:30.

**Wheeler:** That is correct. Could everybody else come back at 1:30? We should be able to provide that, good. We are on break until -- we will reconvene at 1:30. Meeting on Friday will be here in this room at 11:00 a.m. For this particular one I only have an hour, and I apologize for that. If it works out well, let's extend it in future weeks, and make the most of it. Thank you. We are adjourned until 1:30.

**At 12:53 p.m. council Recessed.**

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Closed Caption File of Portland City Council Meeting

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

**Key: \*\*\*\*\* means unidentified speaker.**

**MARCH 8, 2017 2:00 PM**

**Kurt Creager, Director, Portland Housing Bureau:** This is structured so that we jointly underwrite projects that are mixed use and mixed income so pdc is responsible for the commercial portion of the building, phb is responsible for the residential portions of the building and we sometimes take a lead on one another depending on the actual facts of the site. Pdc owned this site prior to 2010 when the housing bureau was created and they retained it in their ownership rather than transferring it to the housing bureau in 2010 as they did many other sites. So they currently own the site. When we did in the spring of 2016, and notice the funding and availability, for 61 million, there was several sites included in that, and this was one of those, and commissioner Saltzman, when he was the commissioner in charge of housing, selected reach community development corporation as the preferred developer for this site. There are some remediation issues having to do with the site which Karl can go into more detail on, and we'll take possession of it after the remediation is completed just to contain the liability to where it belongs the initial owner.

**Fish:** Can I ask you a question? I just want to make sure that I am following the money trail here. So there is, at 72nd and foster, this is the -- is this the intersection where the Mercado is to the east? This is the site to the west. And the city owned both of those sites, but we put some 30% money into one of them. And when was that Karl?

**Karl Dinkelspiel, Portland Housing Bureau:** \$450,000.

**Fish:** And what year?

**Dinkelspiel:** 2010.

**Fish:** 2010. And that is, is that the hook which now gives us the opportunity to program the housing portion?

**Dinkelspiel:** That's part of the hook.

**Fish:** Part of the hook. And are we treating this as a set aside project?

**Dinkelspiel:** Yes.

**Fish:** So those rules are all, they all apply?

**Dinkelspiel:** Yes.

**Fish:** Thank you.

**Dinkelspiel:** I can address those specifics. So let me finish up with the acquisition. So this is really a two-part action. Today you are just acting simply on the acquisition. We'll come back to you hopefully in two or three months from now to ask you commissioner Fish about, and the rest of the city council, to ask you to approve a loan to reach the community development corporation in which we would be specifying the affordability that you are talking about, so we'll come back and explain that in more detail at that time. So today what the action is, is acquiring the property from pdc, so the remaining things that need to be done is to clean up the soil, about 200 square feet, and I don't know exactly how many cubic feet but 200 square feet. And once that is done by pdc, we will be ready to take the property, take the possession of the property, so it's about 90 days from now we expect to have possession on the property. With regard to the financial piece is what you are asking about. And the phb was deemed to have contributed \$450,000 to the initial purchase,

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which was appraised at \$510,000. As you would imagine the price of the property has gone up, an appraisal put it at a billion bucks. We, phb are entitled to 88% of that value. So if we want bought it at market it will have been a million or \$900,000 or so. We are actually going to transfer approximately \$200,000 to pdc for the purchase of it. That's based on the 88% ownership in it and the increased price, so that's the one thing that I wanted to clarify about that, is that the money to -- there I am, the money to pdc is \$200,000.

**Fish:** Thank you for reminding me of the history here. And so I guess that the related question that I have while this is limited matter before us today, there is a longer term question about what kind of development, who will it serve, and then how will the commercial space be activated. And I also remember at one point our friends at hacienda were interested in this because they were hoping that there was something compatible with what they were doing at the Mercado. Can you address that?

