



## September 22-23, 2021 Council Agenda

5627

**Please note, City Hall is closed to the public due to the COVID-19 Pandemic.**

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by video and teleconference, and the City has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the City's YouTube Channel, eGov PDX, [www.portlandoregon.gov/video](http://www.portlandoregon.gov/video) and Channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at [cctestimony@portlandoregon.gov](mailto:cctestimony@portlandoregon.gov).

The Council is taking these steps as a result of the COVID-19 pandemic and the need to limit in-person contact and promote social distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communications. Thank you all for your patience, flexibility and understanding as we manage through this difficult situation to do the City's business.

Email the Council Clerk at [councilclerk@portlandoregon.gov](mailto:councilclerk@portlandoregon.gov) with any questions.

### Meeting Records

[Disposition Agenda](#)

[Audio Recordings](#)

### Wednesday, September 22, 2021 9:30 am

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**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Commissioner Dan Ryan

Mayor Wheeler presided.

Officers in attendance: Adrienne DelCotto, Deputy City Attorney; Keelan McClymont, Council Clerk

Items 689 was pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Council recessed at 12:11 p.m.

## Communications

681

[Request of Benjamin Donlon to address Council regarding Clean and Safe Enhanced Services District](#)

(Communication)

**Document number:** 681-2021

**Disposition:** Placed on File

682

[Request of Shoshana Gugenheim Kedem to address Council regarding gun violence, policing, and upgraded policy to prevent gun violence](#) (Communication)

**Document number:** 682-2021

**Disposition:** Placed on File

Hadar Kedem presented to Council for item 682.

683

[Request of Lorie McFarlane to address Council regarding City fails to protect public health, a 3 minute story on lead in our drinking water](#) (Communication)

**Document number:** 683-2021

**Disposition:** Placed on File

684

[Request of Evelyn Bross to address Council regarding misinterpreting the topic of police](#) (Communication)

**Document number:** 684-2021

**Disposition:** Placed on File

685

[Request of Derek Ogden to address Council regarding introduction of nonprofit organization We Stand For Us](#) (Communication)

**Document number:** 685-2021

**Disposition:** Placed on File

## Time Certain

686

[Adopt City of Portland Asset Management Policy](#) (Resolution)

**Document number:** 37551

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Division of Asset Management (DAM); Management and Finance

**Time certain:** 9:45 am

**Time requested:** 15 minutes

**Disposition:** Adopted

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

687

[Proclaim September 15 to October 15, 2021 to be Latinx Heritage Month](#) (Proclamation)

**Document number:** 687-2021

**Introduced by:** Mayor Ted Wheeler; Commissioner Carmen Rubio

**Time certain:** 10:00 am

**Time requested:** 30 minutes

**Disposition:** Placed on File

688

[Proclaim the week of September 19-26, 2021 to be National Expungement Week](#) (Proclamation)

**Document number:** 688-2021

**Introduced by:** Mayor Ted Wheeler; Commissioner Jo Ann Hardesty

**Bureau:** Office of Community & Civic Life

**Time certain:** 10:30 am

**Time requested:** 10 minutes

**Disposition:** Placed on File

## Consent Agenda

689

[\\*Authorize Bureau of Transportation to acquire certain permanent and temporary property rights necessary for construction of the NE 46th Ave and NE Bryant St Local Improvement District Project through exercise of the City's Eminent Domain Authority \(C-10065\)](#) (Emergency Ordinance)

**Document number:** 190562

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

Item 689 was pulled from the Consent Agenda.

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

690

[\\*Authorize Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the NE 97th Ave Phase II and NE Couch – Davis Local Improvement District Projects through exercise of the City's Eminent Domain Authority \(C-10067; C-10068\)](#) (Emergency Ordinance)

**Document number:** 190556

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

691

[\\*Rename SW Viewpoint Ter to SW View Point Ter on Multnomah County Assessor maps to match existing addresses and street signs](#) (Emergency Ordinance)

**Document number:** 190557

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

692

[\\*Accept and appropriate grant in the amount of \\$262,582 from the Department of Homeland Security to fund Portland Fire & Rescue Urban Search & Rescue Training](#) (Emergency Ordinance)

**Document number:** 190558

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Portland Fire & Rescue

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

693

[Amend fee schedule associated with Fire regulations \(Amend Portland Policy Document FIR-12.01\)](#) (Ordinance)

**Document number:** 190564

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Portland Fire & Rescue

**Disposition:** Passed to second reading

Passed to second reading September 29, 2021 at 9:30 a.m.

694

[Consent to the transfer of Kahut Waste Services, LLC dba City Sanitary Service residential solid waste, recycling, and composting collection franchise to Kahut Companies Holdings, Inc.](#) (Ordinance)

**Document number:** 190559

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Time requested:** 5 minutes

Second reading agenda item 672.

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

695

[Approve Council Minutes for March 3 - May 26, 2021](#) (Report)

**Document number:** 695-2021

**Introduced by:** Auditor Mary Hull Caballero

**Bureau:** Council Clerk

**Disposition:** Approved

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

## Regular Agenda

696

[Appoint and reappoint members to the Structural Engineering Advisory Committee for terms to expire June 26, 2024](#) (Report)

**Document number:** 696-2021

**Introduced by:** Mayor Ted Wheeler; Commissioner Dan Ryan

**Bureau:** Development Services (BDS)

**Time requested:** 45 minutes

**Disposition:** Confirmed

Motion to accept the report: Moved by Hardesty and seconded by Ryan.

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

697

[Appoint Margaret Carter as the Mayor's designee to the Board of Trustees of the Bureau of Fire and Police Disability and Retirement](#) (Resolution)

**Document number:** 37552

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Fire and Police Disability and Retirement

**Time requested:** 10 minutes

**Disposition:** Adopted

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

698

[Authorize \\$15 million of long-term bonds for local improvement and sidewalk repair projects and financing of system development charges plus additional amounts for issue costs](#) (Ordinance)

**Document number:** 190567

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Debt Management; Management and Finance

**Time requested:** 15 minutes

**Disposition:** Passed to second reading

Passed to second reading September 29, 2021 at 9:30 a.m.

699

[Authorize application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a grant in the amount of \\$480,737 for the Edward Byrne Memorial Justice Assistance Grant Program FY 2021 Local Solicitation to assist the Portland-Metropolitan area law enforcement and criminal justice community to prevent and reduce crime and violence](#) (Ordinance)

**Document number:** 190568

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

**Time requested:** 20 minutes

**Disposition:** Passed to second reading

Passed to second reading September 29, 2021 at 9:30 a.m.

700

[Authorize Intergovernmental Agreement with Oregon Department of Transportation for reimbursement for Work Zone projects traffic enforcement](#) (Ordinance)

**Document number:** 190569

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

**Time requested:** 20 minutes

**Disposition:** Passed to second reading as amended

Motion to amend finding six of the ordinance to reflect the 5-year period of agreement ending in 2026: Moved by Hardesty and seconded by Wheeler. (Y-5)

Passed to second reading September 29, 2021 at 9:30 a.m. as amended

701

[Amend contract with N. Harris Computer Corporation for maintenance and support services of the Portland Water Bureau and Bureau of Environmental Services Customer Information System for an additional five years in the amount of \\$2,320,230 \(Amend Contract No. 30005678\)](#) (Ordinance)

**Document number:** 190560

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

Second reading agenda item 678.

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea



702

[Authorize bid solicitation and contracting with the lowest responsive and responsible bidder for construction of the SE 19th and SE Lambert St Water Mains Project at an estimated cost of \\$2,600,000.](#)(Ordinance)

**Document number:** 190561

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

Second reading agenda item 679.

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

## Wednesday, September 22, 2021 2:00 pm

**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Commissioner Dan Ryan

Mayor Wheeler presided.

Commissioner Hardesty arrived at 2:11 p.m.

Officers in attendance: Matt Farley, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 4:31 p.m.

**Time Certain**

703

[Accept report on Portland Protests 2020: Citizen Review Committee Summary and Recommendations](#) (Report)

**Document number:** 703-2021

**Introduced by:** Mayor Ted Wheeler

**Time certain:** 2:00 pm

**Time requested:** 1 hour

**Disposition:** Accepted

Motion to accept the report: Moved by Hardesty and seconded by Ryan.

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

704

[Accept the Net Meter Revenue Policy Review report and amend Parking Meter Revenue Allocation Policy \(Amend Ordinance No. 189092 and TRN 3.112\)](#) (Ordinance)

**Document number:** 190570

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time certain:** 3:00 pm

**Time requested:** 45 minutes

**Disposition:** Passed to second reading as amended

Motion to remove the emergency clause to ensure members of Council have enough time to discuss the item:  
Moved by Hardesty and seconded by Mapps. (Y-5)

Motion to amend Exhibit B and ordinance to do a revenue share for parking meter funds: Moved by Mapps and seconded by Wheeler. Vote not called.

Passed to second reading September 29, 2021 at 9:30 a.m. as amended

Thursday, September 23, 2021 2:00 pm

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Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler  
Commissioner Carmen Rubio  
Commissioner Jo Ann Hardesty  
Commissioner Mingus Mapps  
Commissioner Dan Ryan

Mayor Wheeler presided.

Officers in attendance: Lauren King, Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 4:08 p.m. and reconvened at 4:18 p.m.

Council adjourned at 5:11 p.m.

### Time Certain

705

[Continue Downtown Business District Property Management License Fee for additional ten years and direct Office of Management and Finance to review effectiveness of Enhanced Service Districts](#) (Resolution)

**Document number:** 37554

**Introduced by:** Mayor Ted Wheeler; Commissioner Mingus Mapps

**Bureau:** Chief Administrative Officer; Management and Finance; Revenue and Financial Services

**Time certain:** 2:00 pm

**Time requested:** 3 hours (1 of 2)

**Disposition:** Continued

Motion to continue the resolution to September 29, 2021 at 9:30 a.m.: Moved by Rubio and seconded by Wheeler. (Y-5)

706

[Authorize agreement for Downtown Business District Management District Services with Clean and Safe, Inc. for estimated amount of \\$25 million over five years](#) (Ordinance)

**Document number:** 190566

**Introduced by:** Mayor Ted Wheeler; Commissioner Mingus Mapps

**Bureau:** Chief Administrative Officer; Management and Finance; Revenue and Financial Services

**Time certain:** 2:00 pm

**Time requested:** 3 hours (2 of 2)

**Disposition:** Passed to second reading

Passed to second reading September 29, 2021 at 9:30 a.m.

## 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. The official vote counts for council action are provided in the official minutes.

**September 22, 2021 9:30 a.m.**

**Wheeler:** Please begin recording. Thank you very much. Good morning, everybody this is the September 22, 2021, city council session. It's Wednesday morning. Please call the roll.

**Clerk:** Good morning Mayor and Commissioners. Hardesty.

**Hardesty:** Here.

**Clerk:** Mapps.

**Mapps:** Here.

**Clerk:** Rubio

**Rubio:** Here.

**Clerk:** Ryan.

**Ryan:** Here.

**Clerk:** Wheeler.

**Wheeler:** Here.

**Wheeler:** Under Portland city code and state law we're holding this meeting electronically. The city made several avenues available to the public to testify, to listen to the audio broadcast of this meeting. The meeting is available on city's YouTube channel and channel 30. The public can provide written testimony to council by e-mailing the council at [cctestimony@Portlandoregon.gov](mailto:cctestimony@Portlandoregon.gov). The city is taking these steps as a result of the covid 19 pandemic. The pandemic is an emergency that threatens the public health, safety, and welfare and requires us to meet electronically. Thank you for your patience as we manage through these challenges to conduct the city's business.

**Adrienne DelCotto:** Good morning. I'm with the city attorney's office. I primarily advise the housing bureau but I'm happy to be here today.

**Wheeler:** Awesome. Thank you.

**DelCotto:** To participate in council meetings, you may sign up in advance for communications to briefly speak about any subject. You may sign up for resolutions or first readings of ordinances. Information about how and when you may sign up for testimony while the city council is holding meetings. Your testimony should address the matter being considered at the time. Please state your name for the record. Your address is not necessary. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. When your time is up the presiding officer will ask you to conclude. Disruptive conduct such as shouting refusing to conclude will not be allowed. Further disruption will result in being placed on hold or ejected from the meeting. Please be aware that all city council meetings are recorded.

**Wheeler:** Thank you very much. First up is Communications, Keelan - the first item.

**Clerk:** Clean enhanced services district.

**Benjamin Donlon:** Good morning council. How are you doing? As you know the clean and safe ten-year renewal contract is coming up. The draft has been released. I'm here in representation of the Stop ESD coalition, which includes Stop the Sweeps, ACLU, sisters of the road, Portland jobs of justice, pdx, independent business block, the OJRC [indiscernible], the resource center and cedar action and several others. We've made a series of demands and talks with all of you council for roughly the last year over this issue, some of you are newer than others. The contract draft that has been released, we've gone over it and what we've seen is there have been next to no changes or recommendations that we have made, that the PCEP has made, that the auditor themselves have made included within this contract. So I'm a little confused. There's been 20 years of lack of accountability or oversight or outcomes from Clean and Safe, from the Portland Business Alliance, and none of that represented within this contract. What it feels like to me personally is that we're rewarding corruption. We're rewarding those who do a good job of hiding what they are actually doing. Not because of a good service or efficacy but because of their power. I'm confused of what their approach is supposed to be. When people throw molotovs, it feels like the absolute last option, but is the game of politics really just that - Mayor Wheeler, I have to meet you in the Arlington Club in the executive wash room and give you a briefcase of cocaine to have an influence and impact

on this contract? Where is the incentive for anyone to do right when we reward and expand contracts based on a failure to do their job? I don't think anyone in downtown would say that after 21 years and over a hundred million dollars, that downtown is cleaner or safer. Right? They have failed to do their job, the Portland Business Alliance needs to be removed as their managing organization. With that being said I highly recommend that for invited testimony you bring along PCEP to listen to their recommendations around private security. You bring the Auditor, who did the audit, for invited testimony. They can speak for themselves. We're asking for transparency and accountability for these operations. We're seeing none of that. We're seeing one-way town halls and listening sessions that weren't even listened to. What was the point of that? In the scope of work, the downtown security network, which has been going over 20 years, has not been addressed within the contract. I'm over time already. This subject needs about a whole day.

**Wheeler:** Thank you. You will get a full day. It will at least get many hours starting tomorrow at 2:00 p.m. I encourage if you would like to share this testimony then again, you are certainly welcome to do so. Many others plan to do so. Just for the record, I'm not a member of the Arlington club nor do I use cocaine.

**Clerk:** Gun violence. Request of Shoshana Gugenheim Kedem to address council regarding gun violence, policing, and upgraded policy to prevent gun violence. We included in the Tuesday memo that it would be Hadar Kedem speaking.

**Wheeler:** Hi, thank you for being here.

**Shosana Gugenheim Kedem:** Hi. My name is Hadar and I'm nine years old. I always thought that guns should be banned, but now I'm pushing for guns to be banned because of the story I'm about to share with you. My brother, dad, dog and I were on the field at Rose City Park on July third. Our friends were on the play ground nearby, a 7-year-old and his father. We were playing imaginary baseball when 10 to 15 people came over the hill opposite us. My dad didn't see them, only my brother and I saw them. They were all wearing what looked like ski masks, they also were wearing long-sleeved pants and long-sleeved shirts, which seemed odd because it was early July. My dog started to go near the people. Thankfully, even though they hadn't done anything my brother had a bad feeling about them so he grabbed my dog's

harness. Two minutes later the people huddled up and I thought the people were going to race. I saw them start shooting. When I looked back, I saw the same thing except there were bullets shooting in every which direction. I started to go get my shoes but the shoes were closer to the people so I changed by mind and ran barefoot. My dad grabbed my dog's harness and we ran to this metal equipment bin that was five feet away. We ducked behind it for less than three seconds. As I was getting up to run farther away a bullet shot four to five feet to my right. I then started following my brother because I didn't know what to do. My brother started heading for a driveway and I followed, but my dad said go around the corner. So I went around the corner and saw a red car. I was sobbing by that time. The lady driving the car stopped and asked, "Is that fireworks?" we said "No, it's guns." My dad asked if we could get in the car. She said yes even though it was covid 19. We got in and we asked her to bring us to our house. She brought us to 57<sup>th</sup> and we ran the rest of the way home. When we got inside, we ran inside and said to my mom call 911. My dad left in our car to go pick up our friends who were still in the park. I wanted to share this story with you because I want there to be change and I know that not only I want change but everyone wants change. I want to feel safe and not suspecting everyone is bad or a criminal. I don't want anymore gun violence to happen to anyone in Portland or anywhere in the country. I hope you can hear this story and bring change. Thank you.

**Wheeler:** Thank you for this story. I want to say you are a brave young woman. What you experienced in this city, no one should have to experience – unfortunately it's happening far too often. City council is working very hard with organizations and the police bureau to make sure these types of things don't happen to you or anyone else. I want to tell your parents as well how happy I am that none of you were injured. This could have obviously been far worse. I want to give you and them my word that we will continue to address this issue with urgency. I really appreciate you being here today. Commissioner Mapps then Commissioner Hardesty.

**Mapps:** Thank you. I want to echo what the Mayor said. You are a courageous young girl. I'm so sorry that happened to you. I have two kids myself, and we go to the park, and I would be terrified and frankly angry if something like that happened to us. I know it happens everyday in this city. That is not right. No child should have to deal with what you have dealt with. I want you to know that I'm committed to work with my colleagues on council and the rest of

our community to reduce gun violence by 20 percent in the next 15 months. Even if we accomplish that, any gun violence in our city is unacceptable. We have to double down to do everything that we can to keep young girls like you and every kid and adult in Portland safe. This will take a community effort. I want to applaud the efforts you've made to bring attention to this issue. I hope you come back to speak to the council again hopefully on a happier matter. Take care and good luck. Commissioner Hardesty.

**Hardesty:** Thank you, Mayor. I have to tell you as a seven-year-old testifying at this council, you were absolutely wonderful. We have people that are my age, really old who testify who aren't as eloquent and clear and concise as you were. You stayed very close to the time line that you had. We all on the council are feeling the pain of gun violence in this community. What you experienced and your family experienced is not acceptable. It's not acceptable for any family in our community to experience what you experienced. Collectively we're going to take it better. As a council, as a community. Like you, I think we have way too many guns. What we can do to actually mitigate the misuse of guns is something that we as a council will continue to work on. Thank you for being here this morning. Thank you for your very heart felt statement and like the Mayor and the rest of the council, I'm so grateful that your family wasn't injured because it could have been a much more tragic day. Thank you for being here.

**Wheeler:** Thank you so much. Please give your parents our regards too. It's great to hear from you. Next individual please. Item 683 --

**Clerk:** Request of Lorie McFarlane to address council on lead in our drinking water. We have heard from Lori and will not be able to join us this morning.

**Clerk:** Request of Evelyn Bross Regarding the topic of police.

**Evelyn Bross:** I need to speak about the police force being defunded. Okay. I'll give you a little rough draft. I'm still recovering from hand surgery, so I might go a little slow. You need to listen and understand what's going to be said. You then think about what was said. I worked at a military grocery store. I lived on a military base. My children were born at a military hospital. My brothers were in the Vietnam war. The vets were treated disrespectfully after the war ended. My grandpa was in law enforcement. I'm biased but observe an issue and if needed I'll speak up. We're talk being the doctors and nurses versus police force simile. Police officers is that of a primary care doctor. What would patients do with a lack of doctors?



We already have a lack of nurses. Same goes for the shortage of police officers. X ray technicians is that of an investigator investigating a scene. Police helicopter is that of a helicopter airlifting someone to a hospital. Surveillance officers at an event is that of a surveillance camera at a hospital. People experience bad doctors, people experience bad cops. No field is 100% perfect, never. You don't defund the cops. How would people survive if you cut back on medical benefits. You give citizens the lack of assurance and safety by defunding the police. Just imagine people having a heart attack and not having a surgeon or any other specialist because the insurance cut back. You mentioned you don't believe the police know who they serve. Look at yourselves first. Practice what you preach. Some of you are working to make this situation worse by overserving one issue or topic. There are two sides to every story. You cut back on doctor and nurses, you'll see a lot less patients receiving medical care. You can't cut back on police. The citizens and visitors will suffer from a lack of protection. Doctors and nurses are on the front lines. Police are the number one front line of crimes, accidents, sex crimes, battery, abuse, et cetera. Police often witness that raw footage of an incident. Doctors and nurses see the aftermath of injuries. Fire fighters and ambulance stay away from accident, crime, and so forth until the police come to secure their safety so they can go up to the patient. Here is a suggestion to the protestors. Have mediators between the two groups. Police have more job to do than trying to deal with the protestors.

**Wheeler:** I'm sorry, you're a minute over. Can you wrap it up?

**Bross:** I'm almost done. In the past years ago I found that a sheriff only had one deputy patrolling the whole county from 2am to 6am. When I found out, you can bet I made sure that all the citizens found out that there was only one deputy in that county. And that got changed because I spoke up. Don't hold back the police from doing their job. You are holding police back same as vietnam vets were held back by having one hand held behind their backs.

**Wheeler:** Thank you. We appreciate your testimony this morning.

**Hardesty:** I wanted to respond; she gives me the opportunity to challenge a misperception. The city did not defund the police. The city council defunded 3 programs that had racially disparate outcomes. When we eliminated those programs, there were over 40 control officers available for control. We have over 100 position that are vacant because people have retired

and left. We have a recruiting crisis. Thank you for giving me the opportunity to correct what appears to be massive misinformation about defunding the police. Thank you, ma'am.

**Bross:** Thanks.

**Wheeler:** Thank you. Last communication individual for today, please. Item number 685.

**Clerk:** Request of Derek Ogden to address council regarding introduction non-profit organization We Stand for Us. He has not joined us yet.

**Wheeler:** Very good. We will go to the consent agenda. Have any items been pulled from the consent agenda.

**Clerk:** We've had a request for item 689 to be pulled.

**Wheeler:** With regards to the rest of the consent agenda will you please call the roll.

**Clerk:** Hardesty.

**Hardesty:** Aye

**Clerk:** Mapps.

**Mapps:** Aye

**Clerk:** Rubio

**Rubio:** Aye

**Clerk:** Ryan.

**Ryan:** Aye

**Clerk:** Wheeler.

**Wheeler:** Aye. The consent agenda is approved. We'll go to the first time certain item. 686.

**Clerk:** Adopt City of Portland Asset management policy.

**Wheeler:** This resolution lays out a vision for how to mature the city's asset management policy. Council had a robust conversation in our June session how we can advance the important practice here in the city of Portland. Our green and gray infrastructure contributed to our city's economy, livability as well as the environment. Forests to wet lands, to streets, sewers, water pipes, fire stations, and Portlandia herself. The city's infrastructure and services that it provides must be sustained through thoughtful management and investment. This is a core charge of government. Tom will introduce the resolution.

**Tom Rinehart:** Good morning. My name is Tom Rinehart, the city's chief administrative officer. I'm very pleased to bring you this resolution, to adopt a city-wide asset management

policy. This policy was developed over the past two years, led by our city asset managers throughout city bureaus, working closely with deputy chief administrative officer. It reflects both best practice and the city's own vision and values, particularly around anti-racism, collaboration, and financial responsibility. As I've discussed individually with all of you at various points, this is one of many areas we are working hard on to integrate our historically independent planning and day to day operations. As city asset management group chair, Emily will layout plans for implementation. Thank you for your leadership on this.

**Emily Tritsch:** Good morning. Thank you, Tom. Thank you, members of city council. I would like to share a brief slide deck. Good morning and happy fall. My name is Emily Tritsch, I'm PBOT's asset manager and the city-wide asset management group chair. I'm here today to request your endorsement of the resolution to adopt a city-wide asset management policy. Development of this policy required that we look back at past actions that brought us here. Our policy of financial decisions that in some cases limited our ability to respond to infrastructure as it aged and as service expectations have changed. With this policy we have the opportunity to be intentional in our infrastructure management and not pass this problem down to the next generation of Commissioners, city employees and most importantly Portlanders. There's a wide range of resources and practices to manage the infrastructure investment. Some bureaus manage at a high-level funding needs while others are still developing their inventory. You are not afforded a clear picture of our city's financial obligations, service risks, or potential tradeoffs. With adoption of this policy, council would support bureaus in quantifying and identifying risks and opportunities of our investments, increasing availability of information to make informed decisions about our natural assets. It illuminates service and outcomes for the community. This builds off of existing city financial policy, especially FIN-203. Directing financial planning to ensure the sustained Portland residents and visitors. The next step of how to implement these guiding roles. Who does it and with what systems. With this policy Portland would prioritize modern city-wide asset management, that means operating transparently, mitigate risk and infrastructure reinvestment. Better planning for the future including consideration of climate change, equity and resilience. It's a cross bureau collaboration to ensure we're all steer in the same direction. The group will help to implement this policy. Advocate for asset management best practice,

educate leaders across the city. In addressing some of the largest systemic challenges in the services it provides its residents. We're generations into the story of Portland addressing issues of racism and social justice. Sustaining the vital importance budget planning and all things. Throughout this presentation you've been seeing images of infrastructure in action. These assets provide services that make our city the attractive, liveable, fun and functional city that it is. With the adoption of this policy you'll allow sustainment of these policies into the future. Thank you. That concludes my remarks myself as well as other city managers are available to answer any questions.

**Wheeler:** Colleagues, Commissioner Hardesty has a question as well as Commissioner Mapps.

**Hardesty:** Thank you for your presentation. I guess my question is this sounds very lofty and we have zero dollars attached to it. It's a great policy. How is this actually going to work in the real world?

**Tritsch:** We have several programs in progress in the different bureaus today. Every spring we present to you the status of our infrastructure, a state of the assets report. Unfortunately given the existing level of commitment across the city and resources available to support this. We have a wide range of uncertainty in terms of the information we're providing. We know our unmet need and maintenance gap is between 7 billion and \$10 billion in the city. That's quite a bit of uncertainty and that challenges decision-making.

**Hardesty:** Yeah, 5 billion of it belongs to me and the bureau of transportation, right? That has been going since Vera Katz was Mayor and never been addressed.

**Tritsch:** That's absolutely right. The city asset managers hope to make progress on reducing that gap through intentional practice of asset management and forward thinking. We know this requires a relatively high initial investment in terms of getting systems and staff high functioning of the asset delivery system but we acknowledge the costs more than pay for themselves in terms of responding to predictive and preventative maintenance over reacting to things as they fail, which we know costs between four and ten times as much in many cases. In terms of the initial investment, what we're proposing, with the endorsement of council, to set ourselves a high bar and expectation for continuing to develop this program and relying on the city asset managers to provide education and training across the city,

especially those bureaus with less mature asset management programs through periodic work sessions open to staff across the city. That way we can do a no cost education and training in order to enhance the understanding of asset management. As resources come available, we hope you'll consider investing in the programs and systems to grow our practice. As you receive requests for financing and projects, we hope you'll consider the long-term thinking and outcomes that are part of asset management. We're available to provide you with guidance and recommendations based on these practices.