**Dinkelspiel:** Yeah. We're going to address that more as I said when we bring the ordinance for the actual loan. For now, what I would say is a couple of things. The -- we know the approximately 100 to 105 units on the site, in the notice of funding availability, we can talk about those, so in the notice of funding availability we Specified that we had 5 million in addition to this site. There was 100 total project-based section 8 vouchers available through that notice of funding and availability. 20 of them were awarded to this site. So this site will do approximately 100 units, of those 100% of those will be at 60% of median family income or less. 20 of those, approximately, well actually 20 of those will be supported by project-based section 8 vouchers as a result of the partnership with home forward so we would expect like I said to have 20 at minimum.

**Fish:** Karl of the 20 with the section 8 voucher how many of those are technically psh's?

**Dinkelspiel:** We have not talked to reach specifically about combining the services, specific psh services with those units. So that's a conversation that we can have with them.

**Fish:** I understand you are asking us to do a more limited thing today. But can I put two markers down? One is when you come back for the next piece of this, could you come back and let us know how many of these units could theoretically be programmed as permanent supporting housing units for, obviously, either people experiencing mental illness or drug and alcohol addiction or some combination. Number two there is a very successful reit that's operating out there through our friends at mercy corps and I think that they are trying to get the mayor to a ribbon-cutting at a commercial property that they have acquired there. That reit is surviving against all odds. There's also some community groups looking for lower cost space and arts groups looking for a lower cost base. I would be interested in your thoughts about how might we maximize the community benefit of activating the commercial space. I think this would be a shame if this ended up, no disrespect to subway but a subway and something else, particularly if you do intend to have a condo or some ownership for the commercial spaces. I would hope that we are talking to some of our partners like mercy core to acquire that.

**Dinkelspiel:** Part of the reason it was selected, commissioner Saltzman, select the project was that there was an active partnership with the help center, just sort of east of this site. And there has been a conversation between reach and hacienda about the fact that the Mercado is next door and there may be some synergies between those sites.

**Fish:** Last comment to my colleagues because we have two newbies. If we could go back in time 8-10 years ago and anticipate what was going to happen in the city, the opportunity that I wish that I had the foresight to anticipate is how to leverage all of the commercial space that we were incorporating into affordable housing and what we know is during the teeth of the recession the only cranes in the air were largely affordable housing developments, against all odds, and but what was never fully utilized in many of these was

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the commercial space because of the economy. And I wish that we had had the foresight to see that as an asset, community asset that we could have leveraged. The marketed was going to change at some point, and we were building in very desirable places throughout the city, like south waterfront, for example. I wish that we had a community benefits vision then for capitalizing on that space because now that space is very attractive, in high opportunity areas, and we can do this on an ad hoc basis but I think that there was a bigger opportunity that we probably missed.

**Wheeler:** So that's, actually, really interesting to me. Could you deep down one level deeper what kind of opportunities should we be locking in now or what opportunities did we miss out on?

**Fish:** Let's see the example of developments that we can speak to, so when this -- I will give you an example with home forward. Home forward, formally known as housing authority of Portland, decided many years ago to rebuild the old st. Francis. That is the new st. Francis is the building that's about a block and a half from the art museum. The one thing that we knew when home forward did that is that they were building a new affordable housing development for some of the most fragile low income people in the community in an incredible district that at some point was going to, you know, to continue to build out. At the time they were -- they built a partnership with meals on wheels, and that is a two-fer, the people who live there can get a healthy meal and they also have a kitchen where they do some of their bigger work. To me that's a pretty good match. That's almost like bringing a partner shop on like having a ben and jerry's with one of those agreements. So there is a link to the mission, but in other places, and I will use block 49 as an example, the old, now we call that gray's landing, the commercial space there was partly acquired by the nonprofit that took it over so that was a plus. They moved the operations there, but some of the other commercial space was not activated for a long time because it was at the south end of south waterfront and just wasn't. The idea, mayor, is that if -- this is uniquely a role for pdc, as well. If you think about pdc on the job side and the housing bureau on the shelter and services side, kind of looking holistically about all the buildings that we invest in, as if we're like a mini-joe Weston. We got all this property. I won't speak ill of him. He is my neighbor. We both rent in the same building but the question then becomes if you have got this portfolio, and there is a lot of commercial space, and it used to be greatly underutilized for a lot of reasons, probably mostly economic, but I suspect in some cases stigma, to be honest. If we had seen that as a community asset, and I think that there is opportunities there, I think that you could ask mayor to see all the buildings get an update on where we are, and then ask have we thought about a use, which serves the community and covers the nut? And as it turns out because we've invested a lot of money in high opportunity areas now we have got an inventory of commercial space that would be attractive.

**Wheeler:** I think it's a brilliant idea and I think that we should do that. It's a different market. It is responsive to different trends than the housing itself. It is an asset, and I am just brainstorming off of your good brainstorm here as well you know we have inclusionary zoning with the goal of encouraging the development of affordable housing at certain levels for certain segments of the market, and there is also an opportunity around maker space and around protecting mom and pop retailers with a historical significance in the community. There is a lot of interesting directions we could go with a strategy like that.

**Fish:** I agree with you. Commissioner Saltzman might say, for example, let's take a look at the distribution of affordable childcare in a certain community, and is there space that we could provide some subsidy by providing a lower cost space? Commissioner Eudaly, I saw her perking up when she heard maker spaces, and the beauty of that is we know what's needed is plain vanilla space. It does not have to be built out. It can be more raw but that

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might be a place for an artist or designer or something. We don't have the vision. I am not criticizing anyone, if anything, myself. I don't think we thought of it as a portfolio asset the same way that we do the residential units.

**Dinkelspiel:** Could I add; one example you did not mention which was the miracles central building. Right. Which was a building with obviously housing above but we supported the housing bureau supported heavily the space below which is a community space which is for peer to peer counseling, and I will say that to add to that there is a balancing act. The requirement to do that community space, and that it's not sort of financially sustainability on its own, right, required a heavier investment from the city.

**Fish:** I am also reminded we were criticized for example when we put cdbg into helping hacienda build a space in cully, and I have strong feelings around the narrative of that but respect greatly the author. It seems to me that the idea that we could be criticized for making a small investment of cdbg to build out a community where housing and services were being provided is a bit -- shows the potential, the narrower vision of how we use our dollars. We have lots of options but do we have a vision to guide it? I did not come up with one so I am just putting that out there.

**Creager:** I will lay down a couple of markers for you. Karl prepared a power point which we would be happy to email to you. We have a thumbnail sketch for each of the joint use mixed income projects that pdc and phb are working on together, and there are several, and many include a commercial component. The 91st and foster site in Lents, Oliver station, Palindrome communities is the master developer of woody Guthrie, which is a cdc project, parcel 3, aka river place, bridge housing is the master developer and gateway park, which is a human solutions project on that new pdc financed park which has a retail component, I would say that when we underwrite the projects if an applicant has a partner that is a bankable partner, they will always get a favorable consideration rather than a speculative project that is providing retail space for which there is no clear user or no clear tenant. We heavily look at those, and pdc underwrites these because they are often available to provide tentative improvement and support dollars for the actual tenant space. We do these jointly with them.

**Eudaly:** I would like to say this topic is near and dear to my heart. Affordable commercial space is an issue I raised ten years ago with the city officials when I started seeing studios, maker spaces, retail establishments beginning to be displaced. We know that small business is a vital part of the economy and subject to the same forces of gentrification and displacement that the tenants, residential tenants are. I am in conversation with probably three different small business groups and this has come up with all of them so I am interested in a variety of approaches including commercial land trust which is a conversation that we have not explored much at the city as mayor wheeler mentioned, the possibility of lending some support to historic and culturally relevant businesses that are at risk of displacement and enclosure, and also when we talk about -- we have this preference policy that we're using in north, northeast Portland. It's really not enough to bring residents back. We need to create opportunities for those small businesses and community spaces. I am very excited about participating in this. I move this forward.