**Wheeler:** Commissioner, I think Tom may want to chime in on this.

**Rinehart:** Commissioner Hardesty, to be a little more direct in response to your question. I want to say the deferred maintenance and needs of the transportation services for the City of Portland belong to all of us. We're committed to helping you and council with all of that. The policy will really help shape how we present budget opportunities and cost to you. It should help us clarify what should rise to the top of the list. Let me use the Office of Management and Finance as an example of this - we've had a very immature approach to facilities for many years. We have still proposed investments in some facilities that did not follow what Emily and the team have laid out as best practice. We should not be in the mix for investment while other parts of the city have done a better job thinking about risk and long-term costs and how to keep all these assets thriving for Portlanders for decades. It should give the council a better sense of what you should be investing in, and what needs more work. I think you were asking an investment question, correct?

**Hardesty:** I'm asking a priority question. Every bureau has equity in addressing past harms as part of their work plan. We talk about equity a lot. If we talk about equity as it relates to asset management, what does that look like in practice?

**Tritsch:** I'd be happy to respond to that. As many of you know, we have a number of vocal advocates in our community. We have people who feel comfortable contacting government requesting improvements to facilities. There's a not small contingency of the community that maybe doesn't. By having more proactive inspection or repair of assets, we minimize the need to rely upon our constituents to tell us where the problems are. Your bureau, transportation sidewalk inspections relies on people to tell us where the problems are. We can do things

better and more cheaply before the failures or disruptions occur. That's just one example. Maty, would you like to respond?

**Maty Sauter:** I want to chime in on the concept of intergenerational equity. So when you hear figures in the 7 billion to 10 billion dollar range – a) that's low, because some of our bureaus haven't had the systems and methodologies to assess what their needs are... but B) that's a depth of need that's almost impossible to meet at least in the next five to ten to thirty years. We need to have common methodologies to stop bad work from proceeding and prioritize good work that is truly of value to the community. If we spend our limited dollars on bad work, it means we have created an equity problem for future generations. One thing we are focused on is looking at equity in particular in infrastructure. Everything from levels of services, to workforce development, and social equity and contracting, to the question of intergenerational equity. It intersects in our bureaus in many different ways. Having the policy will help us be more methodical about how to think about these topics, to advance good work, to prevent bad work from proceeding. And again, make sure that we have a more systematic approach to spending our limited dollars even if we don't have enough to begin with.

**Hardesty:** I appreciate all the responses. I'm going to hold my responses. I could talk about this all day. It's such a vital component for us having a plan of where we're headed in the future. My only caution is there are areas that have never experienced equity from city actions and activities. I hope we're not overpromising for something we don't have the ability to deliver.

**Wheeler:** Thank you. Commissioner Mapps.

**Mapps:** Thank you Emily both for your leadership on this issue and your very compelling presentation. I think this project is incredibly important. Asset management is key to good government. You can't manage what you don't measure. Too often we're not measuring the current status of our city assets. That's why I think it's important that the city council track this more closely. One of the things I would like is regular updates on the progress of the KMG group. Can we get a quarterly example so we know where we're at? I would find that helpful.

**Rinehart:** I don't want to speak for the group but I think they would welcome that. Right?

**Tritsch:** Absolutely. Please consider us a resource to help guide your work.

**Wheeler:** Do we have public testimony on this resolution?

**Clerk:** No one is on the call.

**Wheeler:** Very good. I'm not seeing any other questions. Please call the roll.

**Clerk:** Hardesty.

**Hardesty:** I think this is an excellent frame for us to start prioritizing how we use our limited resources, I'm always fearful to set up a process with no dollars attached to it because you know, then it's just a plan with no way to actually implement it. I like the idea of quarterly report backs and would love to know more... I know with PBOT it takes a minimum of 5-7 years for a project to be completed, so I need to know how we are planning to be proactive in leading around asset management. These are all questions that will be answered as we move this process forward. I'm happy to support the effort even with the concerns I currently have. I vote aye.

**Clerk:** Mapps.

**Mapps:** I think this is one of the most important projects we have in the city. Until we figure out what assets we have, we can't maintain them efficiently. Ultimately this will be a cost saver. Ultimately the city is going to need to fund this project, and I'll be open to that discussion when you're ready to come forward with a proposal or request. In the meantime I am happy to vote aye.

**Clerk:** Rubio

**Rubio:** Thank you for your presentation. I want to appreciate asset program manager for their participation in the development of the plan. I was happy to see natural assets being referenced in asset management. We're in a climate crisis, this plan is really needed to move us away to the current reactive approach to it a proactive one. This better aligns with our values and community needs. Adopting the plan is the first step and I vote aye.

**Ryan:** Thank you. I really do appreciate the city's recognition of generations of Portlanders who have contributed to deepening investments in our infrastructure and systems that comprise both our natural and built environment. Big take aways I got today was the seven to 10 billion-dollar in backlog. The prioritization of this work. I look forward to the work sessions where we can weigh in on that. I'm proud to be a part of the city council forum that formalizes

the adoption of asset management, best practices for city-wide stewardship and strengthens our efforts of public transparency..

**Wheeler:** Thank you for your leadership and the presentation. Thank you to all of our city asset managers for doing a great job. I want to call out something Tom mentioned in the chat which is this is really the best collaboration we've had amongst the various city asset managers in a long time. We started these efforts going back to the Build PDX initiative where we tried to front load the financial resources to get to that backlog. As we identify resources to make a dent in reinvesting in our critical infrastructure, we have to think about how we make those investments and prioritize those decisions. This sets us up for a very solid discussion on this in the future. This is as much aspirational as it is concrete. I look forward to following this work in the years ahead. I'm happy to support this along with my colleagues. I vote aye. This resolution is adopted. Best of luck as you work on this in the months and years ahead. We look forward to hearing about the consultant contract. Next item. We can go to time certain item 687, a proclamation.

**Clerk:** Proclaim September 15<sup>th</sup>-Oct 15<sup>th</sup> 2021 to be Latinx Heritage Month

**Wheeler:** I would like to remind viewers there is closed caption available in Spanish. That was just put in the chat, it's [www.streamtext.net/player?event=Portland](http://www.streamtext.net/player?event=Portland). That should be somebody's password is what that should be. It is there. It is available in Spanish. Colleagues September 15th marks Latinx Heritage Month. This is a time to celebrate and learn about cultures, the struggles as well as important accomplishments of Hispanic, Latinx, Indigenous and Afro-Latino communities. I want to underscore Maario T. Garcia's reflections on this important month. Quote "Because of the historic struggles of Chicanos, Mexican Americans, and other Latinos, we've been able to achieve more social justice in this country" unquote. We all benefit when we take the time to learn and appreciate our own culture and cultures other than our own. It's what makes our city, and indeed our entire nation such an incredible place to live. I also want to remind us of our collective humanity. After horrific images this week, we need to remember that we are all deserving of love. All should be welcome. We need comprehensive immigration reform that honors these important truths. I want to personally thank our proclamation organizers, our guest performers performers, and or Latinx affinity group organizers for drafting this resolution. I'll turn this over to Commissioner Rubio.



**Rubio:** I stand here in deep appreciation of the consequential times that's we're in. For me it's deeply personal. I was born the daughter and granddaughter as Mexican farmworkers and immigrants. Now I have the honor of serving as Portland's first Latinx city Commissioner. All the things that have happened between these occurrences have shaped my experience as a Chicana, Latinx Oregonian and Portlander. We learn to appreciate being in community so much because we're often in spaces where each other is all that we have. When I was here many years ago, nearly 15 years ago, maybe more, a group of determined employees created DEEP out of this desire to support leadership an increase representation here at the city of Portland. I'm inspired by how much our employee groups make these happen, inspired to see the work and leadership of groups like Latinx PDX and other active groups in the city. It makes me feel something that I and others didn't feel everyday. It makes me feel more welcome, seen, and affirmed. We still have work to do to make it even more so. I want to thank the city of Portland, Latinx PDX affinity group, and the planning committee... much appreciation to every one of you. This year's theme is Esperanza, a celebration of Latinx heritage and hope. It's my pleasure to introduce our guests. Many of you know Joaquin, one of the creative laureates for the City of Portland. His work is grounded in personal transformation, self-expression, community healing in Latino queer identity. Joaquin runs a counseling private practice specializing in personal development and the bicultural Latino experience. Claudia is a storyteller, musician, therapist, and researcher. Her research continues to guide her inquiry to study mine, body, spirit and their interconnectedness of healing and growing. She received her MA in drama therapy and integral studies in San Francisco. I will now turn it over to Joaquin. Welcome.

**Joaquin Lopez:** Hello everybody. It's so awesome to be here to celebrate Latinx heritage month. I'm at a loss of words. Sometimes I know what I'm communicating but I don't know if I've communicated it in English or Spanish. It doesn't matter how you say it, it matters if you are celebrating life and the culture that makes you who you are. I'm going to share with you a song by one of my favorite artists. He is known as one of the premier song writers in Mexican culture. This song is called *La Muerte del Palomo* - The death of a dove. There's always tomorrow. We can always dream a new dream. This I give to you for Latinx Heritage Month (playing music). (singing in Spanish).

**Lopez:** Thank you so much. Have a wonderful day.

**Hardesty:** It's much better now.

**Rubio:** That was amazing. Thank you so much. That was beautiful and just what we needed today. Next, we will invite up Claudia.

**Claudia Cuentas:** Thank you so much. A joy and honor to be here with all of you celebrating this important day. I am going to be playing two tunes. One with a flute from South America saying thank you for this day, this moment, this important event acknowledging celebrating Latinx culture and immigration as well. I'll be playing a song with a string instrument, about the beauty and preservation of our communities and the rising and continuation of dancing and singing together. Thank you. (music playing). (singing in Spanish). **Wheeler:** Oh, my gosh.

**Cuentas:** Muchas gracias. Thank you.

**Wheeler:** Thank you so much. These are both just incredible and moving performances. They really embody the human spirit. Your optimism just shines through. Thank you to Commissioner Rubio. Before I read the proclamation, I would invite my colleagues to offer any reflections they may have. Commissioner Hardesty.

**Hardesty:** First thank you and Commissioner Rubio for bringing this resolution in front of us today. Thank you to the incredible musicians, Joaquin and Claudia. I wish we could start every council meeting this way. It would be a wonderful way to center us. The energy and love you brought into this space today is almost bringing me to tears. This is an important resolution because we are celebrating today Latinx heritage month. Just like other celebrations that we have what we know is that the Latinx community is not monolithic. It expands the globe and bring with them to our shores culture, food, music, love, family, values, commitment to family, commitment to the next generation. I'm so honored that I get to be a part of a council where I get to share my space with Commissioner Rubio. What she has brought to the council is immeasurable. Representation matters and having your voice in spaces where decisions are being made that will impact not just you and your family but the next generation of your family is really critical. As a city, we have a lot of work to do but what I know is our Latinx community has never shied away from hard work. They have never shied away from being good partners. They have never shied away for fighting for justice, not just for yourself but for

all of us. We're all interconnected and all have a shared history of the challenges of being in a space that people question whether you should be there or not. We're celebrating and honoring the resiliency of a culture. I'm grateful again that I had the opportunity to be in this space today. Thank you, Commissioner Rubio and Mayor Wheeler, and thank you to our Latinx affinity group at the City of Portland for helping make today possible.

**Wheeler:** Thank you. Commissioner Mapps.

**Mapps:** I'm honored to join you in celebrating Latinx heritage month. I'll begin by sharing a quote from farmworker activist Cesar Chavez. "Preservation of one's own culture does not require contempt or disrespect for other cultures. In other words our celebration of the Latinx community today does not dim the light of others. In fact, engaging others and embracing each other's culture [indiscernible]. I want to express my gratitude for the beautiful performances today and also Commissioner Rubio for her efforts to uplift the Latinx community and whose presence on this council inspires the Latinx children of Portland who see themselves in her. I want to recognize and thank my staff Michelle for her work on today's celebration. I want to thank those in my office for their thoughtful perspectives and staff from all the other offices and bureaus that through their work continue to elevate the Latinx community. I want to encourage the support of all small businesses in the Latinx community.

**Wheeler:** Thank you. Commissioner Ryan

**Ryan:** Thank you. That really did open all of us up. It really is important for to us bring music to council meetings. That was really special. I want to thank the affinity groups and the translators to ensure the quality and content was delivered appropriately today. I want to emphasize the leadership of Commissioner Rubio as serving as the first Latina Commissioner on city council. I know how dedicated she is to serving the city. She believes in building safe affordable Portland with access to good jobs, strong education systems. Neighbors helping neighbors, a sense of belonging for everyone. Thank you for your leadership. It truly is a pleasure to serve alongside you. Latinx workers especially were affected by the pandemic. This month, I encourage all residents to explore Latinx businesses around the city. There are so many. Truth is, Portland has a rich Latinx history. Support Latinx businesses. Additionally I want to acknowledge my spouse at home. Amo Reyes. His parents migrated from northern Mexico to Las Vegas. They moved to Portland and my most rich blessing in life was to meet

Amo and build a life with him. Daily as we work from home, we get to hear each other. Additionally I have to say, I went and harvested the vegetables in our garden. The salsa in our house is so much better than when I used to make it alone. I want to end by acknowledging my staff that are from the beautiful culture. I learn from you daily and am inspired by you every minute. I'm really happy to support this proclamation.

**Wheeler:** Thank you Commissioner Ryan. Commissioner Rubio.

**Rubio:** I wanted to again thank the Latinx affinity group, our heritage month planning committee and our two special guests. Your words and performances were so beautiful and medicine for our hearts and souls. Representation matters. Our diverse Latinx community needs to see themselves in government. Community issues like universal representation, the worker relief fund, support for artists and a language pay differential are all moving forward because we're here to make sure that it does. I want to acknowledge all the Latinx employees here at the city and appreciate you and what you bring to the city and including my own staff. This is why representation matters. I'm so glad to see this work alive. Thanks and I'll turn it back to the Mayor.

**Wheeler:** Whereas, for the first time in Portland history, the people of Portland elected a Latinx City Commissioner, and we know that representation matters, and seeing ourselves at all levels of government is important to ensure our voices are at the table and our communities are considered; and Whereas, Portland community members self-identify as Latinx, Latine, Latino, Latina, Hispanic, Chicano, Chicana, Indigenous, Afro-Latinos, or with their Country of origin or heritage; and Whereas, the rich tapestry of Latinx culture is multiracial, multicultural and multilingual; and Whereas, many Latinx people trace their roots to the Indigenous peoples of the Americas, European settler colonialists, Africans who were kidnapped, trafficked and enslaved in the Americas and Asians who immigrated to the Americas; and Whereas, the Latinx population, representing the largest ethnic minority in the United States, celebrates the histories, cultures, and contributions of people who trace their ancestors to the Caribbean, Central America, North America, South America and all over the world; and Whereas, the Latinx community has been integral to and have participated in the creation of this nation for generations—well before its founding—even as they have grappled with relative invisibility, outright rejection of their place in society and internal

struggles about their own identity in this country; and Whereas, Latinx people, along with Black, Indigenous and People of Color communities, are part of the essential workforce that continue to keep our city and nation operating during the COVID-19 pandemic. They drive our economy as workers, owners and entrepreneurs. They are the force of social and political change as advocates, activists and elected officials. They innovate as teachers, scientists and engineers. They enrich the arts as artisans, composers, symphonists, poets, storytellers, actors and directors. They ensure our health and basic human needs as grocery store workers, truck drivers, agricultural workers, day laborers, sanitation workers, childcare providers, caretakers, nurses, doctors and so many others; and Whereas, more than a year into the pandemic, over half of Latinos in the United States has had either a family member or a close friend hospitalized or a friend or family member has died from the coronavirus, and nearly half of Latinos has either lost a job or taken a significant pay cut; and Whereas, amidst adversity, prolonged economic hardship and the substantial physical and mental tolls the pandemic has exacted, Latinx people remain hopeful about the future; and Whereas, hope guides, sustains, serves as a beacon, and the shared, strong communities and cherished family and friends is testament to the ever-resilient Latinx peoples; and Whereas, to help connect more Latinx people to City jobs and to support them throughout their careers with the City, the Latinx PDX City Employee Affinity Group was re-established in 2014. Latinx PDX has reached over 100 employees and continues to grow; and Whereas, Latinx PDX City employees stand in solidarity with Black, Indigenous and People of Color communities, and marginalized groups who face discrimination and underrepresentation in our city and globally; and Whereas, Latinx PDX City employees are committed to continue working in unity with our bureaus to dismantle the systems of oppression that make civic engagement and participation difficult for BIPOC communities; and Now, therefore, I, Ted Wheeler, Mayor of the City of Portland, Oregon, the City of Roses, do hereby proclaim September 15 to October 15, 2021 to be Latinx heritage month and encourage all residents to learn, reflect, and celebrate the historical and present contributions that Latinx people have on our community. With that I'll turn this over to Commissioner Rubio.

**Rubio:** Thank you. I'm going to attempt to read this in Spanish. (reading Spanish translation of proclamation).

**Wheeler:** Thank you Commissioner Rubio. Thank you everybody for this tremendous proclamation. Thank you. With that, we will turn to item 688, also a time certain proclamation.

**Clerk:** Proclaim the week of September 19<sup>th</sup> – 26<sup>th</sup> to be National Expungement Week.

**Wheeler:** Colleagues, National Expungement Week is a movement to emancipate justice-impacted individuals exploited through systematic inequality by records, ceiling and access to services. This is the first time that the city of Portland is participating in National Expungement Week. A week of action and awareness. Portland voters approved ballot measure 26-180 to impose tax on cannabis retail sales. Over 14 million in tax revenue has been allocated across various city bureaus to support street infrastructure improvements, drug rehabilitation, expungement, and reentry programs and small business owners from communities disproportionately impacted by cannabis prohibition. This allowed the city to build restorative and reparative cannabis programs, including the seed grant which provides grant funding to those disproportionately effected by the war on drugs. We recognize there is more work to be done. Before I pass this to Commissioner Hardesty and the team to speak on this more. I want to thank the office of community and civic life, the non-profit organization National Expungement Eorks for working to draft this proclamation. Thank you.

**Hardesty:** Thank you, Mayor. Thank you so much for cosponsoring this resolution with me. Most people may not know that today in order to expunge a record it requires an individual to have \$281 for court filing. It requires them to have \$80 for a background check fee. Fifteen to \$20 for a fingerprint card, and an \$80 filing fee to actually file. If you think about what we've done as a community with mandatory minimum sentences and if you believe that people are redeemable and redemption is possible, we should be making it as easy as possible to come back from incarceration to be reengaged in our community. Not being able to an afford expungement is a big issue not just in Portland but all over the country. I would like to Michael Montoya to introduce our speakers, he's for the office of civic life. Hello to director Dawson. Thank you, director. Please take it away.

**Michael Montoya:** Thank you for this important resolution. It means a lot to so many people. I am merely going to hand this off to our very capable cannabis program supervisor and she will introduce Travis Maurer from the policy oversight team.

**Dasheeda Dawson:** Good morning. Thank you so much Mayor Wheeler and Commissioner Hardesty. I'm so proud of the work we're doing as a city. This is just one step forward. National Expungement works is a national non-profit committed to making a shift from city to city to emancipate justice-impacted communities which we know have been exploited by systemic inequities which has been Black, Indigenous, and Latinx communities. Through our seed initiatives we were able to deliver one point eight million. The council's decision to allocate the ongoing funds is a small step. I want to acknowledge that five of our seed grants are already undergoing relief from our grants. Partners, constructing hope, and industrialization center. Thank you for continuing to support the work we're doing on educational development. Now it's my pleasure to introduce our seed pod support team who will speak very briefly on how this is an important time for us.

**Travis Maurer:** It's an honor to work with you and the cannabis policy oversight team. I want to thank the Mayor, Commissioner Hardesty and city council for having us here today. I'm originally from Missouri, I moved in 2009 with my partner and we've been involved with legalization ever since. Portland voted to end the racist cannabis laws and did so by listening to a story to convince them to do so that outlined the plight of Black and brown communities. I'm happy to be here today and see expungement offered to the people voted and said this needed to happen for. I'm happy to represent the cannabis policy oversight team. Your action today is aligned with the goals in the reports. Our top recommendation which is to repair injustices to the communities that have been harmed. 2021 is the first year to help as many people as possible get the resources they need on a daily basis. Thanks to new programs like seed we're able to emancipate Portlanders to be able to achieve justice, secure work and higher paying jobs it make their dreams a reality. Secure housing they didn't think could be possible and build a secure home so their family can remain together. Thank you for making this week a priority for the city and amplifying this message for Portland to hear. Thanks for having me.

**Wheeler:** That completes the invited testimony. With that I will invite -- thank you very much. I'll invite any council comments at this particular time. Commissioner Mapps and then Commissioner Rubio and then Commissioner Ryan.

**Mapps:** Thank you Mr. Mayor, colleagues. I'm delighted to join you in declaring September 19th through the 26th to be national expungement week. The purpose is to expunge the criminal records with people who have been caught up in the war on drugs. That is important because a criminal record can prevent people from accessing employment, social services, and housing. I want to use this moment to call on the legal and political community to help expunge the record of Oregonians of cannabis crimes. Portland legalized cannabis in 2015 and we established a program that helps regulate the industry, and yet there are 1000s of Portlanders who find it difficult to access services because they have cannabis possession convictions from before 2018 - it is time to right this wrong. It's time to expunge those records. Until that injustice is undone, I want to reassure Portlanders it is possible to clear your record. It will take some work on your part. I encourage you to reach out to project clean slate or project second chance. Both organizations will walk you through the process of removing a cannabis related conviction from your record. Thank you.

**Wheeler:** Thank you. Commissioner Rubio.

**Rubio:** Thank you. I would like to thank you and Commissioner Hardesty for bringing this to council. Commissioner Hardesty I want to thank you for taking action as well. These expungement services help so many individuals who were denied their basic human rights. Thank you to all those involved for the important work you're doing in this work and other work around the country.

**Wheeler:** Commissioner Ryan.

**Ryan:** Thank you for your leadership from civic life and the cannabis policy oversight team. I was looking in a this a little more remembering when this was in 2005 that legislation was passed that inhibited employers and housing service providers ability to obtain and use an individual's criminal history against them in an application process. Since then 36 states and over 150 cities have adopted what is known as ban the box. We can't let up because this effort to emancipate justice is nuanced and is the right move for Portland today. I vote aye.

**Wheeler:** Thank you. Commissioner Hardesty.

**Hardesty:** Thank you, Mayor. I actually just wanted to add the very first project clean slate happened at Oregon action. I was the organizer for getting volunteers from the court and from the community. We thought this would be a very -- pretty much uneventful activity.



Then word got out that we were working to be expunging people's records. People flew in from all over the country to get the expungement because they could not live the life they wanted to live by carrying the baggage they were carrying with them. People showed up the night before and slept at the PCC cascade campus because of their desperation it to be able to take care of their families. We served over five hundred people that day. That day we turned away 3,000 people. I don't know if project clean slate continues to exist. It turned into something that was not my vision. People should be able to not have to pay money. They served their time. They are back in the community and should be welcomed back. Their convictions should not be a barrier to housing, employment, or opportunity. I've had a long history working with people who are living with the with the outcomes of not being able to move forward and not being able to expunge their past from their record. I am thankful and thrilled with the outcome. Thank you, all colleagues, and thank you Mayor for partnering on this very important effort.

**Wheeler:** Thank you Commissioner Hardesty. With that I'll read the proclamation. Whereas, National Expungement Works (N.E.W.) is a movement to emancipate justice-impacted individuals exploited by systemic inequality through record clearing/sealing and access to services; and Whereas, people with an arrest or conviction on their record face 48,000 legal and socioeconomic barriers restricting access to the most basic of human rights, including education, housing, voting, employment, and governmental services, among many others; and Whereas, N.E.W. is a diverse collective, guided by seven core principles, of healing, solidarity, creation, ascension, education, legacy, and fellowship, and powered by BIPOC, formerly incarcerated, LGBTQIA+, and people living with arrests and convictions, and their allies; and Whereas, through the annual N.E.W. Week of Action and Awareness over 1,600 people nationwide, including many in Portland, have successfully cleared or sealed their criminal records, resulting in a public benefit of over \$17,000,000. Additionally, over 7,000 people have received related social services; and Whereas, from September 26, 2021 through October 3, 2021 N.E.W. Week of Action and Awareness events will offer the services of inspired attorneys, organizers, and activists to increase expungement opportunities for those who need it; and

Whereas, the City of Portland will for the first time ever, join the National Expungement Week's "Week of Action," and we will join cities around the country to organize and host free legal clinics to expunge, clear or seal eligible criminal records, and offer access to social resources, and wrap around services to support re-entry.

Now, therefore, I, Ted Wheeler, Mayor of the City of Portland, Oregon, the "City of Roses", do hereby proclaim the week of September 19-26, 2021 to be national expungement week. Thank you everyone. Commissioner Hardesty, I see your hand is raised.

**Hardesty:** Sorry, Mayor. I just didn't put it down.

**Wheeler:** No problem. All right. We'll move to the regular agenda and with the agreement of Commissioner Ryan, we'll move to item 697 first please.

**Clerk:** Appoint Margaret Carter to the board of trustees for the fire and police disability and retirement.

**Wheeler:** The fire and police retirement plan provides active-duty police officers and fire fighters and to their family and children. The FPD are a board of trustees, an independent body that oversees the administration of the plan. The purpose of the board to ensure the provisions of the FPDR plan are followed so that sworn fire fighters and police officers and their survivors receive the benefits due to them and that the funds provided by the tax payers of the City of Portland are expended prudently. The board consists of five members. The mayor or mayor's designee, a member from the Portland fire and rescue bureau, active member from the police bureau and two citizens who have relevant experience with pensions, disability, worker's compensation plans and administration. I'm pleased to nominate former senator Margaret Carter to serve as my designee as chairperson on the board of trustees. She has 25 years on Oregon legislator house budget committee as cochair. She has also serves as president and CEO of the Urban League of Portland. I want to introduce Director Sam Hutchinson who is able to provide any additional info for my colleagues who may have questions.

**Sam Hutchinson:** We're very excited to have the senator serve as the FPDR board chairperson. Her years of service will bring an expanded and new view and level of diversity to the board that we don't have today. She'll represent the people of the city of Portland as

well as the active duty and retired fire fighters and police officers. Ensuring all views and opinions are heard and respected by all parties. We're looking forward to working with the senator. I would like to have the senator go ahead and introduce herself.

**Wheeler:** Sam, before the senator speaks, Commissioner Hardesty had a question for you.

**Hardesty:** I'm happy to wait.

**Wheeler:** I will not let that slip by. Senator Carter thank you for being here.

**Wheeler:** Senator are you still muted.

**Hardesty:** If you look down at the left corner, you should see a mute button that has an x over it. Push that button and we should be able to hear you. Maybe I'll go ahead and talk while Senator Carter is addressing her technology.

**Hardesty:** I just wanted to thank Director Hutchinson. I had had the privilege of working with him for the last three years. He is an excellent director who really takes his job seriously. I've worked with him in trying to identify a more diverse board. I'm thrilled that we have the opportunity to add senator Margaret Carter to the board. I'm very grateful. I know she brings a host of expertise to this issue. I look forward to working with the board on this matter. Thank you.

**Wheeler:** That was entirely useful. Thank you for acknowledging great work of the Director. We have a hand up here from Commissioner Mapps and Commissioner Rubio. **Mapps:** While waiting why don't I deliver some of the comments I had for this vote. First I want to thank Senator Carter for her work and willingness to take this on. On a personal note I want to say that Senator Carter is one of my heroes. I would not be on this council today if not for her trail blazing leadership. I look forward to voting aye on this appointment. Thank you.

**Wheeler:** Commissioner Rubio.

**Rubio:** I'll follow suit with my colleagues. I'm really thrilled to be able to support this appointment. Senator Carter, I just wanted to thank you for bringing your expertise and experience to the space and for your service at the state level and community over. We're so fortunate and honored to have Senator Carter's lens. Thank you so much for your willingness to serve our community.

**Wheeler:** I'm sorry we weren't able to troubleshoot some of the technical problems. We have the Senator on the phone. Senator did you want to say anything.

**Senator Margaret Carter:** I want to thank you Mayor, members of the council for their support. I want you to know I am honored to be your designee, and will serve honorably and not let the council down [indiscernible] any misgivings I might have. Thank you again to all of you.

**Wheeler:** Thank you senator carter. [Zoom recording ends, recording resumes] The technology bugs are everywhere today. Commissioner Ryan had something to say.

**Ryan:** Thank you, Mayor. It's so good to see you Senator Carter. It's great to have a best-in-class senator to serve on our board of trustees. Your work at Oregon department of human service was so pivotal. I can't wait to see what you bring to the city. I am so honored to vote aye.

**Wheeler:** We also heard from all of the other Commissioners. They also expressed their strong support and are so appreciative of you stepping forward. Do we have any public testimony on this resolution.

**Clerk:** No one is on the roll for this.

**Wheeler:** Please call the roll.

**Clerk:** Hardesty

**Hardesty:** Thank you thank you thank you for agreeing to serve this city yet again in another capacity. I'm thrilled to vote aye.

**Clerk:** Mapps

**Mapps:** I too want to thank the senator for her willingness to serve the city yet he again. I want to pause and share a personal reflection as I look at the screen and see Senator Carter Commissioner Hardesty and Rubio here. These are trail blazing women I have chills at this moment and am delighted to vote aye.

**Clerk:** Rubio

**Rubio:** I want to echo my colleagues in giving a deep appreciation for senator carter, we're lucky to have your leadership and wisdom. I want to appreciate your many, many years of service and mentorship to all of us. I vote aye.

**Clerk:** Ryan.

**Ryan:** I already said my comments. It's just a thrill to see you on camera, Senator Carter. I vote aye.

**Clerk:** Wheeler.

**Wheeler:** I can't believe that we are as fortunate as we are today to have somebody with the experience both in the community as well as leadership experience and technical experience as Senator Carter. She's going to be a terrific chairperson for this important function in our city. And we're just really glad to have you, glad to have your energy, your time and your talent. I'm very happy to vote aye. The appointment is approved. Thank you, Senator Carter, we appreciate it so much. We will move next to item 696 on the regular agenda.

**Clerk:** Appoint and reappoint members to the structural engineering advisory committee for terms to expire June 26th, 2024.

**Wheeler:** Commissioner Ryan.

**Ryan:** Yes. Thank you, Mayor. Colleagues, we have six extremely qualified candidates who are seeking this role. And each of them bring their unique perspective and experience to our structural engineering advisory committee for the next three years. Amit Kumar, will take it away from here and give a little more information about our nominees. Please take it away, Amit.

**Amit Kumar:** Thank you, Mayor, Commissioner Ryan and members of city council. Good morning. My name is Amit Kumar. I'm the supervising engineer of the bureau of development services. The structural engineering committee is a citizen committee that advises the bureau of development services on matters related to structural engineering. The Portland city code, title 94.10.085 specifies that members of the structural engineering committee hearing advisory committee consisting of six members to licensed in our practice structural engineering be appointed by the Mayor and approved by city council. Members may be appointed to no more than two consecutive three-year terms. These appointments will fill current vacancies on the committee as the terms of the current members have expired. On behalf of the Mayor and Commissioner Dan Ryan, it gives me great pleasure in recommending the following distinguished members of the structural engineering committee as new members to the first, three-years terms on the committee. First, we have Hamid Afghan. Hamid is a founder resident of AAI engineering, a local structural civil engineering landscape architecture and planning firm. He has been the principal for the structural design and evaluation of a variety of industrial, commercial, educational and multi-

family projects providing in-depth knowledge of a wide range of building systems and materials. Hamid's wealth of design and construction experience facilitates creative and economic solutions. Hamid is often asked to provide forensic engineering services as well as expert testimony and is a frequent guest speaker for forensic structural engineering. He has taught at Portland state university and clackamas community college. Second, we have Shirley Chalupa. Shirley is a principal with dci engineers with over 23 years of experience in structural engineering. She has overseen numerous mass timber, steel, steel moment-resisting, seismic retrofit and renovation projects throughout Oregon. She believes in preserving character and history of the city of Portland by seismically retrofitting and reusing existing buildings for the next generation. She has preserved numerous historical buildings throughout Portland, such as the Olympic mills, eastside exchange, hotel chamberlain among others. She served or is the structural engineer representative on the city of Portland's unreinforced masonry building work group in 2019. And Shirley believes in local government benefit in engaging community members like herself. She is an advocate in instigating respectful, meaningful dialogue of equity in the workplace. And last, we have Jennifer eggert. Jennifer has over 18 years of structural engineering experience, including the design in seismic retrofit renovation of elementary schools, middle schools, high schools and public/private university campuses, along with public, civic, government and private developer work. Jennifer has vast experience with seismic evaluation and retrofitting of existing buildings. And currently serves as the vintage building committee chair of the structural engineers association of Oregon. Jennifer also has experience in the use of alternate materials such as fiber reinforced plastic and evaluations using alternate technology such as base isolation. In addition to the above mentioned three new members we are recommending to reappoint three existing members to provide continuity on the committee. The three existing members whose appointment is being recommended have served the first term, and if reappointed would serve second and final terms. The first member recommended for reappointment is Clinton Ambrose. Clinton is a principal and founding partner of an abhd structural engineers. Clinton has over 28 years of experience. His portfolio of work includes structural consulting for a wide variety of projects such as waste water treatment plants, recreational facilities, educational facilities, office buildings, seismic evaluations and retrofit of multi-story mixed use residential/commercial

use facilities. Abhd structural engineers are an Oregon certified mbe and ebe firm. The second reappointment candidate is Mark Tobin. Mark is a principal with kpff consulting engineers with over 20 years of experience as a practicing structural engineer. Mark's career has focused on seismic renovation, seismic evaluations, school buildings and high-rise building, including advanced nonlinear and finite limit analysis. Mark has served on the city of Portland's unreinforced masonry seismic retrofit project technical standards committee and on the Oregon seismic safety policy advisory commission on critical buildings. And lastly, we have Kent Yu. Kent has over 20 years of structural, earthquakes, tsunami, and forensic engineering experience. He's well known for his expertise on seismic design, performance-based design, advanced finite element analysis. Kent has served on national and state committees including the board of directors for the flight technology council, as chair of the Oregon seismic safety policy advisory commission, American society of civil engineers or asc7, tsunami effects committee, asc interest structure resilience division executive committee. He was the primary author of the 2012 Oregon resilience plan. These recommendations are based on a thorough outreach and for considerations in the city and the bureau of development services goal of equity, inclusion and anti-racism and specifically on the bureau's commitment to racial composition for boards and committees. These outreach efforts, including advertising in the structural engineer's association of Oregon newsletter and website posting the openings on the bds website, office of community and civic life website and outreach to bipartisan focused organizations such as Oregon association of minority and Oregon chapter of national association of minority contractors and posting on social media platforms. It is a sincere hope that these candidates will bring expertise and experience to the structural advisory committee and their appointments will help ensure that the good work of the structural engineering advisory committee continues on the behalf of bds, the development committee and all Portlanders. Thank you for your time. And I'm happy to answer any questions the council may have.

**Wheeler:** Thank you very much. And as always, we -- we watch you but we also watch the background. It is really great. It is my favorite. I love it when you're on. Colleagues, any questions before I ask if somebody would like to make a motion? Seeing no questions, I'll entertain a motion.

**Dan Ryan:** Just for the record, I think it's good to know that's just a fake background and that Amit is not in Hawaii at the moment, correct?

**Kumar:** That's correct.

**Wheeler:** Well, that's doubly disappointing. We were wondering why the same wave kept rolling over and over again. I'll entertain a motion to accept the report.

**Hardesty:** So moved.

**Wheeler:** Commissioner Hardesty moves. Can I get a second?

**Ryan:** I second that.

**Wheeler:** Commissioner Ryan seconds. Any further discussion? Keelan, please call the roll.

**Clerk:** Hardesty.

**Hardesty:** I want to really appreciate the due diligence that was taken to ensure that you presented us with a diverse slate of candidates. I am thrilled with these appointments and look forward to the good work that will come out of this structural engineering work. I'm happy to vote aye.

**Clerk:** Mapps.

**Mapps:** I want to express my gratitude for everyone who's agreed to serve on this important committee. I was trying to do the math as we were hearing the bios. They bring hundreds of years of experience to this very important work. I'm grateful for their service to our community. And for those reason, I vote aye.

**Clerk:** Rubio.

**Rubio:** I want to thank the three members that are being reappointed to their role and to continue serving. And also welcome the three new members that are coming in fresh into this they're being reappointed for their willingness to continue serving and members are coming in fresh into the space. There's a high need for this expertise and we're looking forward to the work ahead.

**Clerk:** Ryan.

**Ryan:** Thank you. Thank you for your good work. This just doesn't happen. So your relationships in the community are pivotal to make sure that we get top-notch people that are qualified for such an important role. Thank you for your service and especially those recommitting to another three years. I can't think of a more important time to give in a lot of



attention when the -- when the climate crisis coupled with our aging infrastructure, to an earlier topic, places a real spotlight on your work. I think everyone knows what happened with the collapse of the condo building in Florida. It can happen anywhere. We need to double down on our efforts to ensure that Portlanders are safe and we're equipped to handle the continuing challenges of the climate crisis on our infrastructure. Thank you for your good work.

**Clerk:** Wheeler

**Wheeler:** I'm delighted to support these appointments and reappointments. I want to thank everybody who serves as Commissioner Ryan just said. This is a highly technical area and been highlighted by issues nationally. We received the report not long ago talking about our structure and the need to be engaged on -- on structural engineering issues. These are from years of talent and energy to the table. The pay is not very good and we're grateful for their willingness to serve the in community. Appointments are approved. Next up is 698.

**Clerk:** Authorize 15 million dollars of long-term bonds for local improvement and sidewalk repair projects and systems repair charges and other costs.

**Wheeler:** This ordinance allows the city to issue long-term bonds. They'll finance various local improvement district projects and sidewalks and improvements such as system development charges. I turn this to Matt. Good to hear you today.

**Matt Gierach:** For the record I'm Matt Gierach the manager of bureau of revenue and financial services. To provide additional background, the proposed borrowing includes refinancing the improvement district for credit and sidewalk repair costs. This financing will also establish the interest rates of associated assessment contracts by property owners that have chosen to file their assessments. This is an assessment for each program. The current borrowing amount is estimated to be 10.3 million, which may fluctuate based on assessments. With approval, we plan to issue the bonds in late fall early winter. This is a normal course of business in operation of the city and I'm happy to answer questions from council.

**Wheeler:** Thanks, Matt, Commissioner Hardesty has her hand raised.

**Hardesty:** Thank you. Thank you, Matt. I always appreciate your presentation. I have to actually interpret it into plain language. So let me see if I have a plain language

understanding of what we're doing. We're going to bond so that the local improvement districts that we have already committed to will be able to do the street repairs in conjunction with the construction projects that are already approved and under way. These projects have been approved by the council and are already in the works. Am I given an accurate description of what you said?

**Gierach:** That's accurate. Projects are complete, this is turning out the line of credit that was used to finance the improvements.

**Hardesty:** Yeah. Sometimes we talk in a language that isn't apparent to the general public. So my goal was to try to put it in plain speak so that those who are listening in and will see the recording later will understand what we're doing. You're absolutely right. We do this on regular basis and makes perfect sense, thank you for being here.

**Wheeler:** Thank you Commissioner Hardesty, any further city council questions, if not Keelan, do we have public testimony on this nonemergency ordinance.

**Clerk:** Nobody is signed up. First reading of non-emergency ordinance, moves to second reading. Next item 699.

**Clerk:** Authorize application to the US Department of justice, office of justice programs, bureau of justice assistance for a grant in the amount of \$480,737 for the Edward Byrne memorial justice assistance grant program local solicitation to assist Portland-metro area of law enforcement to reduce crime and violence.

**Wheeler:** We applied for the edward byrne assistance grant program for the fiscal year 2021 local solicitation process. The grant program instituted by the department of justice in 2005 is named after Edward Eddie Byrne, who was killed on-duty in 1988. This has funding for local law enforcement agencies and their partners to assist in efforts to prevent or reduce crime and violence. The 2021 JAG funds as they're called will be award under disparate certification to the city and the county as well as the city of Gresham. The formula award amount is allocated to three entities based on statutory formula based on the bureau's statistics. The police bureau will receive 239,295 dollars, Multnomah County \$188,018, and Gresham police department \$53,424, for a total of \$480,737 in grant funding. The police bureau will utilize the funding to hire a full-time limited term business systems analyst who will be a subject matter expert in instructional design. They will support the police training division in

developing and delivering effective learner focused instructional materials that promote educational change. They will also address and analyze training need and desired outcomes. We have Ken Lee here to present on this item.

**Nathan Leamy:** I've taken over the appointment for Ken. I'm the financial manager for the Portland Police Bureau. I'm joined by Captain Abrahamson, our expert with the program. We'll go through a brief walk through. And beyond what Wheeler has described, the application and the outcomes that we're hoping for. As Mayor described, this has been ongoing annual grant since 2005. It is a noncompetitive grant, so typically when the city applies, it receives these grant funds and has done so -- over the past decade. In terms of funding of what we're able to spend these dollars on, we have fairly great flexibility here to be spent on hiring and retaining personnel, equipment, supplies, contractual support, training and technical assistance and information systems. So these are dollars that the bureau puts forward an application with what we intend to spend on it and usually get guidance and approval from the federal government. In terms of the split, as the Mayor explained, this is something where we submit a joint application on behalf of ourselves and other qualifying local jurisdictions. The total amount is 480,000 dollars. You'll retain 239,000 from that and passing on dollars to the county and to Gresham. And let me hand this off to Captain Abrahamson to describe this year.

**David Abrahamson:** Thanks, Nathan. Good morning and council members. For framework to clarify. There's gaps in the training that we assessed. When we develop curriculum now for whole member training, being created by a sergeants and administrative staff, we have been employing an innovative strategy that leads transfer of skills for adults. We look at the design and approach in the educational setting. This is what a designer carries with them. In turn other agencies have seen then this is reflected into the curriculum and then we're seeing a leveraging really in the outcomes and outputs. Our hope is an instructional designer will come in and be a subject matter expert and concepts from one program into other programs and then reinforce and leverage these learning objectives. Nathan, next slide. We're hopeful that this position will be working with -- with the department of justice who reviews our lesson plans now. The advisory committee and other partners that provide input. Creating quality content. It really is necessary to achieve the goals and adhere to the level of

expectations of the community and oversight committees. Hopefully this limits the liability of production which far surpasses the position. In addition this position will assist with forecasting of outcomes in the development stage and cognitive learners and then other material. They're related to multiple intelligences too which is a gap. Also in conjunction with this, we want this position to work with our analyst team. When we identify them up front, they're incorporating the methodology at the onset and mitigates outcomes. Maybe this should have been a preface. If you look at those for training, back in 2014, it actually refers to the correct -- the curriculum instructional unit. There were two in the training division and both employees that we hired were actually filling this need in the training division for a handful of years left the bureau. They have gone vacant and unfortunately due to funding they have not been filled. We've seen a gap again in the last couple of years. I think it is paramount that again for what has been previously stated that this is filled. Nathan, we could go to the next slight. Stats, lesson plan for this is a heavy list. Determine what best practice is. This is important to staff this position. When we look at skill based educational content, we really seek to create and deliver. There's those ingrained in the membership and generate to do public. This will provide a higher level of services or skills. Or they benefit our bureau. Thank you for your time.

**Wheeler:** Very good. Colleagues, any questions at this particular juncture. Do we have public testimony?

**Clerk:** None at this time.

**Ryan:** I had a question when Captain Abrahamson had 64 training in 2021, I got that impress that it was lower than 2019. Is that a number we should be concerned about. I couldn't tell.

**Abrahamson:** That's just for reference. It fluctuates some but it mainly stays the same. We have online learning in LMS and those trainings, they're very time-consuming. You're looking to four to ten pages on what the topic is.

**Ryan:** Very good.

**Hardesty:** If I may ask, what is LMS?

**Abrahamson:** LMS is a common term for a learning management system. It is online. The city has CityLearner. That's lms.

**Hardesty:** These acronyms, you got to love them.

**Wheeler:** This is the first reading -- Commissioner Ryan, did you have another question? [Ryan shakes head] This is first reading of nonemergency ordinance and goes to second reading.

Next item is number 700. Clerk: Authorize Intergovernmental Agreement with Oregon Department of Transportation for reimbursement for Work Zone projects traffic enforcement.

**Wheeler:** This is for traffic enforcement. It is moving away from a funded enforcement model that they used over a decade. I would like to welcome lieutenant and Nathan Leamy who are here to present on this item. Good morning.

**Leamy:** I'll take you through outcomes.

**Sgt. Darke Hull:** It has machinery and boots on the ground and people walking around and focused on their job. Not necessarily concerned about their jobs but traffic. There's a lot of variables that would end up hurting them.

**Leamy:** This is a grant from the past where we received funding from the Oregon Department of Transportation is at facilities. There's a shift they've chosen to a reimbursement model. This won't make significant changes in terms of what we can or will do. One shift will be that rather than just allowing for overtime we would be able to charge for straight time as well. Another shift is around a match. It is common with you're working with grants or state grants, you have a matching component. They give you ten dollars and want you to spend one dollar of your own money to make sure you're putting something in a well. We had the grant. Reimbursement model we won't be required to have that. Otherwise it'll be the same. Sgt. Hull.

**Hull:** The main focus will be to reduce traffic crashes by providing high visibility enforcement and stopping vehicles, talking to people, anything that we do out there we'll have our emergency lights on which tends to get people's attention. The coordination of the vehicle placement. Our vehicle, along with certain vehicles that ODOT has that they have to protect their workers, works in combination to help prevent crashes. The officers who work this are highly trained. Very specific fields that -- that relate to traffic and also impairment while driving a vehicle. Side note will reduce the calls for service that the precinct had to deal with. There will be calls that come out specifically of the work zone or within a close area related to the work zone that we'll be able to handle. The stats are lacking. Oregon in 2015, there was 19 fatal and near fatal crashes. The work zone crashes themselves, they're 538. It additional

benefits would be the addition of an additional officer in high functional position so people can see them. Preventing crimes in the area. The police officer will be able to interact as a go between the homeless community and the workers. A lot of the work is being done on o-dot property. And also work as intermediary between the community and the work crew. A lot of the community has questions about how long this will last and why they to it in the middle of the night. Our outcome is simple, no fatalities in the work zones, reduce the number of injury crashes and improve the traffic safety for the employees that are actually working. Thank you for your time.

**Leamy:** One note. We have a proposed amendment here. There's an error in writing the ordinance that we recognized in the last two weeks between submission and now. It was submitted for three years. Whereas it was five years.

**Wheeler:** I'd entertain a motion to amend finding six of the ordinance to reflect the five-year period of agreement ending in 2026 as shown in the proposed amendment submitted to the council.

**Hardesty:** So moved.

**Wheeler:** Motion and second, please call the roll.

**Clerk:** Hardesty

**Hardesty:** Aye

**Clerk:** Mapps

**Mapps:** Aye

**Clerk:** Rubio

**Rubio:** Aye

**Clerk:** Ryan

**Ryan:** Aye

**Clerk:** Wheeler

**Wheeler:** Aye. Any further questions on this? This is a nonemergency ordinance. Any testimony on this ordinance?

**Clerk:** No.

**Wheeler:** Very good. This ordinance moves to second reading as amended.

**Sgt. Hull:** Thank you, sir. Council members.

**Wheeler:** Next is item 701, a second reading.

**Clerk:** Contract with harris computer corporation for maintenance and support services of the Portland water bureau and bureau of environmental services customer system in the 2,320,230 dollars. Any discussion? Please call the roll.

**Clerk:** Hardesty

**Hardesty:** Aye

**Clerk:** Mapps

**Mapps:** Aye

**Clerk:** Rubio

**Rubio:** Aye

**Clerk:** Ryan

**Ryan:** Aye

**Clerk:** Wheeler

**Wheeler:** Aye. Ordinance is adopted. Item 702 is also a second reading.

**Clerk:** Authorize a solicitation in contracting with the lowest responsive and responsible bidder for construction at the southeast 19th and south lambert street water mains cost.

**Wheeler:** Any discussion? Seeing none, Call the roll.

**Clerk:** Hardesty

**Hardesty:** Aye

**Clerk:** Mapps

**Mapps:** Aye

**Clerk:** Rubio

**Rubio:** Aye

**Clerk:** Ryan

**Ryan:** Aye

**Clerk:** Wheeler

**Wheeler:** Aye. Ordinance is adopted, we go back to the item pulled from the Consent Agenda item 689.

**Clerk:** Authorize bureau of transportation to acquire certain permanent and temporary property rights necessary for construction of the northeast 46th avenue and northeast bryant street local improvement district project through exercise of the eminent domain authority.

**Wheeler:** Emergency ordinance. Commissioner Hardesty.

**Hardesty:** Thank you, Mayor, PBOT wanted to pull it off the agenda to have a conversation. We have staff ready to present.

**Andrew Aebi:** Hi, I'm administrator Andrew Aebi. I'm with the Portland bureau of transportation. We don't expect property owner testimony this morning but we wanted to put this on the regular agenda. It was a mistake to put it on the consent agenda. We have a major right-of-way acquisition planned and we want to be transparent and not put it on the consent agenda. If we could move quickly through the presentation, we have three council members that weren't on the council when this got formed. I thought it would be important to give you the cliff notes version. Advance to the next slide, please. This is a map of the local improvement district. You can see that green box on the map on the left. That is the major right-of-way acquisition to which I was alluding a moment ago. That's the new northeast street that will connect existing 46th avenue and 47th avenue which was rebuilt in concrete as part of a 14th avenue local improvement district. There's a large parcel. That's the location of the future columbia bus base. Next slide, please. I won't read these but we have a variety of objectives with the project, paving and unpaved street. Providing a new street connection to improve access. Introduce a new desperately needed storm water management in the area that doesn't currently have it. A variety of other objectives. Next slide, please. This is the largest local improvement district. Almost 13 million dollars is what we're going to spend in cully neighborhood and we're pleased to be able to put this project together as a partnership. Trimet and other small businesses in the area. This is northeast 46th avenue today, so that building you see on the left is part of the -- of the future columbia bus base and we'll pave at introduce storm water management. Next slide, please. And then another aspect of the right-of-way acquisition is we're going to put in a traffic signal to make it much safer for small businesses no access columbia boulevard which is one of our high trash corridors. We need right-of-way acquisition to get signal poles. As you see from the picture, we have alligator



asphalt pavement and we're going to rebuild that for all of the hundreds of buses that will travel over that northeast 42nd avenue roadway where they start and run.

**Hardesty:** If I could go back. What did you call this? Pavement. Zebra pavement. What is that?

**Aebi:** Alligator pavement. You don't want your pavement to be like an alligator skin, you want it smooth.

**Hardesty:** I thought do we have alligators around here?

**Aebi:** We're not moving to Florida, Commissioner Hardesty, but thank you for the opportunity to clarify that. I just wanted to show you that this project is located in Cully. One of the things that we really try to do with the program is think about equity. And areas of the city that it have been traditionally underserved with infrastructure. One thing that may be so pleased to put this together was -- we have a much higher proportion of unpaved streets in Cully than the city as a whole. That's more than triple. Conversely, you're less than half as likely on a street in Cully to have a sidewalk on it, city wide. This is the most diverse neighborhood in Portland. Lower economic means. These are the people that need option to walk and bike and not have to drive their car. Next slide, please. Then what I wanted to show is one of the things we're trying to do as part of our goal to reduce carbon emissions. We want more people on transit. If you look at this slide, when we put the L.I.D Together, 38 years have gone by and you can see from that slide that transit service hours in the TriMet service district has more than doubled over that past 38 years. We're still getting by, or TriMet is getting by with three bus garages. They're bursting at the seams. And TriMet strategically wanted to renew this garage for deadhead time. That's where you just go and pick up passengers. This well would cost for TriMet and enhance transit service which segues into my next slide. This is my final slide. You see the two red dots. Those are located within the city of Portland. One at 17 and Colgate. The other I205 and Powell. Both garages are full and have no opportunity for more buses running out of them. We a strange scenario where you could ride a bus in northeast Portland and that bus could be coming from that plus garage in Beaverton which was shown with a yellow dot there on the map. What we want to do is move those buses away from the yellow dot to the green dot. Let the buses and the yellow dot primarily serve Washington county. They will accommodate expansion of transit services. Marty will walk you through the details.

**Marty Maloney:** My name is Marty Maloney with PBOT right-of way, for the need of property rights and if necessary to condemn it the property rights associated with the project.

Temporary rights from properties have been identified as necessary to construct the project.

It will also require personal property relocation from two separate files during the right-of-way phase, the project will provide relocation advisory assistance, as well as moving costs to affected residents. They have been informed for the need for these property rights.

They were invited to this reading, and this completes the reading. Thank you for your time. If council has questions, we're more than happy to answer those at this time.