**Creager:** I would like to mention two other things that are helpful. The project is being designed and the way the program works is that upon underwriting the director makes a recommendation, the commissioner in charge selects the project and we fund the predevelopments, so that is ongoing and underway at the present time. So we do have a pretty good fix on the units. They have to go through the design development, which as a City bureau we're paying for that, so they are getting preferential treatment under the bds permit review since we're a co-applicant the other thing that's important to know, two policy changes since commissioner Fish was delving into things that we could do better,

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traditionally we would convey this as a fee simple to the recipient. Often at no cost as equity into the project. We have decided to create a more sustainability approach so we're entering into a long-term lease-hold agreement in this instance which demonstrates that we can achieve better results for the public dollars invested. Heretofore we always required 60 years of affordability but since under the inclusionary housing policy we expect private developers to provide 99 years of affordability and all these will be providing that, so we're upping our game significantly in that regard as well.

**Dinkelspiel:** If I could add one more point. So you are aware, obviously, of the joint office of homeless services, and we are grateful that has come together, there is city money available for support of a mobile housing team, we've been working -- me and my team have been working with all of the regular nonprofit partners on how to implement that. Reach has been one of those partners, and we have had, I think, productive conversations with them around placing that mobile housing team with their units and we have not talked to them specifically about this but we have talked to them about other properties that they own or are developing so I think that we have that active conversation around how do we implement the psa's agenda, permit more housing agenda as well as use those dollars made available to the joint offers for the mobile housing team.

**Moore-Love:** Mr. Lightning signed up earlier. And maybe somebody else? Did you want to speak? This is 232, only Mr. Lightning is on it.

**Wheeler:** If you could state your name for the record, please.

**Shedrick Wilkins:** Is this near mt. Scott park? This area? Ok. That's all. I raised my kids there, and I worked at the foster McDonald's on 82nd, a lot of Hispanics there, and around 1999 I was exposed to the green card purges my employees would be laid off and they were told that they had to leave the country in February. St. Peter's catholic church that I was to, hazed by trump supporters is 15 blocks. I never really realized that. Another story is the millennium, I vowed that I would spend the millennium eve at the space needle but it was closed so I closed the McDonald's store there with three Hispanic workers, they drove me home and I watched the twilight zone on television. Maybe that was a better, better than being in the space needle. I am keeping my thumbs on this area about low cost housing for Hispanics. Again I have no problem with this. If some day, they are not here I will go to san Diego. I am going to leave Portland and I assume that you are losing the battle with trump, and actually the state that will probably get the least resistance, or deportation would be California. Especially southern California where there is a lot of farm workers, they'd be the last state, but again if trump is winning, if I go to that area there won't be any Hispanics there.

**Wheeler:** Thank you for your testimony, good afternoon.

**Charles Johnson:** Good afternoon, Charles bridge crane Johnson. I came in the middle of the acronym but I saw eye contact with Mr. Fish so I think the ps is permanent supportive, yeah. And that's unfortunately mayor wheeler's first few weeks in office were inaugurated with a death from the failure of permanent supportive housing.

**Fish:** I would not call it the failure but not --A shortage. We are filling the gap that was supposed to have been filled with neighborhood, smaller-based residential places for folks in mental health crisis and others so we are filling the gap left by the feds and the state but we have a shortage according to housing of 1700 units.

**Johnson:** I think that's unfortunate that somehow even back to the time of the mayor Adams and during mayor Hale's reign, that reminds us how marginalized and pushed out even though we have a Portland commission on disability and stuff, that regardless of how severe the disability is once somebody is having struggles in life has gone through the process of applying for disability and gotten approved, it's tragically rare -- we don't really know how, how much they are able to make the same level of connection and



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engagement with ordinary citizens, and I hope that in addition to getting permanent supportive housing up above the 1700 level as fast as possible that there might be money in there for people living in the housing to interact with the housing bureau and with other service providers about quality of life. I have shared that, you know, a person recently died from hypothermia, miss Kathy Bats would have had a lot to say if our society, not just housed her, but better engaged with her about her death being prevented. Even if it wasn't at that point of hypothermia, you know, we don't want to switch from warehousing people in institutions to warehousing them in small permanent supportive housing units. So the burden is on us to find ways to engage with these people not just to save their lives but find out that they will have more smiley functionalized lives than we had, so I hope when we plan these projects, just like it took a long time before the federal government got around to realizing 1% for art made a better project, where we deal with marginalized people, there should maybe be a new policy where their continued engagement and own self-assessment of the project gets reported back. Thank you.