**Hardesty:** Thank you both. I'm so glad you took that off consent because this is huge for the Cully community. Is how -- I know the Cully neighborhood. I know that -- I know the demographics of the community. This is impressive work, you put an L.I.D. together that is significant for the owners and the people that live in the community. I know we're getting late on the hour. I don't need all of the details but I'm curious because you did mention, Andrew, this was one of the biggest L.I.Ds outside of the city.

**Aebi:** I'll be brief, I'll make a couple of quick comments. This is not a residential the L.I.D, it is a commercial L.I.D That's one of the things that made this L.I.D More viable. I also point out that TriMet is paying the cost and they are the developer on this. So it was a good financial balance between existing and new property owners. And two other quick points before I wrap up. One is -- one thing that I think will be very beneficial from this L.I.D Is when they open up the columbia bus base, they'll have living-wage jobs for those that want to become operators and mechanics. They have had a hard time hiring for those positions. This is a great opportunity for people in Cully and other nearby neighborhoods to apply goes those living wage jobs once the bus base is open. Lastly, council heard presentation on asset management. We incorporated that into the L.I.D. The reason we're rebuilding 42nd it avenue in concrete, we don't want that to continue to be a maintenance issue over-time. We're spending more in the way of capital dollars now so it significantly reduces the ongoing maintenance cost.

**Hardesty:** That was helpful. My last question would be to we know whether this is going to be the electric bus terminal or are we going to have diesel guzzling buses in Cully because we already have enough pollution in Cully.

**Aebi:** I don't know the exact timeline, TriMet is committed to a time frame where they're working at a different source for lack of a better term for the buses. I'll tell you Commissioner, I have been working with pacific power and TriMet design consultant for their private development. We're looking strategically about, when buses get electrified, assuming they are, do we have a spot to put that real really heavy substation in? We gave thought to the grade of the streets. These are huge. You move them in on a crane. How do you get them in there? We're trying to design the infrastructure to be complementary to whatever decision and timeline TriMet arrives at. On a personal note, it is a pleasure working with TriMet.

**Hardesty:** I'm glad to hear that. I'm certainly looking forward to helping TriMet be more visionary on what's possible, because if we're making these investments and not anticipating us moving away from fossil fuel then we're missing an opportunity to do something significant. Thank you.

**Wheeler:** All right, any further questions? Is there any public testimony on this emergency ordinance?

**Clerk:** No, no one signed up.

**Wheeler:** Call the roll.

**Clerk:** Hardesty.

**Hardesty:** Good work, thank you. I vote aye.

**Clerk:** Mapps.

**Mapps:** I want to thank you for the presentation. I'm glad to see it move forward and I vote aye.

**Clerk:** Rubio.

**Rubio:** Thank everyone for the presentation, I'm eager. I vote aye. **Clerk:** Ryan. **Ryan:** Thank you for the presentation, thank you for educating me on alligator asphalt and dead head time - I lived in Eugene in the 80s so that had special meaning. I vote aye. **Clerk:** Wheeler.

**Wheeler:** I can't follow that so I'll just say aye. Thank you. This is going to spur much needed investment in this part of the city. I vote aye, the ordinance is adopted and we're adjourned until 2 p.m.

**At 12:11 pm, Council recessed.**

## 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. The official vote counts for council action are provided in the official minutes.

**September 22, 2021**

**At 2:00 p.m. Council reconvened.**

**Wheeler:** This is the Wednesday September 22 afternoon session of the Portland City Council. Would you please call the roll.

**Clerk:** (roll call).

**Wheeler:** Under Portland city code and state law, we're holding this meeting electronically. The city has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the city's channel 30. The public can provide written testimony to the council. The council is taking these steps as a result of the covid 19 pandemic and the need to limit in person contact and promote physical distancing. The pandemic threaten the safety and welfare and requires us to use electronic means. With that we'll hear the rules of order and decorum from legal counsel. Good afternoon.

**Matt Farley:** Good afternoon, Mr. Mayor and Commissioners. To participate in council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may sign up to talk about resolutions or first readings of ordinances. The published council agenda contains information about how and when you may sign up for testimony while the city council is holding electronic meetings. The testimony should address the matter being discussed at the time. Please state your name, your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. Individuals generally have three minutes to testify unless otherwise stated. When your time is up the presiding officer will ask you to conclude. Disruptive conduct such as shouting or interrupting other's testimony will not be allowed. If there are disruptions a

warning will be given that further disruption will result in the p person being placed on hold. All council meetings are recorded. Thank you.

**Wheeler:** Thank you very much. We have a couple of items this afternoon. First up is 703, a report.

**Clerk:** Accept report on Portland protests 2020 citizen review committee summary and recommendations.

**Wheeler:** We're going to hear and discuss findings on the citizen review committee crowd control work group. I want to thank the work group for their hard work to develop these recommendations. I want to take the time to thank Portland united against hate as a helpful starting point for this research and subsequent recommendations. I appreciate the work group members taking the time to briefly administration on these recommendations. I look forward to discussing them with my colleagues, the work group, and the bureaus. We'll be voting later to vote on the report. We're not taking testimony but we have received substantial written testimony. I want to acknowledge that the testimony has been dispersed to council and we've read it. Take it away, welcome. Good afternoon.

**Candace Avalos:** Hello everyone. I'd like to invite my work group to turn on their cameras as we get started here. If I could first start with some introductions.

**Yume Delegato:** Hi, I serve on the citizens review committee and also a member of the subcommittee submitting this report today.

**Mike Walsh:** I am part of the subcommittee

**Sylvan Fraser:** I'm a member of the subcommittee

**Taylor Snell:** Also on the CRC and a member of the workgroup

**Avalos:** All right. Let me go ahead and share my screen. We will get started. I dropped a link in the chat to the report which you all should already have had over the last couple of months since we dropped it. But just for reference. We're going to take you through an overview of report. We're not going to get into all the details of the 44 pages. This is a way to highlight all the take aways we want to review with the council. We're going to do some introduction and give some background. We'll talk about the survey and forum summarize that we held last year at the height of the protest. The goals and process we used to write this report. We'll go through our findings, recommendations, and next steps. All right. As an introduction, the

citizen review committee was created in 2001 to increase police accountability and increase public confidence in law enforcement. We serve on the crowd control work group that was put together years ago but came together last year during the prominent protests for racial justice. Through this process our work group assesses policies, training, tactics in order to make recommendations on best practices. At the height of the response to the murder of George Floyd thousands of Portlanders took to the streets in response to police brutality and the impact it has on communities of color. We as a work group set out to gather input from the community directly on what was happening on the ground through a public forum that we put on in July and an online survey that accompanied the forum and we had had had another survey later in September. The report is compiling this information to put together some recommendations based on our analysis of the feedback and review of the existing policies, establish best practices and legal standards. You met some of the folks here that are on this list of who put together the report. We'll mention that we have members of the citizen review committee and many community members that join us to help move the work forward. Definitely came in handy as this was a very big lift looking through a lot of data and needing to put together a comprehensive recommendations and findings. We want to lift up the community members that stepped up, Mike Walsh is one. He is going to present on a couple of things shortly. If you give me one second -- okay. Sorry. My slides were a little off. We'll start off with the forum summary. We're going to have Taylor take that on.

**Snell:** I'm not supposed to do that

**Avalos:** Sorry, Sylan.

**Fraser:** Okay. We held a forum on July eighth of last year. It was a two hour forum to allow people to participate under the circumstances. We had about a hundred people turn up from the community. A facilitator guided groups through five different groups. A blend of community experiences and thoughts and experiences and ideas of these four topics. We're going to go through the main highlights of each of those four areas. We heard a lot about tear gas from community members. A lot of what we heard folks express is concern that tear gas as a tool disproportionately effected large groups of people, especially people that were not participating in the protest such as homeless. Terror and fear was very pervasive in terms of what being expressed. Difficulty breathing asthma attacks, respiratory issues. People

expressed a lot of concerns of whether the gas was legal and safe to use on humans or whether it was wise to deploy tear gas during the height of the pandemic. People expressed a lot of concern about munitions. Significant injuries including bleeding, bruises, and burns when struck by these munitions. People talked a lot about the military look of armor as being impactful equipment being used in response to the protest. It set a tone for there being an expectation of conflict. Almost like a wartime feeling. Seeing the equipment that was especially part of the armored uniformed being intimidated or expressing a tone of combativeness because the protests were critical of the police response. I think there was a lot of perceived attention there.

**Delegato:** Thank you. I'm going to talk about some of the other themes we noticed at the forum summary here. I think the second most prevalent thing we heard during this July forum was a consensus that there was not much of an emphasis of acts of deescalation. Police were using force to disperse them. A couple people mentioned often times early on in the summer when police were less aggressively confrontational with protesters, those demonstrations went better and were more peaceful. Many community members expressed an opinion or concern that protests for all right groups or the proud boys were dealt with much less aggressively than black lives group over the summer. Targeting people of color and journalists. This was held before some of the tro's or restraining orders were put in place. Talk about lack of training, proportionality of force, escalation and de-escalation and people skills from the police response at these protests. I do think it's important to know that this is a snapshot of public sentiment pretty early on. We're going to see some of those opinions start to evolve and sharpen focus as we get to the surveys that came in August or September.

**Snell:** Thanks. The crowd control and work of force work group sought citizens perspectives through two different surveys. An initial one that ended on July eighth and one that ended on September 14th. Both invited citizens who experienced police activity to share their thoughts and expectations about police tactics and behaviors. The second survey contained more involvement and observations. Who was present at the protest versus watching over YouTube videos. The second survey was complicated by an influx of responses after the deadline that differed from the types of responses from the initial survey. Overall, survey responses indicated a desire for the following. As you mentioned a greater emphasis on de-

escalation techniques. Ending the use of pepper spray, flash bombs. Peaceful protesters who followed directions. Some in the responses asked for clarification or sought clarification on who has the authority to declare an unlawful assembly a riot and how police inform citizens of the declaration.

**Walsh:** Thanks. I'd like to talk a little bit as we get to the middle of our report about the goals and time line. We had four main goals coming up with this report. First was to make a report of the crowd control and crowd related responses by community members in calls for racial justice and systemic change which is highly relevant to this work groups area of focus. Another goal was to gather community members observations, concerns, an sentiments and process that information to form the basis of our findings. A third goal was against the back drop of leadership, chemical weapon researchers, our own previous reports including our 2014 crowd control report and experience. To translate our findings into implementable recommendations into policy practice to respect the health, safety, and rights for those engaged in protest. We want to see these recommendations adopted and followed. In terms of our process, this will be a little bit of repetition, you've heard some of it already. We wanted to give you an idea of the time line of our work. Starting in July 2020, we started listening to community voices. That's the forums you've heard about to process their experience at protests. We wanted to create a communal outline for our report and the first thing we did besides processing the forms was discuss ancillary information and other information including CRC reports. The members were tasked with different sections of the report based on their interest and expertise and after summarizing findings, we created recommendations in the following areas, de-escalation groups and findings. We called on experts to find a report. Two of our members worked to be content editors for clarity, consistency, and readability. We made graphs for the appendix and hopefully that's helpful for processing this information. We had a final finding and here we are where we present to you for action plan by the city council.

**Fraser:** I'm going to go over our official findings in the area of equipment use. These finings were totally informed by community feedback as well as our analysis of various practices and best practices. Chemical weapons experts and others came and shared their feedback and expertise as well. Our findings came out of all the information we were able to collect.



Community members commented on use of tear gas and munitions most frequently. Three major themes emerged which were lack of precision, indiscriminate use and lack of proportionality. Lack of precision what we heard about that theme mostly was use of force that effected individuals who had not committed the acts was used in response to. Something that hit the wrong person for instance. Munition striking people in the head which is according to policy not supposed to be where munitions are aimed ever. They could have been more precise or clearly communicated. Second theme of indiscriminate use for force and crowds. It would be the nature of tear gas to permeate an entire crowd. Different levels of activity or engagement or behavior. It also involved random deployment or deployment without any seemingly effect. Something like a thrown water bottle or folks yelling or simply refusing to disperse, there was a perception of these behaviors was not proportional. The use of batons of individuals already on the ground. When someone is already subdued or restrained seemed disopposed to proportionate to folks. Officer safety being used as a justification for force. Officer were received to be well armored and protected and community results were physically at risk from the weapon that's were being deployed.

**Snell:** I'll discuss the de-escalation findings. Majority of community members indicated a strong desire for Portland police bureau to enforce this in lieu of force or violence. They didn't observe Portland Police bureau use de-escalation. Responses regarding de-escalation included themes of miss communication, deliberate acts of de-escalation and specific acts by some police officers of de-escalation. Some responses with protest leadership, having police remain at a distance, targeted removal of agitated individuals. Empathy and humanity instead of uses of force. There was a lot of desire for clear defined rules of engagement, clear warnings before there was a use of force. A lot of frustration with conflicting orders. There's a theme of escalating acts. These were actions taken by PPB that made violence more likely. Charging and rushing individuals including those trying to leave a protest, military appearance. A lot of people felt that communicated or signaled an expectation of violence. Riot declarations were seen as escalating tensions with protestors. Seizing community members property. The deescalating acts, one thing we heard from people is Portland police bureau's decision to withdraw or stay away from a protest base, we heard that. None of the responses we heard discussed that in terms of protest or counter protest it was in response to

first amendment demonstrations. Removing agitators from a protest crowd. Seeing bicycle officers posted around not in riot gear and not holding a line in front of protesters. We heard reports of officers helping find lost items or generally being helpful, that was found as being deescalating.

**Delegato:** All right. Moving onto our findings with regards to bias and training. There were four categories of feedback that we received from community members on this front. Three of them were present in both the community forums we held and the surveys. The fourth minority opinion came out predominantly in the later survey results that we received. Probably one of the largest areas we heard complaints from community members were with regards to racial justice protestors. This came through both anecdotally talking about things they heard from officers and generally in terms of treatment and perceptions that ppb has a bias against racial justice protestors and responded more harshly than other protests. Hand in hand with that in a bias in favor of right-wing groups often people would cite people's willingness to march uninterrupted communicate things with them that were not necessarily done with some of these racial justice protests. It's worth noting that ppb often deploys different tactics. They experiment with disengagement. If you're only doing that at certain right-wing events and not at other times there's going to be that perception. People also complained by bias against race and against the press raised concerns. People of color or black protestors were targeted at higher rates and deployment of munitions et cetera. People with limited mobility or wheelchairs were being arrested at a much higher rate. We have seen in the court system some of these concerns not being treated fairly by officers especially in the pr discussion. Lastly, in the surveys we did have people push back on some of these assertions. There's often, you know, a sense of the ppb doesn't have these biases or they are doing their jobs very professionally. I would say that was not the holistic feedback we received. There were a number of people in the surveys that either said that the police displayed no bias or in fact were biased in favor of racial justice protestors. Some people said protestors were given too much lee lay and property damage wasn't being assessed. This was a smaller subset but forms a minority opinion.

**Fraser:** Now that we've gone through our findings we're going to go through our recommendations for our report. Hopefully those of you who have read the report the

recommendations as articulated in the report there's a lot more detail in there. This is really just an overview, we encourage a deeper dive and questions as part of this presentation. As far as equipment used our top line suggestions are transparency for what is used in crowd management. Part of where this came from is related to our equipment use findings, the feeling there was a lack of proportionality. A common feeling that was expressed that there was either not sufficient justification for a use of force when it happened or we heard from folks that they might not understand what an officers justification was if people couldn't see what an officer had had seen. To the extent that would be case, we would really encourage reports be released to show what that rational was. One thing that was concerned that we noted in our report is one of the quarterly reports is the reports that were available over the summer and many were missing due to not being completed. The after-action reports that were there were formulaic. We think that contributes to this lack of knowledge or lack of feeling of transparency and proportionality and maybe this can be addressed through transparency through these events. A stricter standard of indiscriminate harm or individuals gathered in crowds. Related to the recommendation that has to do with fact that folks felt so pervasively that weapons such as tear gas were affecting everyone to the extent that someone in a crowd was behaving in a way that required intervention, most are not. It's wrong to subject a crowd's worth of people some who were not even engaged in the demonstration. Mitigate the risks to public health and the environment in the event of a chemical weapons use. Making a permanent ban on cs gas as well as other chemical weapons. That will be on the next page. In the event that they are used at all. Folks felt it was important that public health as well as the environment be taken into account the risk to people and animals and wild life and vegetation, inform people of risks and do proper clean up, things like that. Clear and detailed guidance that establishes what levels of force are permissible that may arise on the course of crowd management. The idea being that especially now that the public and ppb have seen and experienced many instances of protests and crowd response by officers, it seems like there should be emerging ideas about what people might expect from each other on any given side and that these things can be accounted for and anticipated based on experience an guidance could be written so ppb can have more centralized, standardized guidance. If someone throws a water bottle what is the

acceptable response. Versus something that is a more genuine threat to officer safety. What is the range and threshold. It would increase trust and transparency and accountability. Finally making permanent ban on the use of cs gas and ppb chemical weapons. That's it for our summary of equipment use recommendations.

**Snell:** I'll talk about de-escalation recommendations. The first one was to facilitate movement of people in crowds at protests instead of having protestors met with a protest line. There was this dynamic of protestors coming up against a line of geared police officers that was seen as creating a higher risk for violence. The less lethal munitions and used to target groups. Use of tear gas deployed against a group was seen as a de-escalation act. Force as an escalating act. It's come through in our surveys and responses that there's a pattern of trying to escalate protestors in an effort to contain it. As we've seen over the last year that -- I don't know if that's a successful strategy. To adopt an out of sight response, examine necessity of a large visible police presence. This out of sight response was not counter protest type dynamics. A lot of what we were hearing was from first amendment demonstrations. Prioritize clear demonstrations over the speaker system. To have an incident commander say this is lieutenant so and so, we're going to be moving to this side of the road and clear this lane for traffic. Giving those clear timely, in realtime instead of having the repeating this is the Portland police bureau message. It would help folks be able to comply or help to deescalate crowd tensions. Having officers have casual interactions or aid with protestors and a less threatening police presence like having a line of police officers on bicycles versus a line of police officers would put minds at ease and also to build trust. Next one is to adopt a soft close protest response which is to say not for ordinary patrol uniforms and clothes that doesn't convey combat especially when violence hasn't happened yet. We heard over and over that folks would come to have their voice heard and saw police standing in full riot gear and that in itself was escalating. The soft clothes could help facilitate easing tensions.

**Delegato:** Thank you. Lastly moving onto our recommendations with regards to minimizing bias and improving training. One of our biggest recommendations is that we increase both training and frequency of anti-bias training one of the things that has come out in the last year is a lot of of ppb's crowd control training is tactics and deployment of munitions. Making sure there's another component there and a holistic response is very important. In a similar vain

we recommend the training we offer is viable by the people that it's supposed to improve the experience of. We also recommend that all bureau applicants and existing employees be assessed for harmful biases. Make sure that we're not fostering a biased environment within the ppb. We would also encourage the bureau to develop de-escalation training that's aligned with the new york police department model. We've seen great success with that in other municipalities and Portland continue to explore those options. Going on, this is a little bit more of a catch all, we recommend provide officers learn and provide necessary skills. Not necessarily just the mechanics of the munitions that are available to them but looking at what's going to provide the best outcomes at these protests. Officer wellness training throughout the bureau. A lot of times there's perception that police oversight is putting the micro scope on police officers. Making sure we have a healthy functioning police force as well. There was a perception that I agree with that putting these officers on the line for hours and hours day after day not going to put them in a position to provide good outcomes. We reported public training policies and procedures to the public before implementation. We want to make sure that the training that is offered is considered to be useful.

**Avalos:** Thank you so much team for outlining our findings and recommendations. Now I'm going to go ahead and take us through what we believe are some next steps. City council accountability. At our core at people that sit on this committee, volunteers, members of the community, seeking to hear from the community their experiences, we feel there's a need for the city to publicly acknowledge the harm that was experienced. As we were reflecting what we wanted to communicate, we felt that was a really important message to send to you all an encourage some of that accountability to recognize harm and name it. Number two, city council official vote. I know mayor Wheeler you mentioned that you all will be taking some action to take in our recommendations in our report. We support having some sort of official motion and vote and commit to taking action to commit the recommendations we're putting forth. No. 3, pursuing DOJ compliance. We recognize the DOJ settlement is very very complicated. I am one of the very few not lawyers on the crc. I'm not going to pretend to know all the intricacies of compliance. Adopting some of our recommendations could help the city get back into compliance with the DOJ. There's an opportunity to encourage DOJ oversight on this implement aches and we want to open that discussion with you all on how

to drive and support action on our proposals. Number four, improving ppb directives. We have, along our process and mention earlier when you look in the report we pulled out specific directives and definitely encourage you to look at those details provided and we would like an analysis of those directives and the recommendations coming from that. Some collaboration from the city on implementing that. We work super hard as volunteers and also have day jobs. We want to remind the city that we're here as an advisory body and are here and dedicated to put in this work. We need that support of personnel staff time perspective to help us in figuring out the path to implement some of these directive changes and would encourage you all to commit to that. That leads into number five which is a clear path forward. We're volunteers who dedicated a lot of time and energy to communicate the communities needs. Put it through our lens of of policy and police accountability board of the CRC and bringing it to you all seeking a clear path forward towards those solutions and validating this work and community voices in the process. In summary we just wanted to conclude in wrapping up how this process came about. The first step in listening to community voices and wanted to help the city council understand the community response to racial justice. Our report compiles community feedback a review of existing policies established best practices and legal standards to inform what we believe are community centered solutions on those issues. Now we are at the phase of asking city council to take our feedback and act on it to collaborate with the CRC and directives and responding to protests. Lastly, I just wanted to have a little narrative to talk about the fact that the crowd control and use of force work group really learned a lot as we listened to community voices during a really pivotal moment in our nation's history and Portland specifically as a racial justice grew to answer for the historic and current challenges the community faced. We worked to compile this report in our way to contribute to solutions as committed leaders and volunteers on the CRC. Portlanders show up on the streets to show they are compassionate about making change within their community. What Portlanders suffered last year. There are many more challenges ahead and we have no more time to waste. Thank you so much for listening to our report and your attention and the state commitments you've already made. We look forward to hearing further how you will commit to this work and finding the intentional solutions that our community needs. We'll open it up for some questions and I'll stop sharing my screen.

**Wheeler:** Very good. Colleagues. Thank you for the presentation.

**Mapps:** I have a handful of questions. First I want to thank this panel and committee for their really thorough work on a very important topic. These sound and compelling recommendations. I thought your presentation was great. It did inspire some questions. I would like to throw out there and have a discussion about. They are -- I'll throw some out there and engage with them. First I was drawn to your call for some sort of analysis and mitigation when chemical weapons are used. I'd be curious to see if the committee has any recommendations on what that system would look like. I'm the Commissioner in charge of this, we have been doing analysis of chemicals that make it into our sewer systems and waterways. That makes sense. I feel like you're calling for something more. We have been doing that. What else should we be doing that we haven't been doing and what would that look like?

**Avalos:** Thank you for your question. I think that there are a lot of things in our recommendations that are partially being worked on or there have been conversations that are happening. I don't think was our intention to say all of these things are not being done and must be but to give you a holistic perspective and our feedback on next steps. We agree that there has been some analysis done and we're contributing to that and reinforcing that. There are human and environmental impacts of those chemicals. The community was concerned about that. If anything, working with us to share some of that research. We don't know all the happenings of what is going on and would love your collaboration to communicate that back out to the community as well.

**Mapps:** Great. I want your committee to know that I take toxins in our waterways very seriously. We've released reports on what that damage looks like and we will continue to do so. Another question that I have is -- and history continues to march forward, I believe in the last legislative session they passed a set of rules that restricts the use of force with tear gas and flash bangs and whatnot. I was wondering if the new state laws accomplish some of what you're trying to do, what you're calling on council to implement.

**Avalos:** We're waiting to see how those will be implemented and reflected in the directives. How we can look at the impacts on the language that we've outlined. Some things were

addressed by those. Those are brand new and need some time to process those. With our collaboration and sharing this feedback, we can do that. Definitely there's overlap.

**Mapps:** I would love to see what the legal landscape looks like. Just out of curiosity. I believe we had 177 nights of protests. Did your committee find any parts of the protest that were handled well.

**Avalos:** There were some examples of good approaches. Some protests where there was that out of sight strategy that was occurring. We had our forum on July eighth. Our survey shortly after that. Another one on September 14th. We're communicating to the best of our ability. There's definitely going to be some missing gaps. You'll see in some of the areas where we describe and break into categories. What are the things that were positive and we like and want to keep. There's some good data that we can point you towards as well.

**Mapps:** So we can focus in on those and see what we get on those particular nights. Staffing or tactics or whatnot. Lots of great recommendations of what we shouldn't do. A lot of this report is what we shouldn't do anymore. One of the things I'm trying to figure out is how to organize public safety responses that feature protests. Another one of your recommendations was the call to put cops in soft clothes. I hear that. The hard clothes are intimidating. I'm curious if you looked at the number of police officers who were injured during these protests. I don't have that data in front of me. I see online that the feds claim 144 federal officers who were certainly in riot gear were injured. One of the things I'm trying to figure out is what situation should we have them in protective clothing and what situations should we send in --

**Avalos:** I'll start sharing again. Yes, we recognize the nuance and the fact that officers have a specific job to do. There are particular things that can put them in danger. Of course we want public employees to be protected. The nuance is type of situation and response that the situation requires. Having a strong analysis of that and deciding where is ppb putting their energy and resources and showing up to certain spaces. That's what we're talking about when we discuss that. We recognize there needs to go some strategy on how we go back that. The very beginning of these protests this was a global showing of solidarity a really peaceful and joyous way and were immediately met with confrontational looking armor. That is escalating. A protest of global solidarity has just begun maybe not roll out the big guns.



**Snell:** If it's helpful too, the phrase soft clothes is a particular mode of crowd control and that recommendation absolutely recognizes that officers can be harmed and have been harmed at some of these protests. What our recommendation is if you show up looking for a fight, that escalates. If you show up in gear looking like you're ready to combat, that's part of the escalation of the crowd when no violence has been done. There's not these responses from the crowd that warrants some use of force, that puts both officers and protestors alike at risk. I think starting with the soft clothes and what that can mean too. Some of it was they just had different equipment available for them. Some of them they do have the actual uniform and body armor underneath they can use. That could be helpful. These are police officers here to facilitate first amendment speech. We're not saying that police adopt soft clothes if something goes full riot and putting them at risk of being hurt. Showing up in full riot gear escalates and putting everybody at risk.

**Mapps:** That clarification helps quite a bit. I have one more question and create space for my colleagues. One of your recommendations was to facilitate the movement of people instead of something or another. I don't actually know if I know what that means in the real world. Can someone tell me what that would look like?

**Avalos:** Yeah. A lot of what we heard especially when it came to communications that were very conflicting. The purpose didn't feel clear. Protestors are marching down the street, you can't march down this street. They are being met with a line. You see a line of people, that's a hard stop. That feels like, oh, this is a battle. Figuring out how the police are deciding, what are the decisions for where they believe protestors need to be. Do they get to decide which streets get to be walked down and which shouldn't. If so, let's communicate that. That line creates a confrontation. We're standing on the sidewalk an ensuring that people are not engaging in violence or whatever. We're not meeting them with some arbitrary line that there's no clarity as to why that line or that access needs to not be accessed. Does that make sense?

**Mapps:** Yeah it does. I would love to dig through that more. I'm not an expert on police tactics. I hope that's something we can implement. I want to thank everyone for the dialogue. I learned a lot. Keeping the people of Portland safer. I'll be quiet for a while so my colleagues can speak.

**Hardesty:** I want to thank CRC chair and her vice chair. I want to thank each member of the committee, you are the hardest working volunteers for the city of Portland that people have never met. You are called into places where trauma has happened and you are tasked with helping us ensure that we mitigate, eliminate, reduce trauma, both for police officers and community members who interact with them. I absolutely want to start this conversation by saying thank you. I also want to thank you as a volunteer group with no budget for actually developing a way to engage the broader community. It's unfortunate that we have so many excellent volunteer advisory committees that have one way communication with council. I want to answer one of your direct questions which is will we adopt your report. Our acceptance of your report does not mean we've adopted your report. We've accepted the fact that this is what you've presented to us today. In order to get policy movement we have to do other things. I don't want anyone either CRC members or the public thinking that us saying yes today somehow -- we've seen the light and are moving in the right direction. Having said that, I think you have provided some real vital information and you've reaffirmed some of the information that we received from both the interdepartment of justice civil rights division. It's important that as we make decisions about how we invest limited resources that we take into account your policy recommendations. There are different places that are at work even as we speak today where your voice is really critical. I hope you will show up at the next status hearing with judge simon. You were there before and were eloquent. It's important that the judge understands how many community volunteer effort goes into transforming the city of Portland. Two, we'll be talking about a process where we have to weigh choices in how we invest limited dollars. I know there's a divide on council about where those investments would make the most sense. There are things you have brought up today that I'm absolutely -- I think the city is it have an obligation an responsibility to fix. For example, I also want to know what is the short term and long term impact of all the chemicals that Portlanders inhaled last summer. Mostly at the hands of the Portland police and at the hands of federal government. As a city, we have an obligation. We need to step up and give the community answers as to what kind of chemicals did we spray into their homes, neighborhoods, parks. What are impacts short term and long term. I also really want to lift up a program you talked about, mod son model. I've talked about the mod son model with about ten police chiefs in

the time I've been working on police accountability. They all listen politely and we just continue to build what we build which is a heavily armed force. You are a vital voice into policy making as it relates to police accountability. I also want to say that I know that the amount of hours you work for free are just disgraceful. As we begin to imagine what a new accountability system looks like, I also will need your help and the community will need your help because you are many of the community experts who have been looking at this from a community perspective for a long long time. I think we need your help but what I hear from the police is well if we can't tear gas people, we don't have any other tools except our guns or hand to hand combat. We need an answer to that because I don't believe that's true. I hope that's not true. I hope there's more training that happens between tear gas and a deadly weapon. I know we're going to need your help as we're putting together the new oversight board and whatever assistance I can give because I think your recommendations are really good. I also want to say we're doing a dance wrying now. As you may all know we're in contract negotiations with the Portland police association. We're attempting to get back in compliance with the department of justice civil rights division and in the midst of a gun violence vice is that the city of Portland has never seen in its history. People are interested in short term immediate solutions to very long problems. I want to end with where I started which is I just want to thank you, thank you, thank you for the work that you've done. I did want to ask a question about, I want to ask a question about what your history has been with providing these reports? You talked about your 2014 report on crowd control and alluded to the fact that many of the recommendations that were made either would have allowed us to continue to be in compliance with the DOJ settlement agreement or move the ball on how to be -- to do crowd control appropriately. That was 2014. We are now in 2021, why do you believe that there's been no movement on those recommendations up until this point?

**Avalos:** Well, I don't think there's an easy answer to that. The obvious answer is there's not good communication between the advisory boards and the leaders that have to make those decisions. We're trying to build that bridge more strongly. We had a 2014 crowd control report. A 2018 report. Collaborate with leadership to see those things through. We're here and committed and ready to show up in any policy spaces you ask us to be and share what we've found and help crack the solution. Would welcome your direction on that.

**Delegato:** One of the things we saw was an emphasis on the easy changes that ppb could effect really quickly but not necessarily a real thoughtful analysis on the more meatier things. Lack of announcement that is factored into the crowd control directives. Not necessarily thinking about whether that's a dynamic response on the ground. Sometimes there is compliance. One of the biggest things they suggested was that officers make sure that federal bureaus were also following the same guidelines that ppb followed too and there's consistent communication. That's clearly something that wasn't tackled. Not for lack of interest, it's probably a more difficult thing. I think also doing what hard an important.

**Walsh:** I want to quickly add that the issue is attitudinal with the police. It's an us versus them. The whole beginning of it was as protectors of free speech, constitutional rights et cetera. I think we can also look at Portland State University police who revolutionized their approach to police September 1st going not armed. There are ways to do it and we can reach out to our partners.

**Hardesty:** As a former Portland police officer Kevin who is leading the de-gunning and the de-weaponization of Portland state police officers. I think that was -- you're absolutely right. He is a local and retired as a chief until the Portland police bureau. We have the expertise here if we're interested in that kind of visionary thinking. Thank you. I wanted to respond to Commissioner Mapps who asked when you have seen the police do something right. When the proud boys came and decided to protest downtown Portland. The reason that was so successful, yes, we had a lot of notice. The mayor organized a space, it spoke we did not want hate here. The police strategy that I thought was brilliant. They did not have to be aggressive. Sometimes would you see the riot clad people showing up in the truck. I would hold my breath. Saw all of this from the command center because I wanted to see it with my own eyes. There was clearly a command given that told the truck to back up. Somebody made the decision that they didn't have to use force. I saw that repeated several times. I actually publicly applauded Portland police bureau, the police were beat up because they said they were treating the white supremacist differently. That was the best strategic decision that could have been made. There are times we're very thoughtful and intentional and work collectively with a broad community coalition. That was one of our finest hours. We haven't

had fine hours on a regular basis. That was a day that everything work. The command staff worked and there was minimal harm. .

**Ryan:** First of all, well done. Thank you. That was a great report. However, I feel like I could have heard that report in the eighties when I lived in -- and in the nineties. One thing I was struck with, I saw it in my summary with police bureau leadership, the optimist in me wishes they were here. Tell me how the dialogue went when you met with the police bureau.

**Avalos:** Thank you Commissioner Ryan. The heavy emphasis of our report is sharing community voices. Along the way, we had a couple of meetings where we invited ppb leadership, they would attend and talk about the strategy that was happening. We had questions we had given the Portland police. They responded to those. We had discussions in our committees. Those are discussions i'm talking about. As you know, we have a group of people from different police advisory boards that meet with ppb leadership along with your staff to talk about all of these things as well. That part, I of the chair par took in those conversations and brought them back to my committee. I would say the majority of our report is lacking at previous information, community voice, best practice, and have some of that ppb leadership in there. I would definitely like to see in this next phase as we look to implement some of these things there's more collaboration with ppb on seeing what are the areas that are being worked on and what is feasible. We're prepared to have those conversations.

**Fraser:** There were several points in our report where we reflected something we learned from ppb leadership but didn't expressly say so. I'm thinking of the presentation we received on weapons. That was quite a detailed presentation that were in use in crowd control situations. The triple chasers that I had seen in person but didn't know what was being shot at me. The triple chasers are designed to break into three parts and roll fifteen yards apart from each other. That seems like a weapon that is imprecise by design. Our equipment use findings noted that some of the weapons and tools used in crowd management are imprecise or indiscriminate. We didn't necessarily say in the report we learned about this type of weaponry from ppb leadership and that's how we found out about this. I'll stop there for now.

**Ryan:** I'm comfortable with fact that we're in conflict with the survey, the report, the police. In order to get resolution we need to get dialogue fluid. There's more engagement aside from

the report. When I was looking at page 36 and the demographics it was optional. It would have been helpful to have more clarity on who actually took the survey broken down by demographics. What protest did you attend, of course racial. Am I missing something? Is there more demographics that I just couldn't find?

**Avalos:** You're right, we weren't able to collect that. We made the decision not to require those answers. We didn't want people to think that it could get tied back to them. It was incomplete data but we were able to get some snap shots..

**Ryan:** I understand the sensitivity. It would just be so helpful.

**Hardesty:** If I could step in for just sec. You have to remember the conditions. I don't think you understand the why demographic was not included. This is not about normal studies. People were terrorized. When you are terrorized you're not willing to give out their information. I'm grateful that the CRC has the reputation that people are willing to talk to them. Nothing against you, but this is people's lives that were in danger.

**Ryan:** I appreciate that. I think it's a longer conversation. We need some ph.d.'s to study it. It's helpful to have anonymous demographic information. Trying to protect that is a big deal. That's all. It helps you get a better sense of what perspective we're trying to go put together when looking at a tense situation. Your point was really well taken. I wasn't trying to be insensitive about the privacy of the people, as much as just getting better depth of analysis.

**Rubio:** I just want to echo what my colleagues have said. This has been a great conversation. I appreciate the frank conversation as well. I want thank the chair and the CRC team and the many community members that gave input to making this report a reality. It's clear there was a lot of the thoughtful work in this and thoughtful recommendations. There's some aligned ideas that have been present in some of our own conversations as well. Having an analysis of this kind is similar to the recommendations that I think of when I think about when psef presented to us to help us think about solutions. These representations seem aligned in someplaces at many community tables. I would be interested to know if you have or you are coordinated with psef or other reflections with reimagine Oregon table or any areas that you have planned in the next area of your work.

**Avalos:** Absolutely. The training advisory council, psef and CRC have been in close collaboration for over a year. We've had loose collaboration over the years but strengthened

that with everything going on as it relate it police accountability. We started meeting regularly. We formed that police reform task force as well as ppb. You'll also notice that for example, the psef is about to pass a resolution that supports our report so they -- we have all agree as bodies as we produce our own recommendation that we support each other, definitely we've been in collaboration an continue to be and would love to hear how the city wants to help and join in our spaces that we're creating and help those conversations be more productive and ending in solutions that are actually being implemented. We welcome any ideas that you have on that.

**Rubio:** Thank you for that invitation. We would love to be a support wherever you can. Thank you for all of your work. It's clear you put a lot of time into this. Thank you for reminding us that these are meant to be active recommendations and to keep the work going forward.

**Wheeler:** I'll jump in here. First of all, I want to thank you and our standing meetings an the opportunity to go through these in more depth. I appreciate that time we spend to go. I want to thank the community for the incredible amount of effort that went into this. There's a lot of recommendations that are very good. Some of these are in fact under way. The training piece is absolutely critical. The de-escalation piece, questions about implicit bias as you know training is now required. Conversations going with the DOJ as part of the settlement agreement around enhanced training an potential role of public participation in that as you had highlighted here. I think that's important. The importance of communication both in terms of clarity of communication and consistency of communication, that's critically important. I'm glad that was called out as a specific aspect of this report. I know that's something the bureau has been working on. The wellness of our employees I want to thank you for including that recommendation. That's a significant issue. It's an important one. I appreciate that you were balanced in your approach with regards in not only the changes but also the responder supporting the people who are in the police bureau in terms of their own wellness an well being. A couple of things I just want to point out. Number one, we have already made good strides towards the fundamental reforms. You've heard a lot about whether or not the police are always the right responders. The police response program being led by Commissioner Hardesty. I'm interested in the expansion of the 311 system and other types of responders. There's the question of restaffing. That includes hiring, we may

have disagreements about the correct number of police officers but there's no disagreement that we need to hire the right people and train them well. And make sure they have the resources, tools, and training to be effective in their job and address the fundamental tools you mentioned. We had a chance to talk about this in our last standing check in. That's the issue of mutual aid. I'm glad Commissioner Hardesty mentioned the now two years ago -- actually it's three, protest where we had a significant presence of individuals coming from the far radical right from out of town. We were very concerned about what that might lead to. We had significant mutual aid for that event. That meant we had the state police, county sheriff's deputies, several municipal police bureaus working under the leadership of the Portland police bureaus at that event. We had a network of rapid response vehicles throughout the entire area. They were able to quickly get to flare ups before they became more significant. Having watched that up close and personal that worked really well. The mutual aid system needs tremendous support right now. Relate today that is the recent passage of house bill 2928 by the state legislature that was signed into law. That does, we believe, significantly limit the use of non lethal munitions but we don't know pending interpretation by the state attorney general exactly what the limitations are created by the house bill. We're not the client, the state police are. Law enforcement all across the state are waiting eagerly for that interpretation from that state attorney general. When that comes down, that will give us a better understanding of what is and what is not allowed based on that new legislation. That may address some of the issues raised in this report. In regards to chemical munitions it's been over a year and a half or close to it since that ban was put into effect in the Portland police bureau. There are narrow exceptions to that ban. The reality is I'm told at least as of two weeks ago that there has never been another use by the Portland police bureau of the CS gas since that time. At the time that I implemented that through executive order I also tasked the bureau of environmental services to do a study to look at the impact specifically on our drinking water and also the ground with regard to the constant use it seemed of various munitions not only by the Portland police bureau, the state police, the feds. We had limited information at that particular time about the environmental and health consequences of prolonged use of those munitions. That certainly effected my decision to put that in place



until we had more information. I want to thank you all for the hard work that obviously went into this report. I look forward as always to our next meeting.

**Hardesty:** I move acceptance of the report.

**Rubio:** Second.

**Wheeler:** Being no further discussion, please call the roll.

**Hardesty:** I do not want the good work that you've done to sit on somebody's shelf until your next report back to the city council. I would encourage you to present this to the rethink Portland committee when appropriate to do so so it informs the work of them putting our first community oversight board together. I know how much material you have to read in preparation for anything that you do, I just want it say thank you, thank you, thank you. I vote aye.

**Mapps:** Like Commissioner Hardesty I want to thank everyone today for this important investigation. You are certainly informing me and educating me as we grapple with one of the most challenging problems the city faces. I look forward to working with you on these ideas. For those reasons, I vote aye.

**Rubio:** Just my appreciation for the work on top of your regular lives. I vote aye.

**Ryan:** I appreciate the dialogue we did a little earlier. I like you reminded users this is about a city and a democracy knowing how to defend first amendment rights. It's so foundational. Aye.

**Wheeler:** I want to thank you for the report. I vote aye. The report is accepted. I believe our next item is number 704 please.

**Clerk:** Accept the net meter revenue policy report and amendment revenue allocation policy.

**Hardesty:** Thank you, mayor. I move to disconnect the emergency clause from this measure.

**Wheeler:** There's a second from Commissioner Mapps. Any discussion. Seeing none, please call the roll.

**Hardesty:** The reason I'm presenting and taking off the emergency ordinance declaration is because some questions have been raised that I hope will get answered today and then be able to continue to vote next week. I want to make sure all our colleagues have an opportunity to know what we're doing and how we're doing it. I vote aye.

**Mapps:** Aye.

**Rubio:** Aye.

**Ryan:** Aye

**Wheeler:** I vote aye, this is a non-emergency ordinance and this is now a first reading.

**Hardesty:** I'm going to turn it right over to the able PBOT leadership to present this item.

**Art Pearce:** Good afternoon mayor and council. With me today is the project planning division and other pbot staff in case questions come along. Before we start I do want to apologize for how long it took for this council item to come back and acknowledge that led to frustration among some key stake holders who are very interested in parking district and parking management. Apologize for that. Hoping this can be part of a greater speed and haste in parking management.

**Mauricio Leclerc:** Can council see the slides? I can share screen.

**Pearce:** We are here today to provide a summary of a policy review for net meter revenue. The bureau of transportation worked to refine a set of policies for a comprehensive framework for all existing and proposed districts to provide consistency and transparency and decision making in alignment with policy making goals. PBOT is proposing some changes to the parking meter allocation policy. These include a variety of changes that you've received as an exhibit. Small instead of general policy changes. Real indication approach, clarity around eligible expenses for net meter revenue. Reaffirming community involvement for the real indication process for those districts. Where did this come from? In 2016 to 2018 pbot worked with a variety of stake holders for a parking management update manual. During that process stake holders raised concerns about the different approach about parking management and funding allocation in downtown area versus other meter districts. We wanted to see a revision in that policy that may have shifted. That wane a revision so at that time Commissioner directed to issue a directive to staff to develop a review of our parking management policy and to come back with some recommendations. We're here today to bring back some feedback for the progress of that work. What is that meter revenue? It's the money that we collect from the parking meters. Less the cost of operating those meters and set aside for the replacement of those meters. That is the net meter revenue. Parking meters are part of our suite of management tools. It's a very important part of that process of managing growth in the central city as well as other districts. There's a history of it being challenging to create new

metered districts. In 1996 city council approved an approach that for new meter districts we would be allocating fifty one percent of the revenue in those new metered districts back towards those district areas. That's a key component of this conversation today.

**Ryan:** Can I ask a quick question on the last slide. Parking goes into meters and operations and maintenance set aside - define what operations and maintenance set aside.

**Pearce:** That would be the staff that go out and clean the meters, replacing broken parts that issue paper tickets for your windows. The operations of the meters themselves.

**Ryan:** Very specific to the meters.

**Pearce:** To the meter process. They need to be updated and repaired periodically. One of the key questions that will you hear from some of the stake holders is how does this relate to the money that PBOT spends more broadly. The distribution of PBOT spending per user. It's able to show us house holds and employees in those locations. You'll see there's a strong allocation of PBOT resources directed towards the central city. We want to make sure there's clarity there for sure. In particular, it's a reminder of how much work we have yet to do to make sure we're allocating adequately to east and south Portland to have sufficient infrastructure and growing needs as more population moving to those areas as well. In very recent history during a pandemic PBOT has been incredibly busy primarily in downtown. The city in motion plan. We just opened the bridge. Very soon we'll be placing the sullivan's bridge into place. Fourth avenue is a variety of important downtown transformative investments in support of us having a vibrant downtown. Central city in motion focused in on a series of transformative investments focused on cycling, walking, and transit. The red lands are part of that. The changes along flanders bridge create an accessible downtown for people walking, cycling and taking transit.

**Leclerc:** Thank you. Good afternoon council. We were hoping to have Francesca Jones present. She had a baby, she is out on maternity leave. We're very happy for her. We want to acknowledge the great work that she did. Basically why we do parking meters basically, it's not a new idea. It's very hard to implement. The first time Portland implemented meters was 1948 before that we had policemen do the enforcement. People park there all day long and the retail folks decided we need that space to be able to serve our customers. We began to acknowledge need for parking management. It was a great solution at the time. Since then

we have expanded it to downtown parking districts to what it is now. It has been expanded as central city has expanded. That area in pink people would park there and not pay the meter and cross into downtown. In 1996 the city council developed a policy to incentivize other areas to address their parking needs. A key element of with that was to create a committee to help manage the change and allocate the majority of the net meter revenue to be spent back into the areas for transportation improvements basically to help break the tie changing to parking -- improvements around the area. That's a key distinction because downtown is way before. You can see on right. We thank them for their participation. We had a series of workshops in which we debated the merits of with a downtown stake holders wanted and we learned what's working and what could be improved. We heard from potential, nobody was saying we need a meter district here. From potential areas what's important to them and how would they feel reacting to some of these changes. We conducted with consultants best practices research that basically said we're pretty much doing a lot of the good work and leading some of this policy work. I confirm based on that and what we heard from stake holders we don't need to make a lot of changes. We have a careful balance among stake holders about thousand manage parking and the use of parking for now and for districts. What we have before you are basically recommendations. One slide for each of these bubbles here. I think that's the end of our presentation. For the downtown, we heard their concerns. We're in the in a separate community we're committed to improving ways as part of their regular budget process. Also some of the ideas like exploring transportation management options which was popular with some key stake holders. We acknowledge in the document and will pursue that in other means and explore ways to continue funding in transportation projects we have several needs in different areas of the downtown. For meter districts basically we have city council mandated processes we want to honor that and they are working well. We have standing committees. We want to continue the 40/60 split. It signals a partnership. Retroactively we've been doing area transportation plans. Basically we developed transportation plans so we know what the transportation knees are we have the technical backing and we have the projects in which to manage revenue. We want to maintain that incentive. We would initiate for each of these areas an area plan for improvements for participation and council approval. Finally something we heard is a great idea city wide. Sometimes it takes a while to collect the

funds for projects as needed. That's basically the summary of what we are changing here. Not a lot of radical change but fine tuning of what is working.

**Pearce:** We are available for questions and can move onto testimony.

**Wheeler:** Any questions at the moment. Did we have anyone sign up for testimony?

**Clerk:** We did have people signed up and there are four people on the call.

**Kate Merrill:** Hi Mayor and Commissioners. I'm the executive director of central east side industrial council. I would like to acknowledge Francesca Jones for all the work she did on this policy. She takes the time to listen to community members. All the funds generated in the central east side stay in our district like for the bike bridge and management. These funds have been essential by matching and paving and cleaning the right of way. Eighty thousand bags of trash. We reached a record high of one hundred thousand pounds of trash. The pandemic has created a major trash problem throughout Portland. Our work with trash for peace and central city concern. None of this would have been possible without the permits or revenue matched for funds. We have been able to quickly ramp up our program. We thank PBOT for adding clause for cleaning the right of way for net meter revenue funds. Keeping it walkable, drivable, so our neighbors out side can live in dignity. We ask that you add to the policy prohibits the use dollars on cleaning. The policy came as a surprise to the cd ic, we were able to negotiate an exception so our esd could survive. In October we'll begin negotiating our contract with the city for any esd to be viable we have to serve a basic level of services. From the stats I mentioned above, central east side together has gone above and beyond the enhanced services. Trash is a public and service related issue. Thank you for listening.

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

**Clerk:** Next up we have Owen Ronchelli.

**Owen Ronchelli:** Because of the work of staff and progressive board directors. The progressive nature of this PBOT policy has created a sustainable model that creates a model. The revenue derived gets reinvested back into the neighborhoods and makes it easier for folk it use transit, bike, or walk in the neighborhood. The established system is in that, creating the additional burden are in fact supporting access measures for those using non-auto base trips. Via parking paid at the parking meters. From a policy standpoint, the Portland bureau of

transportation is on the cutting edge when compared to peer cities. Neighborhoods effectively choose to manage their parking can share in reinvesting back into the transportation system back into the community where it came from. This is a practical incentive to manage their community engagement and how access occurs in their immediate community. I appreciate the opportunity to share testimony today with you.

**Wheeler:** Thanks, appreciate you being here.

**Clerk:** Next up we have Reza Farhoodi

**Wheeler:** Welcome.

**Reza Farhoodi:** Good afternoon, I'm cochair of the planning an transportation committee for the association. I've been closely involved in the parking efforts since 2015 which codified the process which new parking management districts would be formed. This model established a parking stake holder advisory committee that would be funded through 49 percent revenue in that district. It's treated differently than every parking district established in Portland. It primarily goes to the general fund. This is a problem because it treats all the separate neighborhoods as one in the same when this is not the case. The north pearl has the most regulated affordable housing in the city. The parking management manual exuded this from the arrangement contingent on assurance to revisit the issue to the net meter revenue policy before you today that would potentially allow for projects and programs that would help manage the plan for single occupant vehicles. Examples of these investments is north western city motion and a wallet in other neighborhoods. Instead of a concrete plan to bring the downtown district formed afterwards we have an unfunded commitment to manage city wide at some point in the fought you're. The main problem is it continues the status quo. The last year plus of the pandemic teaches us it's not wise to rely so heavily to rely on downtown parking fund. Starting by expanding parking management system but also look to the recommendations for pricing options to the equitable pricing task force. Doing so would theoretically pay for investments. Unless we see those investments we won't be able to support these requests.

**Hardesty:** Thank you, mayor, I guess I should wait and see if my colleagues have any questions first before I respond to what I've heard.

**Wheeler:** Anybody else.

**Hardesty:** All right. First. Thank you so much to PBOT staff for that very thorough conversation. Colleagues, I want to just start by saying this a conversation that started under my predecessor. We will never ever ever have a proposal as it relates to sharing resources from parking meter revenue that will make everyone happy. I can assure you that Commissioner did his due diligence when he left office. Commissioner Eudaly did his heavy lift with stake holders. It's not an accurate statement to say that downtown is treated differently unless you're referring to the fact that any other part of the city does. I take exception to the fact that there was alleged that we're not looking at new funding revenue. Sir, I don't know if you necessity but at the last budget cycle I recommended that we put a budget note to come back and diversity funding sources. I take seriously the fact that PBOT is dependent on fossil fuel revenue and parking garage fees. I find that inconsistent with where we're going to address climate change in our communities. I met with the team that's looking at additional funding options last night. This is not the first time we're having this conversation, we've had it since January. I spent a lot of hours thinking about how to make sure we're creating an equitable system. Those with the least access have the most options available to them. Those with the most resources can do whatever they want. You and I are are so much on the same page. I was about to read a list of all the services we give downtown, I don't need to do that because you already know it's significant. It will never please everyone but I'm very confident that the due diligent has been done, this is the right mix at the right time to finally put this piece in place. I appreciate the community that stayed engage and involved every step of the way. Thank you for giving us the opportunity for this deep conversation today.

**Mapps:** I want to make sure we had all the public testimony.

**Clerk:** We have one more.

**Wheeler:** I apologize.

**Hardesty:** Me too. I thought we were at the end.

**Tony Jordan:** Hello. That's great. I like a clean up here a little bit. I have some extra insight now. Good afternoon mayor and Commissioners. I'm Tony Jordan. I participated in the net revenue focus group meetings. I've been on any parking related committee including the performance based parking management. It's important to recognition residents concerns --

I brought the motion to have this net revenue meter analysis happen. It's important to separate those concerns from the amount of total spending downtown. We know it's not evenly applied. I would like the decision on this ordinance to be delayed until council hears the recommendations from the home committee task force. The members of the revenue focus group weren't informed about this hearing until one week ago. Members of the central side industrial were briefed on it last month. That's not great. I didn't have time to reach out to my colleagues or community and formulate how we might move forward on this. As it's been said by staff. This is a status quo update, there's a lot changing. I don't see why we need to push this right now. As a member of that committee I feel by October 13th, we our recommendations will inform committees how to achieve its goals. I don't feel there should be a split but I would like to see a commitment for low-income qualified residents in the area. This could be an expansion of the wallet program. Funding like that would have synergy. I'm proud of the strategies Portland has around parking. We're the best. The theory of climate change and traffic violence. Portland must align its revenue streams with its goals. Using revenue generated on cars is the only way forward.