**Wheeler:** Thank you for your testimony. Any other testimony? Any further questions or Comments? Please call the roll.

**Fish:** I am pleased to support this. I want to thank commissioner Saltzman for the work that he did leading up to this as the housing commissioner. I want to say that I really appreciate the discussion that we had about how to further leverage the commercial space. I want to just acknowledge that this marriage of reach, cdc, and Asian health and family center and our friend dr. Zato is a marriage made in heaven so I am very excited about that. And last Friday I think it was I joined Andrea from the mayor's office offers at the Mercado, which hosted a delegation from Sacramento, California, that was here because they wanted to use the Mercado model to revitalize an area of their city. Sacramento is more diverse, it is a more diverse city than ours and I think that the Hispanic population is about a quarter of the city but they came to study the Mercado model because that's what they wanted to bring back to Sacramento so that was a proud day. Aye.

**Saltzman:** Well congratulations on this project moving forward and great partnership with reach and the Asian health and service center. Aye.

**Eudaly:** Aye.

**Wheeler:** So I have both an admonishment as well as an acknowledgment. First commissioner Fish I don't remember you bringing anything back from the Portland Mercado to your colleagues. Don't let that happen again. An acknowledgment, commissioner Saltzman, thank you. I think it's tremendous project and I have had the opportunity to go out and hear the vision with the community players, and to me it is one of the best kinds of things that we can do in this community. It engages in so many important ways, and I think that it's just fantastic so I am also an enthusiastic aye and the ordinance is adopted. Next item please.

**Item 233.**

**Fish:** This ordinance would authorize a construction contract to build a new culvert crossing under 45th avenue to reduce the risk of flooding and to improve the Fish passage. The project would also, will also improve water quality in this reach of fanno creek by restoring and stabilizing the creek banks and building green street planters along southwest 45th avenue. And the project is slated to start this summer and would be complete within about three months. Here to give us a presentation are Scott Gibson and Eric brennecke, welcome.

**Scott Gibson, Bureau of Environmental Services:** Thank you. Good afternoon. We are going to be working on an existing culvert on 45th avenue that has deficiencies with regard

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to its condition, size, and the ability of fish to pass and Eric will tell us more about that. Just introduce yourself for the record.

**Eric Brennecke, Bureau of Environmental Services:** Absolutely, Eric Brennecke project manager for BES and we have a presentation on this as well. The project is -- move this forward here, the project location for the 45<sup>th</sup> culvert southwest replacement project, it is located on southwest 45th avenue, north of southwest Lee Street along Fanno Creek. And the project is located just north of Beaverton Hillsdale Highway.

**Wheeler:** Is it the entire blue line?

**Brennecke:** The blue line is just Fanno Creek.

**Wheeler:** The culvert is the green.

**Brennecke:** The culvert is in green.

**Wheeler:** Got it, thank you.

**Brennecke:** Some background on this project. The Fanno Creek flows through, or under southwest 45th Avenue through an existing 48 by 48-inch reinforced concrete box approximately 30 feet in length. The culvert is undersized and surcharges during the two-year storm event and poses road flooding risk at the ten-year storm event. The culvert is a fish passage barrier for native fish because of the high velocities during the high flows and a jump is present at the outlet of the culvert as you can see in the picture. The project goals and objectives is to replace the culvert to meet fish passage criteria for resident cutthroat trout as specified by the Oregon Department of Fish and Wildlife. Control the grade of the stream, of the stream of the culvert to maintain fish passage, protect habitat, reduce the channeled degradation and protect the structures near the creek. Meet the capacity requirements of the BES design manual by upsizing the culvert to convey run-off without causing damage to property or endangering human life or public health and to acquire sewer and temporary construction easements. The project will construct a new culvert crossing under southwest 45th Avenue to reduce the risk of flooding and improve fish passage build storm water facilities to improve water quality, and to conduct revegetation work to increase the habitat and bank stability in the area. The proposed project layout will be a proposed 12 by 9, 12 feet by 9 feet box culvert crossing, as shown in the orange. New sidewalk as shown in purple on both sides of southwest 45th Avenue. Storm water facilities as shown in green. Also on both sides of the southwest 45th Avenue. And revegetation and stream restoration as shown in blue.