**Wheeler:** Thank you for your patience. Commissioner Mapps.

**Mapps:** I see Commissioner Hardesty's hand went up.

**Hardesty:** Thank you for your eloquent presentation. Nothing we do today will impact what we're going to hear from poem. Everything we're developing is around developing new funding mechanisms that actually are intentional about making sure we have multi modal options available for folks who need them. Again centering those who have the least options. Nothing in this action today changes anything that poem will give us. When they present I was actually briefed last night on their recommendations and it's really consistent I think with where we're headed. I think now and because of the amount of time and sometimes I know it amazes you how long it takes us to move a policy through the city of Portland. Again, nothing we do today will impact whether or not what poem recommends moves forward or doesn't move forward. The biggest driver is what we passed earlier today around asset management and making sure that we're doing asset management in a way that's equitable, transparent and addressing climate mitigation. There's a lot of ways to address work going forward and avenues to make sure that we're monitoring and measuring we're having the impact that we



want to have. Thank you as always. I appreciate you. You volunteer everywhere all time. We're always grateful for your input. Thank you.

**Mapps:** Thank you Mr. Mayor. I have a couple of questions for staff. First let me start out by apologizing I'm not a parking expert. I'm going to ask you to explain this this to me like I'm a 50 year old. As I understand it we have four parking meter districts. In three of these districts we essentially do a 50/50 split between parking meter revenues going into the PBOT general fund and funds being reinvested into projects within the particular neighborhood that sponsors these parking meter districts. I don't intuitively understand the logic between that division. Like why is a revenue share is good idea in northwest and lloyd and the central east side but not a good idea downtown.

**Pearce:** I think one key consideration is these are evolving districts with continued growth in change guiding that work, all throughout this area. And we have investments committed from maintenance operations and other activities that is doing that responsive work.

**Mapps:** Okay. I guess, a follow-up question, do you have a sense of the number of high-crash corridors we have in the downtown parking district versus the other districts?

**Pearce:** I don't have that off the top of my head. Maybe --

**Leclerc:** We have two or three, Broadway, maybe NATO. In the downtown area.

**Mapps:** The parking district. I guess I can't find a high-crash corridors in the downtown parking district. Which seems like a lot. I was surprised when I saw that at your guys' map. And there are other districts that have a large number of high-crash zones. But certainly see a need there. And I think I could ask the same question in terms of the number of travel fatalities downtown versus Northwest Lloyd or central east side. According to your data, which I think covers a number of years, maybe 2009 to roughly the present, 17 traffic deaths in the downtown, which is certainly more than the others. When I look at those measures, I am seeing sort of a need for transportation improvements and reinvention downtown. Especially with these other neighborhoods we're invested in Northwest Lloyd, and central east side.

**Pearce:** Sure, companion the plan and many investments occurring undowntown, occurring in the coming months, no disagreement the downtown is very worthy of investment. And that's a key part of our activities. The main message we don't want to tie council's hands in

the activities and working with the bureaus to implement those plans through creating a sub-conversation that really removes council from that deliberation.

**Mapps:** Thank you so much for the answers and I'll pause and let Commissioner Hardesty.

**Hardesty:** No more questions. I just forgot to put my hand down.

**Wheeler:** Commissioner Mapps, do you have further questions? Okay.

**Mapps:** If none of my colleagues have a question, I guess I do have a statement.

**Wheeler:** Go for it.

**Mapps:** I understand the -- I guess I don't understand the bureaucratic obligations of a revenue -- if you were to lose the revenues you get from the downtown parking meters, that would be a systemic problem. And that's a real problem. If Portland doesn't succeed, PBOT Doesn't succeed. At the same time, when I look at the deals we've cut with northwest lloyd, central east side and downtown, it does feel fundamentally inequitable to me. And I think every Portlander, indeed every Oregonian knows that Portland's downtown is hurting right now. And investments, especially investments which improve transportation I think could be a vehicle for helping revitalize our struggling downtown. And that's some of the things I'm thinking right now. And I'll just lay all of my cards on the table. We have the status quo. And then you know, the obvious other option would be to treat downtown the way that we treat northwest lloyd and central east side, basically 50/50 split. And completely get the financial challenges there and I probably don't completely get all the bureaucratic challenges. I want to offer a compromise and amendment. That would basically say, in the interest of revitalizing downtown, perhaps we could do a revenue share. For parking meter funds. Instead of the roughly 50/50 split, with whatever a 25/75 split. 25% and reinvest them in downtown. Lots of folks live there, low-income folks who live there. I'm looking at the traffic best map here shows me we have plenty of people on the streets downtown. Certainly, there is work to be done here. That's an idea I just wanted to float with my fellow members of council.

**Wheeler:** So --

**Mapps:** I'll pause there.

**Hardesty:** Is that a motion?

**Mapps:** Why don't I make it a motion and we can sort of play the rest of it out.

**Wheeler:** Why don't you move -- I'll second it for discussion purposes. I would like to hear more.

**Mapps:** Thank you. Actually, mayor and city Commissioners, downtown businesses struggling with business shut downs, vandalism, crime, allowing a self-determine a portion of the parking meter revenues is one way this council can provide direct and immediate support for the area's economic recovery. That's why I would like to offer amendments to this ordinance. I believe that all the Commissioners officers and the clerk's office have received a copy of the amendments I'm about to propose. The amended code changes are contained in exhibit b. Those amendments do three things. First, I suggest that we create a policy, which says the districts established before 1996, which would be the downtown meter district, retain 25% of net meter revenue generated in the district after capital and operation costs are covered. This is less than half of the 51% currently going there. The second piece of the amendment, would require PBOT For the downtown meter district within 60 days of the passage of this ordinance. That committee should be represent a broad range of geographic interest, specifically at least five members representing downtown, at least two members the south waterfront, and at least two members representing the pro district. And the third and final piece, the committee's recommended resource allocation plan should follow the same rules as a districts established between January 1, 1996, and January 1, 2022. Basically the same deal northwest, floyd, and central east side have. The plan should guide net meter revenue expenditures and approved by p.b.o.t., comply 3.112 and demonstrate the city has adequate resources to operate and maintain proposed physical improvements. Do I have a motion to approve that? Or did we already do that.

**Wheeler:** It's already on the table, Commissioner Mapps. I seconded for discussion purposes your amendment.

**Mapps:** Thank you, Mr. Mayor.

**Hardesty:** To the amendment, I just want to say that is an untenable amendment. I have a bureau that has a \$5 billion maintenance back log. I have a bureau that is 50 employees down. I have a bureau that is doing everything they can to be-- to get the work done that they need to do in spite of the various crisis we've had to interact with. What I will say is that we need, we have not yet addressed the auditor's questions around esds and doing things

now permanent for any esd is a missed opportunity to actually correct some inappropriate activities that I see in many of the contracts, with the exception of the ceic, which I see as a model for how we work with the community and the zoners in a business district. Business owners -- I would have appreciated, my office would have been happy to provide Commissioner Mapps any information he needed for his amendment to show that is just untenable and the economic environment that we are operating in. We are not fortunate to have a built-in funding mechanism in our bureaus. We have to be thoughtful how we invest the limited dollars we have. And so I see no path forward with that particular amendment. And if you wanted to add anything about the regional investments made by p.b.o.t., and how that impacts downtown -- let me say businesses all over Portland are hurting. I go to small businesses all over the city, and there isn't one area of the city where small businesses aren't hurting. We've invested significant resources downtown. And we still have hundreds of people living on our streets every day. Until we get someplace to put people suffering mental health issues, investing all those dollars does not change the outcome of folks suffering on our street. We have to make hard choices but it doesn't mean we dump everything into downtown because businesses are suffering all over. Thank you. And if you want to add something to, how would it impact p.b.o.t.'s budget to actually start? Because the moment we do this, you know it would happen. Lloyd is up, they are going to demand changes and exact same kind of split. And then when a ceic comes back, they are going to demand the same split.

**Pearce:** I think the biggest implication is outside of the meter districts. So you know, while we are investing substantially and actually substantially more per capita in the downtown district than other parts of the city, the flexibility that we do have with parking revenue becoming general transportation revenue is key to our ability to respond in east Portland and south Portland and north Portland. So this really creates a sub-ecosystem within our overall investment portfolio that will resolve our equity and climate impacts.

**Leclerc:** If I may, council, that question came up as part of the process. For area south side, like you Commissioner, are saying. They were uncomfortable sitting aside precious funding in other areas and carve it out forever on that area. They say in the graphics receives more per capita including Portlands and areas of equity concern. For that reason, we have crafted what

we think is a compromise. We can approve something but it doesn't maintain the ability of the council to make decisions year to year or spend fund and multiple the funding. And we have a good track record of doing that, including downtown as mentioned before.

**Mapps:** I appreciate Commissioner Hardesty and staff, your clarification here. I want to add a clarification on the amendment. The amendment if we're concerned about precedence is more generous to PBOT, currently we split parking revenue 50/50. I'm proposing we reinvestment 25% of parking revenues downtown, in downtown and 75% go to PBOT.

**Wheeler:** Could I suggest a path here? Just because I know we're all -- we've had a long, long day. And tomorrow is going to be a longer day. Why don't we do this. Commissioner Mapps, I appreciate the amendment that you've put on the table. I certainly have a number of questions I would like to have the opportunity to talk to some of the folks at PBOT A little more in depth. We're not voting on this today, anyway, we're moving this to second. Would you object if we keep the amendment open and move it all to second, including the amendment so council can have discussions over the course of the week. And give us more time to look at this? Unless you would like to move it today?

**Mapps:** I have no objections to that, Mr. Mayor.

**Wheeler:** Okay. Does that sit well with everybody else, is that okay? Commissioner Rubio? Okay.

**Hardesty:** I would hope anybody who has questions, make yourself available. We'll certainly be available to answer those questions. You got to actually respond.

**Wheeler:** I would like to ask more about that in our check in as well. I do appreciate that.

**Hardesty:** Thank you.

**Wheeler:** Okay. Good. Anything else for the good of the order then? All right. We did it. This is a first reading of a nonemergency ordinance. It moves to second reading. And we will have and the amendment is still on the table for next time. And I believe that concludes of business, Keelan, for the day, is that correct?

**Clerk:** Yes, that's correct.

**Wheeler:** Hallelujah, thanks everybody. We're adjourned for the day.

**At 4:31 pm, Council recessed.**

## 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. The official vote counts for council action are provided in the official minutes.

**September 23<sup>rd</sup>, 2021**

**At 2:00 p.m., Council reconvened.**

**Wheeler:** Good afternoon. Go ahead and start recording. Good afternoon, everybody. This is the Thursday afternoon September 23, 2021 afternoon session of the city council. Keelan please call the roll.

**Clerk:** Good afternoon Mayor and Commissioners. Hardesty.

**Hardesty:** Here.

**Mapps:** Here.

**Rubio:** Here.

**Ryan:** Here.

**Wheeler:** Here. Under Portland city code and state law the city is holding this meeting electronically. The city has made several avenues available to list tone the broad cast of this meeting. This meeting is available on the city's YouTube channel and channel thirty. The public can provide written testimony to council by e-mailing the council clerk. The council is taking these steps as a result of the covid 19 pandemic and the need to limit in person contact and promote physical distancing. The pandemic is an emergency that threatens the health, safety and well fare that requires us to meet remotely by electronic communications. Thank you for your patience and understanding as we manage the city's business. With that we'll hear from legal counsel on the rules of order and decorum.

**Hardesty:** Maybe the volume is off.

**Wheeler:** I'll paraphrase, when you're on, we'll sort it out. The bottom line is we ask everybody to be respectful. We'll be taking testimony on the two items we're covering. We're

asking everybody to keep their remarks to two minutes or less. We ask people to be civil and remember this is community television and anybody can watch it. We ask people not to shout or use bad language and treat each other with civility and not everybody that testifies on an issue is going to agree with everybody else. That's what a healthy democracy is all about. With that we'll go to the two items that are on our schedule for this afternoon. Items 705 and 706. One is a resolution and one is a non-emergency ordinance.

**Clerk:** License fee for additional ten years and direct office of management and finance to review effectiveness of enhanced service district. 706 authorize agreement for downtown business management district services with clean and safe inc for estimated amount of \$25,000 over five years.

**Wheeler:** Colleagues before us today are two related items. The first is a resolution of the clean and safe property management fee. A procedural code required every ten years to decide whether or not to continue the district. The second is an ordinance which will grant the non-profit clean and safe to manage the use of the district's property management fee. The downtown clean and safe district is one of the longest standing districts. A public private partnership that was established nearly 30 years ago. Since it's inception the clean and safe has played an important role in fostering the downtown area. Over the past few years, we've obviously faced many challenges. The pandemic and movement for social justice reform has sharpened our focus on long standing societal issues. Driving home we can no longer continue with the status quo. The city auditor and members of the public have raised relevant issues related to governance, transparency, and the role of the districts in providing community safety services. As a community we need to rebuild the vibrancy of the city core. The downtown clean and safe has a role to play in that rebuilding. City has engaged with rate payers to establish change. Greater city oversight especially with the use of private security, institutes regular reporting, maintains safety and cleaning services, and creates a new program focused on connecting houseless individuals with helpful services. It's important to recognize that throughout this process, clean and safe has been a collaborative partner showing willingness to consider doing new ways and implement changes. It's also important to recognize that this is not the end of the conversation. Rather just a step in the overall process. Moving forward we're committing ourselves to a full evaluation of the role and

structure of enhanced service districts in Portland. Before we start the presentation and testimony, I would like to first thank Commissioner Mapps for cosponsoring this ordinance with me. And all my fellow council members for their engagement throughout this process and the many community members throughout this process via listening sessions, comments, e-mails, and letters. I would like to thank the city for presenting to us and their hard work in negotiating on behalf of the city. I would like to thank Commissioner Mapps and invite him to say a few words.

**Mapps:** I don't have any prepared remarks today. I look forward to the discussion on this important topic.

**Wheeler:** Awesome. We'll here from the team that's been at the forefront of this work.

**City Attorney Lauren King:** I just want to confirm you can hear me now.

**Wheeler:** Let me get to you in a minute. Commissioner Rubio has her hand raised before we hand this over to staff.

**Rubio:** I'm wondering if we can vote on the resolution to be moved to September 29th. This will allow our office and council to address community feedback today and for clarity of purpose there's two separate issues on the matter.

**Wheeler:** There is confusion because resolutions get voted on the first day. Ordinances get moved to a different date. There has been some confusion over that. I would certainly entertain a motion to continue the motion after today's hearing to the same time we vote on the ordinance if that is your stated wish, if I got that correct.

**Rubio:** Correct. We need a motion for a resolution.

**Wheeler:** We have to make a motion to continue the resolution.

**Rubio:** I understand. Motion to move the resolution so that both votes are on the same matter occur at the same time.

**Wheeler:** I will second that.

**Hardesty:** I was just going to second the motion.

**Wheeler:** Any questions on that particular question? Why don't we go ahead and call the roll and I'll get to Lauren.

**Hardesty:** Aye.

**Mapps:** Aye.



**Rubio:** Aye.

**Ryan:** Aye.

**Wheeler:** Aye. The resolution -- the amendment passes and the resolution will not be voted on today. We'll vote on it at the same time after we've heard public testimony on the non emergency ordinance. Lauren, before I turn this over to staff is there anything legally that we need to tie up loose ends.

**King:** I just wanted to make sure my mic was working just in case you needed me.

**Wheeler:** Just for those who are listening and waiting to testify. There's quite a few of you today. I want to give you a realistic testimony of when public testimony will start. This is a fairly complex set of issues and it will probably take for staff and invited testimony approximately 50 minutes. With that. Thank you. We'll hear from the team that's been at the forefront of the work. They are led but their team manager.

**Geraldene Moyle:** Thank you, Commissioner. The core team representing the city over the past six months has included the division of revenue, city attorney, and representatives from both Commissioner Mapps 'and Commissioner Wheeler's office. Collectively we will provide an overview of the actions before you. The intersection between the clean and safe work and the city's initiation of a response to the august 2020 audit regarding enhanced service districts. And details of the clean and safe management service agreement. Enhanced service districts are fee funded zones authorized by the city to pay for services that are supplemental to those provided by the city. District property management license. These districts are managed and governed by the non-profit organization established for the creation of each district. Properties located within the districts pay district property management license fees for the expanded services. The city collects the fees and distributes the funds to the non-profit that provides these services either directly. Cleaning, safety, crime prevention, business development, transportation, public policy, or any such services that benefit properties in the district. The clean and safe district was established by the city of Portland in 1994. Clean and safe is the non-profit formed to represent the district in enhanced service district conversations and contract renewals and has been the provider of the services since the enhanced service district was created in 1994. The district currently has 24 rate payers. Two actions by the city council. Every ten years, the district is subject to review. Determine

whether the license fee should continue or be terminated. The city enhanced district partnership, the obligations of the enhanced district and the city and scope of services the fees are funding are formulized in a district services management agreement which is also authorized by city council. This year that agreement is what is coming for you in the second action. The august 2020 enhanced district audit by the Portland city auditor asked more oversight to review the purpose and responsibility and the city's responsibility and reviving district agreements. The auditor also recommended that the city develop guidelines for formation rk governance and management that ensures public input and accountability by the districts and their service providers. Clean and safe as the management service provider, provided notice to the city of Portland in 2021 to discuss the renewal of the management agreement as the existing agreement expires at the end of November. The clean and safe goal in negotiating the new agreement was the understanding and intent was the implementation would allow for the immediate incorporation of of some of the audit representations. Changes resulting from a full audit response. With that a brief overview of the audit recommendations that have been included in the new agreement. There's increased reporting and transparency and broader city oversight. Clean and safe is agreeing to provide additional reporting and information on the elements of their downtown clean an safe scope of work and we'll get into those in detail. They are agreeing to participate in the audit process. They will participate in the process and any items that result in code change will be rebought back into their contract to be renegotiated. Finally, we have hired a new district coordinator house inned the chief administrative office. This position will provide oversight and guidance to existing districts, leave the city's full audit response and act as a liaison between the districts, the community and the city. With the new agreement, the coordinator will join as an non voting member. It's my pleasure to introduce Shawn Campbell. The audit response and adjusted district agreement.

**Shawn Campbell:** Thank you. I'm the newly hired district enhanced coordinator. This agreement renewal is only one part of a broader look at the enhanced services in Portland. Coming into the agreement negotiations I had two primary goals. First to look into agreements to be put in place today. Second, to allow easily implementations results from reforms and the audit responsible. A caveat that any part effected by city code must be

renegotiated prior to the expiration of the agreement. The city auditor's report and community input highlights the need for service districts in the city. Looking forward this is exactly what we plan to do. The information stage where details and data will be created and shared with a foundation of knowledge. The implementation stage where recommended reforms will be brought to city council followed by renegotiations of agreements as needed. Separating issues specific to this agreement to the broader conversation regarding enhanced service districts. We allow needed reforms to be put in place without disrupting needed services to have an in depth conversation on the broader issues. I look forward to engaging with everyone regarding this process. I would like to begin with an overview of the public input we have received. Between the end of June and mid-August a total of five listening sessions were held. One focused on rate payers, community wide input. All but one of these were virtual due to the ongoing COVID-19 pandemic. A total of 63 people testified. We have received 144 pieces of written testimony. Thirty six percent of these were from individuals who identified themselves as rate payers. Aggregating the input data ranges from the requesting the program be expanded to seeing moderate reforms to not renewing the agreement. It is notable that even amongst those not supportive of the status quo, they were not pushing for an end to the district but rather reforms. Group a was firmly on the side of renewing the district and programs and expanding them. Primary concerns were the safety and cleanliness of downtown. Group b made up of advocacy groups are much more split in their response. Views around keeping the district and calling for district termination. Main areas of concern include lack of accountability and transparency. The inability of rate payers to opt out. Many of the issues they raised are related more to the audit response rather than the specific agreement. Group c was the greater voice of governance and being able to opt out. The issues they raised were more related to the audit response. Group d was business organizations and individuals living within the district. This group voiced support but only if reforms are put in place regarding transparency and governance. The review highlighted a large amount of missed information which is understandable regarding the lack of transparency regarding these programs. The following is a list of organizations supporting renewal with the new agreement. Most of the major business groups within the city including the local 49, district attorney. Organizations calling for further reforms includes business for

better Portland. The condominium rate payers and organizations calling for major reforms include stop the sweeps, the aclu, 350pdx and sisters of the road. Today we are discussing two items. The first is a periodic review. The existence of the downtown district every ten years. If city council chooses not to continue the district, the property management fee will no longer be collected. It's important to note that the district must be reviewed that does not mean that city council is unable to make changes to the code. The district may be terminated at anytime by property owners representing 33 percent of the property fees collected. The management services agreement assigns management fees. It's made up for four parts. The contract which is a boiler plate services contract. The clean and safe statement of work. This statement is updated annually as needed as part of the administrative process. The city license administration, the statement is updated as part of an administrative process annually. The license clean and safe revenue. We're recommending a five year agreement if there are any change it city code regarding the audit response. The scope of work can be updated annually. Looking at the contract specific changes can be stipulated clean and safe and contractors follow fair wage policies. The retention of records extended from three years after the contract to six years. Renegotiation of any parts effected by city code. Within the clean an safe annual statement of work which can be changed and updated annually the primary focus has been in community safety. Due to the emergency calls for service, 7,000 are low priority. It was chosen to retain this program. As per the new agreement no more than 15 coordinators can work per shift. Wear easily read name tags and pre vied business cards on how to file complaints during interactions with the public. Clear instructions on how to file complaints on the website. Any uses of force involving or by the safety coordinators. The city will retain the right to review any complaints. With regard to the bike patrol the total number of officers have been cut from six to four. With regards to clean and safe funned district attorney administrative clean aid commitment. New language clarifies this role. In the areas of community out reach and health, the ambassador program has been scaled down for businesses and residents to connect them with services to help alleviate issues they are experiences. The community health out reach team made up of two community workers, one licensed health professional commission, it should be noted this team is viewed as an interim measure nm Portland street response is expanded to the downtown area. The program will

be report today the city on a monthly basis and training will be reported in each of these areas. The clean and safe janitorial program which includes sidewalk cleaning and graffiti removal program will report monthly to city. The downtown development work programs, perform research and analysis and the lighting program remain mainly unchanged with review of their effectiveness. The government relations program the new city relationship program building relationships and maintaining relationships with the city coordinator to better engage those within the district especially those within marginalized communities to ensure they have a voice continually in the district. Reporting activities as already described, --

**Hardesty:** Excuse me. Is it okay if I could ask questions. You didn't say if we can ask questions during the presentation.

**Campbell:** We're pretty close to done if can you hold off, if you'd like to ask a question that would be fine.

**Hardesty:** I'm happy to hold off, I don't want to forget my question.

**Campbell:** We'll get through real quick here. In addition to the reporting that has already been described earlier in this presentation. Clean and safe is reporting the release of a report presented to city council. The enhanced district coordinator will report to the board. The details of all these programs can be updated annually and renegotiated with a response to city code. I would like to introduce to you Scott Karter with the division of revenue to discuss changes to the property management license fee.

**Wheeler:** Before we do that, let's take Commissioner Hardesty's question. I presume the question for you.

**Hardesty:** Yes it was. Thank you for what you presented so far. My question is very specific to something that you said about any changes to city code would be renegotiated it the clean and safe contract.

**Campbell:** Yes, we put a caveat in the contract if there are any changes to the code any changes must be renegotiated prior to the next renewal.

**Hardesty:** Any changes made based on the auditor's input information from the audit would not automatically take effect. They would have to be renegotiated with Portland business alliance.

**Campbell:** No. We would bring those to city council for a vote. If they were approved, they would have to immediately restart the renegotiation process to bring that in line with the city code.

**Hardesty:** That answers my questions thank you.

**Campbell:** Any questions before we move onto Scott Karter.

**Hardesty:** I have others but I'll wait. That one just popped up.

**Scott Karter:** I'm Scott Karter. I'll be speaking about the clean and safe district renewal from the revenue divisions perspective. The role with enhanced services with the billings and the enhanced services after deducting the city's administrative charges and other costs from the distribution. The the renewal outreach has not received a great deal of feedback related to this function. We're aware that now would be the time to make any improvement to it the billing process from the revenue perspective. The need for change is relatively small in this area. One issue we did want to address was the full recovery of the revenue division's cost to the enhanced agreement. The new agreement proposed regarding the general administration fee to 2% collected. In the prior agreement that fee was one point two 5%. One problematic aspect of enhanced service district administration from the revenue division's perspective is that the esd's touch many functional areas of the city. This makes verifying compliance difficult. The esd strongly supports. Strong consideration should be made tores making this permanent at the end of the current term. The city has not exercised it's full authority in the past. The revenue division certainly believes that the fact we have this authority increases compliance. We recognize there's existing controls to ensure funds are being distribute appropriately. Moving onto revenues. Fought you're revenues from clean an safe are expected to be between six point five million dollars per year. The general administration fee as i mentioned before, this amount will be reduced by other is city charges. Recovering a portion of the city's cost to the integrated tax system. The new integrated tax software system. The revenue to clean and safe for services plus inflation moving forward. The draft contract an exhibit a will be aligned in the final documents to reflect the dispersed amount. I'll turn it over to discuss the remaining city agreement.

**Moyle:** The basic services provided by the city of Portland have been unclear and hard to find. With this new agreement we're highlighting these basic services in an annual scope of

work. This was a collaboration with various bureaus responsible for these services and provides clarity around expectations, roles, and responsibilities and the opportunity to update and provide on an annual basis and new technologies and services over life of the agreement. Public trash cans, the graffiti abatement program, bureau of transportation asset management for street including signage and frequency of street cleaning. The parks maintaining of parks and downtown fountains. The serve he is level and Portland street cars and pressure washing of stations throughout the district. To increase transparency on the city side we'll work with the city bureaus for city reports. The audit recommended a project manager to enhance service districts to provide oversighting add needed. Shawn started his role in August. The position is a limited term position and cost shared. With clean and safe districts, the duties include overseeing the audit response and agreement negotiations with the individual districts. Providing continued city oversights and acting as a liaison with the city bureaus. These are long term duties. The intent is to seek long term funding to make this a permanent position. Two actions for council consideration. The periodic review is a resolution. A yes vote allows the district and fee to continue. A no vote is voting against the continuation of the district with the majority not terminating the district and fee. The action you all agreed to at the beginning of this session, that periodic review vote is being continued to next Wednesday when the management services agreement ordinance is also up for its second reading. Now I would like to pause to see if council has any questions for the city team at this time.

**Hardesty:** Sorry, Mayor. My hand seem today have stayed up. I have no questions at this time.

**Wheeler:** Colleagues, any questions at this particular juncture before we hear from clean and safe. Doesn't look like it.

**Moyle:** I would like to invite Mark Wells from downtown clean and safe.

**Mark Wells:** Good afternoon Mayor Wheeler and Commissioners. I'm the director of operations for downtown clean and safe. It's my privilege to testify before you this afternoon and participate with this panel and share our plans and goals for program modernization and reporting requirements and metrics and ensuring we serve all community members in the downtown clean and safe and Portland district. The negotiation team have been constant professionals. The leaders and staff that have participated in this month's long process. We

have collectively come to the zoom table with an honest spirit of formulating a partnership that both sides are eager and proud to present today. The listening sessions and letters of e-mails of support and constructive feedback. He'd like to thank the members of the clean and safe board who dedicated hundreds of hours this year in this process. I would like to publicly acknowledge and thank the leadership and staff who work everyday, often in highly challenging positions responding to thousands of calls for service every year. I have gotten to know many of contract staff and their stories inspire me daily and give me tremendous pride to be part of this organization. The city of Portland continues to face enormous challenges and we're at a critical point in time. The burden of providing basic safety services. We're eager to continue and improve our janitorial services and opportunity to retain and draw commerce and draw positive events back to downtown. This contract provides for the first time clear scopes of work for both the city of Portland and Portland clean and safe. It's vital for our community members and businesses. We'll be working in close partnership with our vendor and mental health program to help individuals in need get to a better place and break the cycle of addiction and homelessness. The community at large will have greater access to our services through a new report and access to a wide array of metrics to the city on a monthly basis. Thank you for the opportunity to share our goals with downtown clean and safe. Thank to the city Portland staff who dedicated to our process.

**Cindy Laurila:** Mayor Wheeler and Commissioners. I'm the director of real estate services for Portland General Electric company. I'm here to testify both on behalf of pg&e and downtown board of directors. As you know covid 19 has had a disproportionately negative impact on downtown. After personally participating as a board representative in the highly collaborative process with the city for the past year to develop new scopes of work that is here before you today, I feel hopeful and optimistic about the future. As a leader in the organization, I could not be prouder of the proposal before you today. This proposal is rooted in key values of collaboration, transparency, equity, and service. To all Portland residents, workers and investors. A subcommittee and I personally attended every meeting with the city team and every community listening session throughout the year. I can say this agreement represents the broad impact we received from the members of our community and the process. It has the unanimous support of the board and residents and community members to restore our city



back into the once most thriving, welcoming downtowns in the nation. You've heard the details of the new scopes of work. I won't go into those details again. What I want you to hear from me that rate payer I provide over the next five years is a long term commitment to the collaborative transparent public private long term partnership this represents. As we work to recover from the pandemic we'll take these sustained partnerships to restore downtown. And to keep the public trust while we rebuild is going to take ongoing transparency and accountability. You have our commitment to these values today and over the next decade. That's why I'm particularly proud that this scope of work promotes clean and safe to a partner and robust program with the new position. This will fund the first ever community outreach team to houseless residents downtown so they can access critical services. It makes critical reforms to our safety coordinators. A firm commitment to social justice and workers in our contracting practices. And strengthens our clean start program. New commitments to transparency, accountability, and partnership. I want to close by thanking Commissioner Mapps and Mayor for their assistance with this process. Those that worked so closely to have dialogue repping the bureau and the city's scope of work. I want to thank our partners such as local 49, friends of the green loop, and so many others who have expressed support for clean and safe. Hundreds of community members who made their voices heard and had an impact on this proposal. I look forward to work ahead of us and urge your support to getting our city back for the good of all the community. We would like a yes vote. I would like to introduce our chair elect.

**Terrence Paschal:** Good afternoon. I'm the incoming chair of the downtown clean and safe board of directors. I'm the director of real estate of the standard of 200 Portlanders here at downtown. I urge you to renew the clean and safe district. With the new scope represents concrete commitment from the public, private, and non-profit sectors for stewardship for downtown Portland. It sends a clear message that we are committed to the rapid recovery of downtown. The city scope of work and new agreement will allow us to dedicate focus on downtown. The clean and safety partnership and the clean start program has supported countless lives for those transitioning from houselessness. Trained professionals to houseless residents in accessing services. As the incoming board chair I'm excited about the role we'll play to assist downtown Portland once again reach its potential. The delivery of critical

services for the entire community. Many questions asked about the independence of downtown clean and safe. Clean and safe is a strong independently governed organization. That independence will continue under the leadership of the board. I urge to you make your commitment to downtown clear why your vote to renew the clean and safe district with this innovative scope of work. Thank you. I'll pass it off to Andrew.

**Andrew Hoan:** Thank you. Good afternoon Mayor and Commissioners and colleagues. Thank you for your time today. I am the president and ceo of the Portland business alliance. The alliance is in support of the renewal. Downtown clean and safe alliance share a common interest and are intertwined in history and contract. A separate governance structure they share the interest in a clean and safe downtown Portland district. The clean and safe Portland alliance have a long standing contractual alliance and financial systems that create efficiencies in support of their common mission. Central business district is dependent on the seven ises offered by clean and safe. Over 200 plus members depend on a thriving downtown. I urge you to vote yes on the renewal and the recovery of downtown. I'm here to answer any questions you might have and look forward to the dialogue.

**Jay McIntyre:** Good afternoon. Thank you for giving me a few you minutes of your time today. I'm the director of social enterprises at central city concern. Central city concern serves low-income people currently. People seeking to engage in recovery based services. Our programs seek to build clear attainment goals. The clean start program which is a homeless to work centralized work program. This is a program accessible to anyone who has barriers to employment such as homelessness or addiction. Often these individuals have not worked in many years while others have never held a job. The program offers a place for these individuals to get into a routine, comfortable with working, provides an environment that is comfortable and compassionate. Central city concern provides intensive street cleaning services within the the district. Cleaning up trash, bio hazards, needles within the the district. Removed over 41,000 graffiti tags and bio hazards on the street. People are able to start or restart their journey of independence and self empowerment. Our goal is to assist over 80 individuals in this program. These are good entry level job that's support people in recovery that experienced homelessness. This employment opportunity helps people regain their confidence and stability that is just as impactful for housing and health care and plan their

path to recovery. After attending substance abuse treatment they gave me a key to a roof over my head. Without ccc providing me this housing employment I don't know where I would be in life or if I would be here speaking to you today. I would like to take the opportunity to thank downtown clean and safe for this partnership. We greatly appreciate the opportunity and hope to continue the partnership in the years to come. Together we can create jobs that continue to lift people up --

**Wheeler:** Before you pass it along. Commissioner Hardesty wanted to ask a question.

**Hardesty:** Thank you for your testimony. I wanted to take a moment to really appreciate the work that central city does. Folk that's are suffering everyday from houselessness and other issues as well. There are many private partnership that's say they are partners with central city concern and moving from houselessness to stability whether it's housing or job et cetera. There's absolutely no proof to back that up. Is this new contract going to make people list names so we have the ability to find out if people are taking credit for your good work or actually adding value to the work that central city does.

**McIntyre:** I don't know if I can answer that question right now. It seems like a question that I wouldn't be able to answer.

**Hardesty:** I appreciate that. Is there a mechanism so we're tracking individuals. I know three public private partnerships downtown that say they are using central city concern but there's no data to say whether they are using the same people or helping different people. My concern is that you're organization's reputation is on the line. I know your employees are overtopped already. They also are not paid well enough yet. I just want to make sure that when people use central city concern that it truly is a partnership and they are not taking advantage of the good work you do.

**McIntyre:** I appreciate that. I will bring that concern up to leadership at ccc.

**Moyle:** Thank you Commissioner Hardesty. I want to affirm with you that with the increased reporting we're incorporating into this new contract as well as the requirements for compliance with the city's sustainable procurement policies that's going forward we'll be requiring additional information. It may not get down to the name level. But we'll certainly note that that's a question we'll get down to in our reporting to ensure we're not double counting individuals.

**Hardesty:** How are you not going to know whether or not people are not double, triple, quadruple counting the same people.

**Moyle:** That's a great question. We have an opportunity with the new contract to explore new reporting mechanisms and can set that up with downtown clean and safe and central city concern.

**Maggie Long:** Okay. Is that me? Good afternoon. I'm the executive director of the service employees international union local 49. We're a union of health care workers and laundry services. Everyone is essential to the suck he is of Portland. We believe the clean an safe program plays an important role in investment and community confidence. That matters for us an our members. If our city's core is not successful it means people will not want to return to work here. We have close to a thousand janitors working in downtown. They were able to win new collective bargaining agreements. That will invest \$86 million into black, brown, communities in the greater Portland area. A vibrant downtown is critical to maintaining thousands of jobs in our city. We support this renewal because significant steps went into the program. Robust sustainable policy and fair wage policy. That mean that's security contractors who are looking to work under this program moving forward will need to be responsible contractors with labor provisions. There are serious concerns of overreach in our public safeties. We share those concerns and so do our members. To enact a robust private security registry overseen by dpst that had will ensure training and licensing of the private security industry. The renewal also includes heightened standards for officers. We were happy to see the mandatory deescalation training. We think that's a step in the right direction. We look forward to a fought you're where all officers are provided the training they need and are asking for. We want to continue to reimagine what public safety can look like. Our sister local in collaboration with the city there launched a program that invests 180 hours of training in peace keeping, reescalation, community e indication, and first aid. With this renewal, work isn't done but moves towards an opportunity of a vision of downtown. We support of vision. We hope will you too.

**Wheeler:** May I suggest that we go to the next individual.

**Jeff Miller:** That's me. I'm Jeff Miller, president and ceo of travel Portland. I'm here to express our support to the renewal of the contract with clean an safe. We participated on that board

for more than six years. All of our board members are keenly aware of the services provided to the area. Our partners are concentrated in the area and a promise of a downtown that is vibrant. They share that they have both had amazing experiences with all parts of clean and safe program. A big thumbs up allows him to feel safe his employees are taken care of daily. Travel Portland has been proud to join the business community, our local governments, cultural organizations as stewards of this amazing city. We understand the critical importance of effective partnerships especially now as downtown residents cultural residents. This year with a closure of our visitors center. Travel Portland is proud to support the clean and safe ambassadors to recommendations to downtown to those in basic need of food and shelter services. When we have a convention in town which will help get those delegates downtown shopping and dining. Travel Portland is proud of our outstanding relationship and grateful for their service. We urge you to support renewal of the contract.

**Kiara Deegan:** Good afternoon Mayor and city Commissioners. I'm a retention officer assigned to the city contract since September 2018. I'm here to support the city and the Portland business alliance to secure businesses downtown. The work we do is complex and can be dangerous. We're highly trained individuals and ensure downtown is safe for everyone. We ensure city staff can come and go safely. We interact with the transient and homelessness population who have or tried to get -- create camped on city property downtown. While making every effort -- I believe that we need to treat humans like human beings to get folks one step closer to where they need to be. My coworkers and I are very compassionate people. We know how to be very effective and do our jobs but we also know that we need to make a positive difference in people's lives. This past year and a half has been hard with the pandemic and all the protests downtown. Our duties and expectations change very quickly. Almost overnight we had to enforce mask mandates and during the riots we found ourselves occupying buildings effected by rioters. We did not have a lot of experience and training dealing with situations of this magnitude. None of us have ever dealt with thousands of protesters and a ballooning homeless population all while a pandemic. We stepped up and did what we had to do. The city would delegate -- to deal with the new problem that's were happening daily. Happening and occurring daily. My management and field training officers figured out a plan to keep everyone safe. The majority of our officers

aren't tactically armed but we handled each an every situation using our verbal skills or what we like to refer to as [indiscernible]. Throughout these challenges I've been so grateful that my coworkers and I have our unions. I knew there was that officer oversight. I also know that a lot of non union companies don't want to empower their officers to reach out other than their own security command. Having a union offers transparency and gives the officers the opportunity to stand up for what is right. We also really appreciate our union wages and benefits and other things like being assigned to a fair schedule. When I was an officer in a non union site, I didn't have access to benefits. With the union, the benefits are readily available for the officers and the officers are fully informed and aware of the rights. We know what we're entitled to. The people who live and work downtown have been through a lot during these past 18 months but the union officers are always up to the challenge. The challenge of restoring people's faith in the safety and security of downtown. I would like to thank you all for your commitment to good jobs and your investment in responsible contracting.

**Keith Jones:** Good afternoon. My name is Keith Jones. I'm the executive director of friends of green loop. I operate the pod, I recently became president of Lloyd communication and enhanced service district. I'm here today to speak in support of downtown clean and safe renewal and share some of my experiences with the organization. Getting them up and running was a long one. One of the reasons we were able to stay in game was the advocacy of clean and safe. They realize the importance of food cart culture. Amplify the importance of the business community. Port clean safe came to the aid of the cart owners who had been out of work for some times. We were able to completely re-engineer one of the carts to help pass the health inspection the next day. Now that we're up and running, clean and safe has been able to support our operations by allowing us a place to coordinate with the downtown retail council. Include us in their marketing campaigns and drive visitors to our locations. They have been and will be critical to our success downtown. If we're going to come back from covid, it's going to require all of us working together. Clean and safe brings that business community and resources to the table. They are an important partner in this effort and I urge you to vote for renewal. Thank you.

**Moyle:** I believe that is the end of the invited testimony for the downtown clean and safe.

**Wheeler:** Thank you for that. Unless any of my colleagues have any questions we'll move towards public open testimony. Again, two minutes, name for the record. We don't need your address. The council clerk will call on new the order in which you're signed up.

**Clerk:** I'll call names three at a time.

**Fiona Burgess:** Hi. I live in southwest Portland. I'm going to be blunt. Vi a lot of issues with how mr. Campbell characterizes clean an safe. Did you not indicate that these complaints about accountability and lack of control from rate payers absolutely dominated the conversation of these meetings. These meetings are not accessible to the homeless people in these districts are claiming to want to provide out reach to. I was originally going to do this whole thing about how clean and safe haven't been doing sanitation, I've seen these groups of volunteers doing a better job with trash. I'm going to use this time to ask everyone here to google central city concern. That's from the city contracts to provide services with homeless people. I recommend you look at a g4s which is a private security firm. These are the two companies that the city contracts with for the city of Portland. They are perpetuating the cycle of homelessness for profit. I don't know what the city is go to go do in the next week that can possibly restore my trust with these public private partnerships. That's all I have to say today.

**Dan Handelman:** Good afternoon. We've testified about this situation with the private entities paying more money into the tax pool and getting more public safety response than other people many many times. Basically -- i didn't realize that there were six Portland police officers being paid for by clean an safe that come at the beck an call of clean and safe security guards. The general idea about tax money is everybody gets the same amount and get extra protections. These people with extra money get extra police officers. I'm disturbed that you're planning on making a five year long con tract with all these moving pieces that haven't been smooth out. It seems like a better idea to only renew this for one year. It says that you only have to renegotiate if the new code has to do with the city audit that happened. It should be any city code changes that happened. I haven't heard anything about the disproportionate number of houseless people's belongings that get throne out. Generally speaking this is about kicking the can down the road. The clean an safe people are going to be running the investigations and complaints about the security officers. There's no mention of what

happens to the complaint ant. There has to be a lot more done to make this a better contract. Transparency wise, 15 officers will be patrols and only 20 percent will be armed. As of right now we don't know if that's an increase or decrease.

**Kaitlyn Dey:** I organize with stop the sweeps as well as western regional advocacy project. A lot of you have heard from me person. I spoke at all the public listening sessions. I've been doing research on this topic for quite a few years now including many public records requests. The reason we had an audit and this process opened up. With all of that said, I've been so civil during this whole process and honestly it's gotten us nowhere. The ohm reason we're having this much public dialogue is because of the work we've been doing for so many years. It feels like a giant slap in the face to go through all of this and bring this topic to the table and all we get out of it a few listening sessions where we're not being listened to. A couple meetings with the Commissioners but a lot of it is symbolic and not meaningful. For some of you it's daily. It's ridiculous. Honestly, I wanted to go over some of the parts of the contract that really frustrates me but I didn't do that in two minutes. We weren't invited testimony either. I don't know. It's ridiculous. Already the invited testimony is in opposition of this contract. I'm sure you're going to hear a lot more of that. Honestly, I can say something more eloquent. Honestly this is really f\*cking shameful.

**Forrest Perkins:** This is Forrest. I'm with the democratic -- the city auditor concluded that Portland's esd's were inadequate. It called for a review for oversight. City officials have done little to take these seriously. Supporting the recommendations on governance and accountability. This flies in the face of the city auditor's recommendations. My biggest concern is about the hirer rent a cops that drive around. One finding from the auditor's research that remains pertinent is private security officers the owner retired police officer resisted the oversight. He had had a conversation that told them not to release oversight to the public. We are all aware of the temper tantrums that cops put on when any accountability is put on them.

**Wheeler:** Before we call the next one. Cindy you have your hand raised for some reason.

**Laurila:** Apologies.

**Hardesty:** Mayor, can we have the other staff turn their cameras off, unless there's a reason their cameras are on while they are not talking. Thank you.



**Edward Quedado:** The city Commissioner campaign website features a homelessness plan. We cannot police our way out of homelessness. The Commissioner is representative of many officials that believe in the sentiment. It's curious what's been proposed before us today. The continuation of policing our way out of homelessness. If any of you know anything about mental health work, you know above anything else trust is paramount. There's a system problem in Portland that is led to police treatment of mental illness and homeless people. The cycle of arresting an rearresting that you choose to instigate lead people to get booked and -- 20,000 arrests in 20 years made up for 440 houseless individuals. Eighty seven percent of houseless people were booked into jail again. If any of you were actually interested in addressing houselessness and mental health needs this would be laughed off. It actively prevents people from leaving the streets. This portrays that your only interest is that it serves you.

**Janna Tessman:** A million and a half dollars goes to overhead which is a over a quarter an higher percentage than is considered good for a non-profit. That million an a half goes to paying for almost half of the top officials. Any employee of clean an safe is actually an employee of the pba or according to clean an safe's own tax filings. A bunch of businesses got together and said let's do a taxation without representation so we can pay for violence against people living out side an pay for our own lobbyist. The city was like, yeah, we'll collect your fees. Reading notes from a march between twenty meeting from an auditor and office team investigating oversight or lack of oversight. Perhaps we need to ask the bigger question as a city. If we want to continue to allow geographic cities to allow this, we have to put governance structures and accountability in place. They want us to believe that now they're go to go fulfill their duties for this separate entity. Where was the city for 20 years. Don't sign a contract when your own office of revenue says they don't have the revenue to pay off the deals. Let's ask the bigger question. Why are we allowing geographic areas to do this at all. After getting thousands of hours of labor for free from the court system. Also turned into rate payers and Portland alliance getting 3 percent off the top who does this system really serve. Thank you.

**Thomas Craig:** I'm a lifelong resident of Portland -- a business located in the clean an safe district. I'm here today to speak in opposition of the resolutions. The reasoning in the

resolution is truly startlingly undemocratic. Rate payers support the district in some minor reforms. We here whereas half of the feedback from the broader community called for the district not to be renewed no viable alternatives were offered. As soon as the broader community was asked there was interest for major reforms. Community members didn't develop any alternatives this undemocratic process seemed viable. Their feedback is entirely ignored. Why would we expect that community develop alternatives. Just because some small group of well if i folk from a particular commercial interest have identified a barrier to increase their profits that doesn't mean it's the responsibility of everyone else to help make those profits. By passing ordinance -- this is a perversion of everything our government is supposedly about. These are not just imposing.

**Lauren Armony:** Good afternoon --

**Clerk:** There's an echo.

**Armony:** Good afternoon council. I'm an organizer with sisters of the road and the clean and safe coalition. When had you barely started negotiation for this contract, we've been calling for a transparent process and fully absolves all of the issues raised. The process an consequential draft contract that will effect our city for five years and \$25 million is worse than negligence. You charged them \$450. This is the one way town hall had as that you said you held an leaving the people of Portland less than one week to read the contract is an obvious sign that you're in the pocket of the Portland business alliance. Nobody on the council has spine to stand up when it comes to saving our most vulnerable. I've lived here my whole life. Whatever former beauty people say existed, i have never seen here. I do not consent to having our public spaces policed by armed and untrained public security. My tax dollars flow up to the wealthiest people in our state. Voting yes on this ordinance is voting for the criminalization of our community members. Giving resources to those that needed it.

**Anita Davidson:** Thank you. I'm a board member of the one of the ten condominium properties that pay about 10%. The five top paying condominiums contributed 2% in 2020. My HOA alone pays \$42,000 a year. That's more than union bank and two of the world trade properties. There was little mention today of any problem with the rates, there clearly is and we clearly have expressed the concern about the fee model. I made my first records request in late 2019, I made more after that. I come to you today as a retired federal agent that made

federal audits. I waited five years to this. I hope you will believe me when I say there are legitimate concerns to the formation and governance of the downtown esd. It's hands off regarding formation and governance. Those speak to the interdependent relationship between clean and safe and the Portland business alliance. They are not as independent as they wish us to believe. Clean and safe employee funds to the business alliance. This causes an overhead of 30 percent. Only 70% go to direct services. Thank you for your time and service.

**Louise Roman:** Good afternoon Mayor and Commissioners. I'm one of the ten con ohs represented in our consortium. Limiting the renewal and freezing the license fees, we also want to point out to you that since 1994 the downtown budget has grown well beyond the cost of living. In 2021 the additional assets are expected of \$220,000. We're thinking there's a lot of money in the pot there at clean and safe, why is it that we as rate payers are continuing to put into that pot while there is so much question about the contract that is being renewed for clean and safe and many pointed out lack of transparency about the organization, it's relationship with the Portland business bureau. We all know that people are moving out of downtown Portland. They are selling at a loss often. Property taxes and basic maintenance of condos, those costs keep going up. Con oh rate payers really question whether we should be part of the model right now. We also see that a five year renewal which we're opposing has a 30 day termination clause. There's no need to accumulate four or five or six months of operating expenses. Why are tax payers and rate payers contributing to this growth of clean and safe. We all want a clean and safe city. This doesn't seem to be the time. We have a new coordinator in place. Let's give this a chance and get the city audit going into the mix and just take a pause. Thank you for your time.

**Sally Mize:** Can you hear me?

**Clerk:** Yes.

**Mize:** Thank you. I am the trash queen for the pearl district and also spend a lot of time boots on the ground probably more than any other single person in our neighborhood which contains probably two thirds of that through north park lock area from Broadway through Ninth. At least two thirds of the tents that he count monthly for the committee. I like it because I feel safe there because even as a person walking alone, I'm eye to eye with

everyone living on the sidewalks. I just can't tell you, I've never seen more wrap around services anywhere else in Portland. I've lived in just about every east side and west side neighborhood in Portland since I moved here in '92. I know that we try very hard to include at a very humane level all services and I fully support -- I just don't know what we would do without clean and safe in that particular portion. I don't know how you can consider there's any other service that does the full wrap like they do. I feel safe. They help us keep it clean. They are very responsive. Their officers are eye to eye listening really well. So are all the cleaners from clean start. They're just fabulous people. Every single one. I just can't imagine what we would do without them. I can't talk to the rate but what they do is the best. Thank you.

**Bryan Taylor:** This motion of enhanced security districts encompasses many things. My main reason for coming today is about the police and safety rights. I have an associates degree in criminal justice. I know intellectually that -- private security guards cannot replace trained police officers. Twenty-three city blocks are treated as a city within a city. This kind of thing more stigmatization of the unhoused who are some of our most vulnerable citizens. The Portland sit audit found the review severely lacking. The work that clean and safe does to clean graffiti and pick up trash is perfectly applaudable. But the work they do for security wondering how much power over life and death are getting. I think you should reject these two proposal as. That's all I have to say with my time. Thank you very much.

**Emily von W Gilbert:** I am a member of Portland DSA. Anyone considering voting yes on these items, here are some of the findings on a study being done on how our unhoused maybes are being effected. When approached by security, half of respond ants said they failed to report what agency they were with or why they were approached. They harass low income and houseless people. They need to look at themselves. They are discriminating against who they see as less than them. More than half of the arrests in Portland are of the unhoused. We know that arrests bring harm to people and drain our municipal budgets. We don't expect business interests to critically examine these issues. That's not their job. It's your job. The whole city has been saying it's your job loudly for a long time now. Yet you continue to surrender more and more of your duties to entities like the pba. You have to push pause and do better. Please vote no today.

**Ashley Henry:** My name is Ashley. I'm the executive director for Business for a better Portland. The contract you are you considering today is of upmost importance to our members. Many of them directly benefit from the safety programs and marketing programs. These services are needed now more than ever. Considering the pressure you are under to ensure downtown is cleaner and safer, we ask that you say yes. Over a half million dollars comes from public agencies funded by tax payers. It's essential to use this opportunity to sharpen your pencils an ensure that downtown is being well served by this contract. The majority of these improvements have focused on safety provisions. Omf staff have acknowledged privately that there hasn't been sufficient staff capacity to fully delve into the accountability and transparency one of the best ways for downtown to recover is for there to be a robust an inclusive recovery. The downtown economic development program under this contract should include our city's economic recovery task force. The work at this table is essential for the wellbeing of downtown and our entire community. We support the common-sense proposal that you extend this contract by one year. We ensure continuity of services and ensure more time for council education and engagement. The best way to vote is ensure downtown has an effective, accountable, downtown service district. Unfortunately the proposal in front of you does not rise to those standards or provide those benefits to our city.

**Jessie Burke:** I own and operate the society hotel in old down. I previously served on the clean and safe board of directors. I'm testifying to you today because after observing first hand the bullying by PBA leadership and clean and safe staff and board members, I resigned. I'm on the ground and know need. I spend for time with their teams than most. It only took one board meeting for me to suspect something was wrong. I compared us to Denver. While mark wells is truly dedicated to clean and safe. I witnessed firsthand the bullying when exchanged were proposed and i spoke with ten clean and safe board members who agreed things should change yet they feared loss of employment if they spoke up. A coring to the tax returns, revenues were only one point seven million dollars. I'm exhausted. I work in hospitality everyday. The city is no cleaner or safer. A good place to start is organizational structure at the top. All employees are clean and safe. [indiscernible]. In practice the arrangement only makes the employees indirectly accountable to the clean and safe board.

My ask is to terminate the contract and require balanced representation on the board with at least twenty five representative representation, small business representation, large property owner and net large. Thank you all for your service.

**Clerk:** Sorry. We're having a little technical difficulty.

**Josh Spector:** I'm a member of sun rise movement pdx. I was born and raised in what we now call Portland oregon and now live in northeast Portland. I want to thank all who spoke against this. How we treat the houseless population is absolutely disgusting. This miss allocation of public funds has a dismal transparency. You're governing over a humanitarian crisis. This contract does not materially improve the conditions of the houseless community. With earth breaking record for hottest summer record, oil spill within our future. Fire that's rendering entire regions uninhabitable. When will we decide to address these interconnected societal issues with real responses. It's really disheartening to read the stories that as much as the top 50 percent of sallies of the pba are paid for by dc s. Between the active opposition the transportation measure and support for continued freeway expansions it sounds like pbs is -- i'm not sure how the lobbyist find time to fight environmental injustices if they spend more of their time with the pbe. Furthermore, i find it greatly alarming that this renewed contract will continue to hire arm a security guards. I ask that you reject the five year renewal of the clean and safe contract. It's despicable that this is even a conversation.