**Wheeler:** So I will ask because I am not as familiar with this project. First can you tell us where the storm water facility is? What is that?

**Brennecke:** The storm water facility is a green street facility so on the left side that would be a planter, a storm water planter being proposed. And then on the right side of southwest 45th it would be a swale.

**Wheeler:** What's designated in blue here on either sides of southwest 45th?

**Brennecke:** Blue is the stream restoration so that could incorporate large debris, and placement and revegetation and to stabilize the banks and to provide access to the culvert we needed to provide revegetation efforts to cover up the grading.

**Wheeler:** That's great. Thank you.

**Brennecke:** Public involvement. Public involvement outreach included residents, businesses and the Bridal Mile neighborhood association and southwest trails and Sweeney transportation committee and all adjacent property owners. All property owners have been supportive of this project. Project budget and schedule. The engineer's estimate is \$735,000, the level of confidence on this is high. Construction will begin in the summer of 2017. It's estimated to be about 90 days of construction. We can answer any questions that you may have.

**Fish:** Is that a blue heron?

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**Brennecke:** It is.

**Fish:** I am sorry that mike isn't here to revel in that. [laughter]

**Brennecke:** They are there quite often actually. And that's it for the presentation.

**Wheeler:** Great, any further comments on this before we have public testimony? Is there any public testimony?

**Wheeler:** Alrighty, come on up. Good afternoon. You know the drill.

**Johnson:** Oh, no, terrible. I think you had the sheet for the next item? One of the things we learn from the public rallying behind commissioner Eudaly in this election is that there may be some disaffection and we might not be able to call anything other than anti-southwest bias among the electorate. I think in the wake of that, all of you should make an extra step to think about the process, how is it that the beautiful box culvert replacement happens in the southwest? We're Portland we're weird, we use quadrant but five of them. What is the process within the -- I am not sure if this came up as pbot or environmental? Bes? We have an entrenched southwest quadrant here and the city needs to grow beyond that, so to get the confidence of the voters not residents of the southwest quadrant, you will have to show us how are these things being prioritized especially if this street repair thing works out, we want to be sure that each quadrant of the city is getting, you know, beautiful box quadrants with bio-swale on one side and the planter on the other and are any of us clear what's the difference between a bio-swale and just a storm drain? Anyway. Thanks. No problem with you approving this item and I recommend you do it since the planning went in but.

**Eudaly:** I just have to say fish know no quadrants.

**Fish:** I think that was intended to be a shot at me.

**Fish:** What I will say is, as my colleagues know -- thank you, Charles, we are all set. As my colleagues know when we do the annual budget we present our five-year cip which shows where the money is being spent, and I think that mr. Johnson and others will be pleasantly surprised about how much money is spent on the east side and not the west side, and where it's spent but that's a good topic of conversation for budget time.

**Wheeler:** Very good, is there any further public testimony?

**Moore-Love:** I don't believe anybody else signed up.

**Wheeler:** It will be moved onto the second reading. Next item please.

**Item 236.**

**Wheeler:** Commissioner Saltzman.

**Saltzman:** Turn it over to Andrew Aebi.

**Andrew Aebi, Portland Bureau of Transportation:** Thank you. Andrew Aebi local improvement district administrator. We had three folks who intended to speak today. One of them was Kathy Peterson, owner of the dock-side restaurant and we also had lee Novak, a property owner on the street and last but not least we also had the Reverend Farhoodi a member of the pearl district neighborhood association. Two others left because of time constraints and the other left because they felt intimidated at the proceedings so I will just on their behalf kind of recap the issues that were raised. I was contacted by the owner of the dock side restaurant and they had concerns about the project. We met last week and they understand that we're not proposing any civil improvements along the property so there will be no impact to their property as a result of the lid, and I passed out a -- this is talking points in support, these are comments that she was going to share with you today and if I could just briefly summarize those. Good morning, I am Kathy Peterson, I own the dock-side saloon and restaurant on the corner of 17<sup>th</sup> and Front avenue. We've been there 30 years and are seeing the changes that have taken place in the neighborhood. I've been commuting on front avenue almost daily during these 30 years and I can assure you that it is in need of repair. I am in support of this project with the

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growing population at river scape in the addition of the new field office, and I feel it will enhance the area and benefit those of us who use front avenue every day. However, parking is a huge issue in this area, and I would hope that no existing parking will be lost due to the project. That being said it would be my hope that additional street parking could somehow be created. So the lid will not add or remove parking. The conditions of the permit project for the field office is to add parking that will not be built as part of the lid but will go concurrent with the lid. I also received a letter from The pearl district neighborhood association and they are interested in additional improvements and we will follow up and certainly engage with them. I do want to emphasize to the council that this project was not scoped as a civil engineering project. Really pavement, maintenance and traffic signal rebuilt so we'll have those conversations, but my feeling is that any additional civil improvement it is would be part of a separately funded project so I wanted to lay out those properties and I am happy to answer any questions that you might have but all three of those folks were in support of the project and sorry they could not be here today.

**Wheeler:** Any further questions?

**Eudaly:** I would like to take this opportunity to apologize to Mr. Aebi for putting him on the spot on January 25 when he came to present on this same project. It was one of my first meetings, and now I realize that I should have directed those questions elsewhere so please accept my apology.

**Aebi:** Thank you. I wanted to thank you for asking the question because no. I wanted to thank you for asking the question because I should have been a bit better prepared on that question. I did want to let you know that we had a very objective process, which is the street saver maintenance spit out the streets and that was the one that popped out of the computer system. I appreciated the opportunity to see how we arrived at that.

**Eudaly:** That makes me feel better. That was not my intention and I think it would be great to share this process with the public because there is a pervasive feeling that some areas are given preferential treatment above others, and we have a blind process for some of these decision-making or decisions so --

**Aebi:** Thank you very much and I wanted to inform the council that if we look at the funding, I am having internal conversations about how we might take that and leverage it with the lid so that once we're out there we can do a bet more, I don't know if that will come to fruition but that would be an opportunity.

**Wheeler:** Is there any more questions on this issue?

**Fish:** Just one comment Andrew, now that you are building your professional relationship with commissioner Eudaly, you should also know that she is a woman's soccer fan. So perhaps we will invite her to a pilot's game some time?

**Aebi:** Sounds good but we need the women team to do better this year. Thank you very much.

**Eudaly:** Thank you. Was there anyone to sign up?

**Moore-Love:** Mr. Charles bridge crane Johnson.

**Fish:** On this one?

**Johnson:** Of course. You will need a refresher, the last time that Mr. Aebi was here regardless of the abuse you took from the commissioner, from Commissioner Eudaly, the -  
- I encourage the council to stop following in the footsteps of the fallen city of New York. No more id's no more local improvement districts, we have micro-socialisms. And we are not ashamed of that, and that's really what this, you know, it's good to see this, since soccer was brought up and commissioner Fish tried to abduct people to the university of Portland for pilots' games it made me wonder if there is a lid in the stadium. Some people, you know, the Multnomah athletic club and stadium possibly are running a fine lid and everything looks great but how do we help the distressed communities keep their money

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close to home without it being unfair that they don't get the same level of services? I hope we can say great improvements from being this and eat at the dock side.

**Eudaly:** Any further questions or comments? This is a non-emergency first reading, will pass to the second reading and I am happily adjourning the meeting.

**At 2:20 p.m. council adjourned.**