**Trisha Patterson:** Can i just say sun rise, the youth today, they really show up and know what they are talking about. I'm a board member of Portland neighbor's welcome an community member very concerned about the proposed renewal of the Portland clean and safe contract. This is inherently undemocratic. Like many others testifying today and throughout the summer many aspects of this contract worry, frustrate, confuse, anger me. I'm especially concerned about the lack of feedback we've been asking for all summer. This started out as a holiday cleaning effort. This is corporate greed and failure of leadership in our public administration. There's a huge need to take the feedback and make meaningful changes to the contract. Have you in front of of you a multi million dollar con tract that continues to fund private security guards. Every tax dollar that is spent on those programs should be account tobl the city and community at large. This contract fails on each and ef single one of those measurements. Take into account the excellent recommendations that have been made by

community groups such as sisters of the road, stop the sweeps. We need to put the breaks on, like right now. Thank you.

**Aaron Brown:** My name is Aaron Brown. I'm a board member of Portland neighbor's welcome. I'm concerns raised by alleys and trusted partners. We pride ourselves on a pro-tenant organization to getting every neighbor in Portland housed. With better mechanisms for the public to monitor tax dollars spent we can better identify the truly beneficial programs renewing a five-year contract with an institution that has kept downtown neither clean or safe is a missed opportunity with our values as a progressive humane city. We have to decide whether we to invest in an initiative.

**Dr. Roy D. Johnson:** I guess I'm going to take a different tactic. I have no interest in lecturing you an telling you what your jobs are. I do ask you to consider issues that I find significant especially associated with the fees that are charged against condos with the safe portion or policing which is 50 percent clean portions. I recognize that policing seems to be an overlap with the taxes that I already pay. My concerns particularly relate to the downtown retail marketing and the business advocacy which I really don't think have a place or should be charge against those of us that are in condos. I would like for to you look at that. The third issue that I'm seriously concerned about is the fact that you're assessed values are based on the 1993 property assessment values. I would love to have my taxes reset. I think it would be appropriate to update those and make them current. I appreciate your considering these parts. Have a great day.

**Mariana Garcia Medina:** Good afternoon. Thank you for the opportunity to provide testimony on behalf of the aclu of oregon. I'm the senior policy associate. We're a non part son non-profit organization dedicated to enhancing civil liberties and civil rights. We're opposing the clean and safe contract. Clean and safe allow for private policing with public funds putting our most vulnerable members at risk. The ordinance ignores the auditor's report. It's important to pause an really take the time to review the action plan prior to committing to a five year contract. This is especially important because it interacts with our most vulnerable populations such as houseless, bipoc communities and veterans. We're failing our community members. For these reasons we urge you to vote in opposition of the ordinance. Thank you.

**Matthew Jordan:** Good afternoon. My name is Matthew, I work for north west foundation for the center of philanthropy in china town. As rate payers are licensed and totals over \$7,000 per year. We don't believe our funds are being used effectively. These subsidies -- benefit directly from the services of the pba. We believe the work of clean and safe should be guided by their own board and not the pba. The guiding principles we would like to achieve in this community. They give their time, money, and power to those not closest to solutions. This includes rate payers and residents, community based organizations working on the ground. We understand that the city faces a number of challenges right now. It is because of these challenges that we must hit pause and listen to the community that are closest to the problems and therefore closest to the solutions. The city as a whole should not be rushed. Thank you for your time and consideration.

**Wheeler:** Before we go. I've had a request for a ten-minute break prior to continuing. We will take a ten-minute recess.

**At 4:08 pm, Council recessed.**

**At 4:18 pm, Council reconvened.**

**Wheeler:** How many people do we have remaining to testify?

**Clerk:** There are six.

**Wheeler:** Okay. Great. All right. I think we're all back. Yes, we're all back. We're back in session. Thank you, everybody. Go ahead and call the next three people. Why don't we go to the next person.

**Stop the Sweeps 1:** Right now a group of us who are a part of end clean and safe coalition are at the world trade center. We've been here since last night basically in protest of how this contract is going. Really, here we are. Part of the reason we came here is because there's a huge frustration we had with being really shut out of this process in a lot of ways. Like I was saying earlier, the reason there even is this public process around this. I'm going to give it to everyone. If anyone wants to speak, we're a group.

**Stop the Sweeps 2:** I do. We had an event last night with disarm psu and the bus riders union. While being here received this from pge that we were trespassing. These are officers --



we had a peaceful activation of space. All of this is connect. This contract is directly connected to us getting this and the continued oppression of people on the streets.

**Stop the Sweeps 3:** I just wanted to say that I want to see some sort of outcome that's actually benefiting our community in a way we've brought it to your table.

We've asked so many times to stop the brutality in our streets. For so many years you just continue complacency instead of putting things together. We know when we do that our most vulnerable folks are better supported. There are ways to do that. We ask that you listen to what the community is saying to you in a collective voice. Stop the tyranny against us and do the work that you put at that table for.

**Stop the Sweeps 1:** Absolutely. We did send you a letter outlining our concerns with the contract and encourage you all to read it. We'll resend it to you. Go to our website. Clean and safe dot org and you will see all of our documents and research.

**Alexa Simpson:** I wish I had more time to present a pointed speech to you. Portland has a dark history of abuse of power and gross neglect. During the great depression where city officials burned down entire communities. Fear and distrust especially when you're targeted, damaged and displaced and denied access to the developmental process and a complete lack of representation. One becomes further enraged and deeply damaged by the belief that businesses profit at the expense of human lives and supports this human trafficking. In the way that I was treated and my community continues to be treated should be considered a human rights violation. There's a lack of trash receptacles and cleanliness and sanitation of the restrooms as an attempt to reinforce the need for public and clean and safe. The consolidation of services, this creates a formula to line the pockets of the few. Private policing is acting on the behalf of corporate interests against the rights of the civilians by force. Private policing in politics holds no place in the public sector. In fact, by definition it does not. I urge you to look at alternatives and reinvestments in options such as the Portland street response, hygiene access for all, village models. We're losing our humanity, humility and any positive relationship that stands with the community. That relationship is necessary to collaborate and heal. There's no honor or integrity in our current mode of action.

**Paul Boden:** I'm with stop the sweeps, sisters of the road, right to survive, and many other organizations talking about these issues in the city for several years now. The audit only came

about after over a year was spent with community organizations trying to pass off the same information that the audit information already got. That's the system you're talking about. This sensitivity training, now the city is going to hold them accountable. Hold them accountable for what. You're negotiating our right to be in our public space. These are negotiated public private partnerships around policing and access and being in public space and public accommodations. This isn't yours to negotiate a way. Your job is to clean the streets. Your job is to work to keep people safe. Your job is not to corporatize our community. What are you going to do when you get to every neighborhood in this city is somebody else's business, somebody else's district. What role do you play? What good are you? You're negotiating away our neighborhood and doing it without a public vote to authorize you to have that right. Just like the hud is selling off public housing that belong it the public. We're privatizing our public parks to preserve the life of the public. You're government. Do your job. If the streets are dirty, clean them. Create a safer environment. Don't come in with guns or police officers that we have to hide from when their job is to be protecting us.

**CLerk:** Okay. We managed to connect with Mary. I believe Tim Davis is speaking on had her behalf. Looks like we're still having trouble connecting. Let's move to tom.

**Tom Reichert:** Mr. Mayor, Commissioners. Thank you for giving me a few moments. I'm the chair of one of the harrison towers which constitutes the south border of the bid. I have three propositions to leave with you today. One is that you tax or sur tax residential condos at the moment. This seems like it was added in 2009 when in comparison it was made back when taxes, fees are levied upon apartment buildings and other residential condos should also be taxed. Because the harrison towers formed the boundary, we have an interesting observation for you. There are three towers. The tower I live pays one point three million dollars a year in taxes. The east tower which is slightly smaller pays 900,000 a year in property taxes. Across the street is the south tower. That south tower, while it's the same size structure is an apartment building. It pays a different structure of taxes only 600,000. It's important to understand that condominiums in which people reside are enormous benefits to the city paying 40 percent more in taxes. That's the fact. That's the base. In 2009 it became fashionable and was done to extend the license fee to residential condos. The current calculation is the same. They differ a factor of two in value but eight in the levy you make

because the structure of the licensing has nothing to do with condos. You have this inapt algorithm that is grossly unfair. The third thing I'd like to say is I have a long experience in industry. I was a chief medical officer that makes most of those needles that you collect. There is something wrong with the current structure of clean and safe. This is a subsidiary in the business lobby. It's deeply offensive. You should be fixed. You have an opportunity in place. Take the next year, examine this, put all in place the things that should be done to make this not a subsidiary. The work is wonderful. No one is trying to keep fru doing it. But do it right. Thank you.

**Clerk:** I'll let Tim know they can submit testimony in writing. That completes testimony.

**Wheeler:** Colleagues at this point I'll open it up for any questions you might have of staff.

**Hardesty:** Thank you, Mayor. I do have some questions for staff at this time. Let me start with one of the last questions that we were asked. Did we consider extending this contract for a year while we address the audit findings and -- yes, let me ask that first.

**Moyle:** I can answer question. We did consider that. Thank you for the question. In lieu of that, we have rolled into the contract all the agreements for downtown clean and safe. We fully feel that's a two year if not more process to go as in depth as we need to. The things that are rolled into this contract that address those easy accessible items from the audit including transparency, increased reporting in order to have the contract with downtown clean and safe for five years with the understanding any changes that come out of the audit will be incorporated sooner.

**Hardesty:** I think the audit asked us a very basic question. Should esd's exist and if so, what should the model be. When I first came to city hall, central east side industrial council, I was told there's nothing I can do. The train has left the station. It's going to be the way it's going to be. I rejected that. We ended up with what I believe is the best model in the city of Portland. I came into this project early on because when i came in in January, I met with wrap who is the grass roots organization that work with houseless community members as they were desperately trying to get the auditor to audit dsd's. They were never held accountable. They have gone on with life for as long as they have up to this point. I know there are different models. What i see us attempting to do is reinstitute the exact same model that was in place. I think that is where i'm hearing a massive community concern. For me, i will tell you big issues

that i had asked to be addressed an they were not addressed in this work that was done. A more representative board that represented all the stake holders in downtown and not just those selected by Portland business alliance. Number two, I don't think the city should in any way collect money to pay the salaries of a business -- a regional business association and lobbyist and have -- 45% of the salary of the organization lobbyists. When I came to city hall I had wondered about this for decades. No one had good answers because as we learned from the audit nobody had any accountability around these esd's. I'm concerned that people get different levels of justice when they're involved. The one at the Lloyd center has a da and staffing administrative services. The only one that's in the like that is the one in central east side. I need to say how disappointed I am with all the information that we had had that what we're being presented with is a status quo proposal.

**Moyle:** Thank you for that input. We did add the enhanced district coordinator.

**Hardesty:** Yes, can I ask the enhanced district coordinator. What is your experience in engaging with people in trauma and people of color and people who are not a part of the business process?

**Shawn Campbell:** For three years I was the chair of the business police bureau and we coordinated the business control --

**Hardesty:** This is an insider hire. We didn't go out and look for someone. We identified someone already connected with the police bureau to put into this position. Again, I'm really disappointed at where we are. We had had the potential to do something great. One last thing I'll say and I'll stop. Clean and safe should be a non-profit. We should have whatever arrangement we have with Portland business alliance be separate from the alliance we have with clean and safe. They provide services downtown. Those services downtown that the community desperately wants and needs. I see no reason to have it connected to the business alliance in the way that you're proposing.

**Wheeler:** I'd like to jump in for just a moment. I'd like to thank city staff who have been working on this. You've been working on this very hard. I believe there are substantive differences between this proposed contract and staff's. I don't believe this is a status quo contract. There's changes in terms of the requirements and transparency of those requirements. There's significance of the armed issue. It was discussed broadly early on.

Questions about competency around the homeless population. Shawn I'm pleased we you have on board. I'm appreciative of your willingness to step into this role. It's important we have somebody competent in this role. I believe the city did a good job and you're new. Your position was specifically requested as part of that larger audit of esd's along with the regular reporting an accountability issues. The contract not perfect. This is a contract that in large measure comes from community. Some things will need to evolve as we move forward. As the audit is considered for all of the esd's including the central east side, we need all of our esd's to in fact then comply with those changes in code. I would support that.

**Hardesty:** I'm not responding to you, Mayor. We haven't answered the fundamental question. Should esd's exist? If so, how should he they exist. To ask us to sign another five year contract we have to renegotiate with Portland business alliance seems like we're putting the cart before the horse. While we work out the real questions which is should they exist. Should they exist as they exist today. Should we transform them. Just because it's a good idea 30 years ago doesn't mean it's not worthy for to us ask some basic questions as we rush to implement a brand new one that has some changes, yes. But not the big change that's the community has been demanding an not the due diligence that is required to justify reinstituting this contract. We may have to agree to disagree. There's great work taking place downtown. I'm appreciative of the work that staff did. This rush makes me even less inclined to support it.

**Wheeler:** Thank you. I do think you're asking the right questions, Commissioner. Just to be clear. I will say on the record I do support esd's. This is something I supported at length. I'm convinced while there have been bumps along the road. I'm convinced that the model that was negotiated over there between business, residents, community members at large and vulnerable populations on the central east side. I think we moved the ball substantially forward. Each esd is slightly different. This is no different just by virtual of its governance model. It needs further investigation as we go ahead. We heard testimony from some people who pay that tax who would like to see that governance model reevaluated. I'm not disagreeing with that at all. I fundamentally disagree with the notion that this is not an improved contract over the years. As you said, we'll agree to disagree. The testimony today was uniformly in opposition in accepting the extension of the esd itself or the contract. I'm mindful of that. I'm also mindful of the written testimony, a lot of the testimony that came up

in the open sessions was in support of this. We heard today about the rights of vulnerable people in our streets. I also hear about the rights of everybody else. To safely egress the sidewalks, to be safe in their areas. To not be subjected to some of the behavior that was referenced earlier that makes people question whether they want to come downtown or feel safe downtown. We have an obligation to balance these rights. I believe on balance, I don't believe this is a perfect contract. I believe it moves the ball forward. I do appreciate your perspective and the questions you are raising. I'll make space for our colleagues. I probably talked more than I need to.

**Mapps:** Commissioner Hardesty, did you want to finish your comment. You're muted.

**Hardesty:** I'll come back after everybody's had a chance to weigh in.

**Mapps:** I want to express my appreciation to everyone who testified today. Both the invited testimony and the people from the community. You came forward to give your perspectives. I think I heard a lot of good things that this program does. We heard today that clean and safe deals with about 1200 calls a month. Picks up tons of trash, graffiti services, street cleaning. Getting mental health workers out there. It takes a step forward in terms of transparency which they'll bring before council every year. The Mayor was largely right. We had had two folks today that expressed in oral testimony, can I emphasize like the Mayor I get a lot of letters and e-mails on this topic too. When you account for what you hear through e-mails and when you hear at council. It's a much more balanced division that we see today. I heard you. I heard concerns about the public process. Concerns about privatizing public services. I have concerns about that myself. Whether this addresses the audit. These are important things we need to think about. Also uncomfortable -- people who are uncomfortable with having security interact with houseless folks. Also a fair concern. Good issues raised around governance issues transparency. How fees are charged and the pba's role in this program. I'm still processing all of this. One of the things I do know is downtown Portland is a neighborhood just like every neighborhood. It certainly breaks my heart when I see the state of downtown with the misery on the streets and the businesses struggling. I want to see everybody heal over the coming years. Those are the issues I look forward to discussing with you over the next coming days. I want to reassure you that I heard you and I look forward to this discussion continuing.

**Wheeler:** All right. Commissioner Hardesty back to you and it looks like we are probably done.

**Hardesty:** I had a question for staff. I had been told that the three health, mental, support people that would be hired under this contract, it shocked me that we would hire three people to address people suffering mental health issues knowing that Portland street response is a more holistic approach. Rather than create a new stand alone something to actually fund a unit of Portland street response. Why was that not considered? Or was it considered?

**Moyle:** Thank you for the question. It was considered back in June. I may have misunderstood a conversation with your staff in regards to what the intent was. There has always been the intent to include mental health support. I would note with the scope of work in draft form if that is the desire of council to swap out what clean and safe is proposing with Portland street response, can you do that. The beauty of an annual scope of work is the ability to revisit that every year.

**Hardesty:** I just wanted to understand the logic of hiring three people not connected to anything knowing that with no mental health beds to take people to, that there are a lot of mental health outreach workers already working downtown. I want to understand how hiring three would have any impact at all understanding there's no beds to take people to. I also have spent a lot of time downtown. It's frightening eating out side having people with mental health issues coming up to your table. If we had a mental health provider in clean and safe, there's nowhere to take people. They'll still be suffering downtown and mental health crisis. I wanted to understand what the logic was about proposing that as an alternative.

**Moyle:** It was an interim solution. We understood Portland street solution was not yet downtown.

**Hardesty:** It could have been all over the city. The council voted that down. It's six months to stand it up. Three to six month it recruit people. You're not connected to anything. There's no beds.

**Moyle:** I see mark has his hand up. Perhaps he could provide some other insight. It would be an easy transition to do with the downtown clean and safe.

**Wells:** To your point back in June we asked that question when looking to standing up this, we could not expand psr downtown. We're open to that and don't want to reinvent the wheel, we don't have the time for that. We are open to the possibilities of bringing that downtown. .

**Ryan:** Thank you everyone who showed up today both invited and those from the community. Thank you for staying on the call and answering questions, I really appreciate it. There was a theme of testimony that really went at the governance structure of business model of both the clean and safe and the Portland business alliance. A lot of statements were made. I think it would be fair if we could have some rely, some comments from those who were put on the spot, if will you and haven't had a chance to rebuttal. I would like to know if Cindy is available. Are you still here?

**Laurila:** I am.

**Ryan:** I'm sure you took a lot in while listening to the testimony. You probably have a thing or two to say that could be affirming. It would be e indicational no matter what. I would love to hear your response.

**Laurila:** Thank you for the time. I'm the board chair of the downtown clean and safe which is a non-profit. We represent the rate payer of the enhanced service district. It's a very collaborative board. A very active board. A very respectful board. We do have dialogue and debate but are always very respectful of each other. Sometimes a director brings up a resolution that doesn't pass, that's part of being on a board. I have a tremendous respect for jesse but her time on our board was short and that was her decision. As an independent board we make decisions on our own who we contract with. At this time we have chosen to contract pba. I think that covers most of the questions or comments that might have come up.

**Hardesty:** I'm sorry. Can i ask a follow-up on that. You said that you are an independent 501c3 is that accurate?

**Laurila:** That is accurate.

**Hardesty:** All your staff is hired by Portland business alliance, is that accurate.

**Laurila:** We contract for services with the staff that we have that represents our board.



**Hardesty:** And your staff is -- so you as the non-profit that runs clean and safe, how come the city contracts for Portland business alliance if you're a business non-profit and they contract with you and you say you contract back with them. I'm a bit confused now.

**Laurila:** Yeah. Andrew would you mind speaking to the relationship with pba. I know --

**Hoan:** Absolutely. Thank you. Actually it's the other way around. The city contracts with downtown Portland clean and safe. The contract is with downtown Portland clean and safe. Clean and safe contracts with who they work with. They ask the organization the Portland business alliance to do that. That's the arrangement right now. I want to speak to one other element too. This board has extreme high expectations. They represent all rate payers including small businesses and expectations about the efficiencies of services. The audits it was determine we have a six point four percent overhead that is contained in that report. We have a 100 out of 100 rating in terms of accountability and rating. We share resources. That's one of the ways we deliver more services to the street than we would if we were separate. I should also say this is consistent with models of central east side, lloyd and across the entire country.

**Hardesty:** Since we have, I'm sorry colleagues. If you don't mind. I don't want to lose the opportunity. Can you explain why this agreement pays your salary and the lobbyist of Portland business alliance.

**Hoan:** Because the Portland business alliance works on behalf of the board of clean and safe which has advocacy work which is important to have a voice. One of the things i do for the organization is enact the scope of work which is part of the agreement you're considering today. Also to be a voice for them on issues that are important to the rate payers of downtown. If you think about it the issues have become vastly greater over the last few years. The preponderance of our time here and resources and care and love for our city have taken up the time to serving the downtown core.

**Hardesty:** Thank you. I don't anticipate your lobbyist spend 50% of his time lobbying on clean and safe. For me, that has always been an issue with this particular contract. It appears that the work that was done never even bothered to do any analysis about whether or not that is really good public policy. My concern is, we don't always agree and we are rate payers as well.

We are paying people to advocate against us. That is never a good thing for a city council to do. I appreciate your answer, Andrew, thank you.

**Ryan:** I just wanted to find out if Andrew had anything else to say before he goes off camera.

**Hoan:** Thank you for the opportunity. I appreciate that you're asking. We are proud to serve the rate payers and know their expectations are extremely high to care for the city. They'll continue to do so and evolve that contract over time. We agree with the transparency in addition to the responsibility of that board, to the community and this government is an additional level of service that we must do. When you ask the question of what we do with our time, part of it is these things you are calling for, process, and listening take time. We're pleased to do it on behalf of the board. An audited statement by a respected firm here. I sent this also to every single one of your offices back in February. I'll resend the information as well to make sure you all see it and the amount of time, the dedicated resources to direct services, marketing communication. We run an extraordinarily lean ship. That's important because everyone knows because of the challenges of our downtown, the more services the better. Happy to provide to you the auditor who is responsible to the independent board of downtown Portland clean and safe who reviews the organization on their behalf. Where are the expenses and what are they committing to those shared allocations. That's the responsibility of the board to hold us to account as well.

**Ryan:** Thank you. It's important to have this dialogue for the public record.

**Wheeler:** Does that complete your questions. Commissioner Mapps.

**Mapps:** Just for the record, I think that the addition of the downtown clean and safe program is an incredibly safe innovation. They've been around for decades. It's important to evolve into the 21st century. One of the things I feel strongly about is it beefs up its capacity there. I hope we include as we consider what this program looks like in the future. That's all I have to say.

**Wheeler:** Thanks Commissioner Mapps. Commissioner Hardesty, did you have more or no?

**Wheeler:** All right.

**Hardesty:** I'm trying to find my unmute button. I hope that we have more conversation on this. I'm going to be proposing that we extend the current contract. I find it inappropriate for us to be developing another long-term contract before we actually address the auditor's

concerns. As far as the other ordinance that would allow esds to continue, we do not have enough information yet. And the questions I've raised that many of you agree are good questions are important questions that should be answered before we develop any long-term plans around esds. Our esd successful, I think the vote is still out. Is clean is safe, providing a valuable service downtown. Yes, is the arrangement that we have actually the best arrangement that we could have downtown? I don't know because we haven't done enough due diligence to actually make it better. And so i will be next week, proposing that we extend the current contract until we have more certainty of the changes coming. It would be ludicrous to sign a long-term contract and keep making changes and opening the contract to renegotiate the changes we've made. If we're making policy changes, let's make all the policy changes first before we get locked into any let me deals I find it problematic. We like talking about the tons of trash we picked. I don't know the amount we pick up as important as to whether or not we are regularly using the resources for garbage clean up in the way for the outcomes we're looking for. Again, this is a council that rushes some things and takes forever for other things. I don't see where the fire is we must commit to fire years under this scenario at this time. I'm a little frustrated. I went into the process open, believing the real issues raised in the audit would be addressed and I'm not seeing that. And actually, even with the report back, there is no report back to council. What are we going to hear about what is happening with security downtown, who is being injured, if people are able to get input and information back when they file complaints. Who gets the complaints? Where are they posted? How does the public know? These are questions that we have an obligation to answer before we continue the status quo operations that we have. And again, yes, we've made some changes and nothing wrong with the changes we've made. But we have failed miserably in answering the fundamental questions of whether business districts deserve more justice than people who don't live in business districts. If we should be paying a salary of a lobbyist and a executive director of a regional business association. Those are the questions that the community has been asking us for well over a decade. And I find it disrespectful that so many community members were shut out. And the only community voice is a city staff person that's not a voting member. That doesn't change who's making decisions, who we're listening to, how we're going to change how esds operate. And you know, so this seems likely checked

a couple of -- we've checked a couple of of little boxes but the significant questions in the audit are still unanswered. Thank you.

**Wheeler:** Thank you, Commissioner Mapps.

**Mapps:** I appreciate a point of clarification on Commissioner Hardesty's forthcoming amendment. I actually don't know the answer. Can staff tell me the timeline for the audit? Whatever we're expecting with the audit, when do we expect to see that?

**Campbell:** Realistically, somewhere between 15-24 months given the large amount of information that has to be gone through and we want to uncover every stone and look at it every way we can because we want to get this right.

**Mapps:** Okay. Thank you.

**Hardesty:** Extending the current contract with no changes, because i agree, we need the services downtown, we need them now. We can't wait to continue the services. But it's very premature to be putting a new system in place without those big questions answered. So if it -- you know, we could do it for a year, we could extend it if the audit outcomes aren't done. I need to know what we're putting in place responds to the community's demands. 10 years of asking questions and getting no answers and i certainly know what it was like because i was one of the people trying to unpack what esds did and who benefited and who didn't. We have an opportunity to do this right and to do it for the future that we're trying to build, not to reinforce past practices that may or may not have made sense back then. Thank you.

**Wheeler:** All right. Anybody else? All right. Well, thank you, everyone who testified today. And colleagues, great conversation as always, I always feel like this body sort of deliberates all sides of an issue. That is both notable and you know, it's great. It's how democracy is supposed to work. So I always learn a lot from these both from people who testify as well as from my colleagues. And I look forward to the discussion ahead. Item number 705 is a resolution, it is being continued to September 29th. Item number 706 is a nonemergency ordinance. It moves to second reading on September 29th. And if legal counsel could tell me if I got that right just to make sure.

**King:** That sounds consist with my understanding.

**Hardesty:** And Mayor, could we make sure staff is available when this comes back going to council agenda in case there are additional questions that come up?

**Wheeler:** Yeah, I think that's a good idea. And Geraldene can we make sure that's the case? I see Shawn shaking his head as well.

**Hardesty:** I got none of the financial breakdown, maybe other offices did. I got nothing and I would like to see this before this comes back before council.

**Moyle:** We will work with downtown clean and safe to get you some information.

**Hardesty:** Yes. Yeah, before the vote. Thank you.

**Wheeler:** Perfect. All right. Thank you, everyone. With that, we are adjourned. Thank you.

**At 5:11 pm, Council adjourned.**