



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **16<sup>TH</sup> DAY OF MARCH, 2016** AT 9:30 A.M.

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

Mayor Hales left at 11:34 a.m. and Commissioner Fish presided.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Heidi Brown, Deputy City Attorney; and Jason King and Mike Miller, Sergeants at Arms.

Item No. 254 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

	<b>Disposition:</b>
<b>COMMUNICATIONS</b>	
<b>238</b> Request of Jeffrey Wihitol to address Council regarding chronic misconduct in and around Council Crest Park (Communication)	<b>PLACED ON FILE</b>
<b>239</b> Request of Charles Johnson to address Council regarding surviving the Ides of March, #BlackLivesMatter, tprojects.info (Communication)	<b>PLACED ON FILE</b>
<b>240</b> Request of Pete Wall to address Council regarding Tools 4 Troops (Communication)	<b>PLACED ON FILE</b>
<b>241</b> Request of Patt Bilow to address Council regarding Tools 4 Troops (Communication)	<b>PLACED ON FILE</b>
<b>242</b> Request of Alan Rood to address Council regarding lane changes at Foster and 60th and the traffic signal/crosswalk signal at 62nd and Foster/Holgate (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>	
<b>243 TIME CERTAIN: 9:45 AM</b> – Accept report on new Portland Fire & Rescue Duty Uniforms (Report introduced by Commissioner Saltzman) 20 minutes requested <b>Motion to accept report:</b> Moved by Fish and seconded by Fritz. (Y-4)	<b>ACCEPTED</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>	

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**MAYOR CHARLIE HALES**

**244** Appoint Jessica Molinar and Andrew Clarke to the Portland Design Commission for terms to expire March 15, 2020 and reassign Julie Livingston to a new membership category (Report)  
(Y-4)

**CONFIRMED**

**245** Appoint community member Michael Lynch to the Technology Oversight Committee for a term to expire April 1, 2019 (Report)  
(Y-4)

**CONFIRMED**

**Office of Management and Finance**

**\*246** Amend contract with Cascade Centers, Inc. for employee assistance services through June 30, 2021 (Ordinance; amend Contract No. 30002042)  
(Y-4)

**187623**

**\*247** Ratify a Letter of Agreement between the City on behalf of the Bureau of Development Services and the Bureau of Fire and Police Disability & Retirement Fund and the American Federation of State, County and Municipal Employees Local, 189 on behalf of Deanna Hattan (Ordinance)  
(Y-4)

**187624**

**248** Authorize a three year lease extension with Pioneer Office, LLC for the Bureau of Environmental Services' leased premises at Pioneer Tower through November 30, 2019 (Ordinance; amend Contract No. 53134)

**PASSED TO  
SECOND READING  
MARCH 23, 2016  
AT 9:30 AM**

**COMMISSIONER NICK FISH**

**Bureau of Environmental Services**

**\*249** Accept and appropriate a grant in the amount of \$98,500 from Metro for the West Willamette Restoration Partnership Project (Ordinance)  
(Y-4)

**187625**

**250** Authorize the Director of the Bureau of Environmental Services to sign lease documents with Friends of Zenger Farm and enter into an Intergovernmental Agreement as the sponsor of a Metro grant to the Friends of Zenger Farm (Ordinance)

**PASSED TO  
SECOND READING  
MARCH 23, 2016  
AT 9:30 AM**

**Water Bureau**

**251** Declare the water facilities located at 16120 N Simmons Rd as no longer needed for public water system purposes and revert the property and facilities to the Port of Portland in accordance with a deed restriction (Ordinance)

**PASSED TO  
SECOND READING  
MARCH 23, 2016  
AT 9:30 AM**

**COMMISSIONER STEVE NOVICK**

**Bureau of Transportation**

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<p><b>*252</b> Authorize the Portland Bureau of Transportation to waive TRN 8.01 Major Encroachments for developments on East Burnside for arcaded structures found to be redundant and outlined in the 1991 Special Design Guidelines for the district (Ordinance) (Y-4)</p>	<p><b>187626</b></p>	
<p><b>253</b> Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction replacement of the deficient bridge structure on NE Glisan St at NE 90th Ave (Second Reading Agenda 225) (Y-4)</p>	<p><b>187627</b></p>	
<p style="text-align: center;"><b>CITY AUDITOR MARY HULL CABALLERO</b></p> <p><b>254</b> Amend contract with Moss Adams, LLP to extend by one year for financial and federal compliance audits of FY 2015-2016 and increase compensation by \$599,750 (Ordinance; amend Contract No. 30002662) <b>Motion to delete directive F:</b> Moved by Fish and seconded by Fritz. (Y-4)</p>		<p style="text-align: center;"><b>PASSED TO SECOND READING AS AMENDED MARCH 23, 2016 AT 9:30 AM</b></p>
<p style="text-align: center;"><b>REGULAR AGENDA</b></p> <p><b>255</b> Strengthen regulations for tree preservation in development situations (Second Reading Agenda 212; Ordinance introduced by Commissioners Saltzman and Fritz; amend Code Chapter 11.50) <b>Motion to add exemption of mitigation payments for affordable housing projects:</b> Moved by Fish and seconded by Novick. Motion was withdrawn, to be taken up March 30, 2016.</p>		<p style="text-align: center;"><b>CONTINUED TO MARCH 30, 2016 AT 2:00 PM TIME CERTAIN</b></p>
<p style="text-align: center;"><b>MAYOR CHARLIE HALES</b> <b>Bureau of Police</b></p> <p><b>*256</b> Amend an Intergovernmental Agreement with Multnomah County to continue to provide House Bill 3194 offender law enforcement supervision and support (Ordinance; amend Contract No. 30004415) 10 minutes requested (Y-4)</p>		<p style="text-align: center;"><b>187628</b></p>
<p style="text-align: center;"><b>City Attorney</b></p> <p><b>257</b> Authorize the City Attorney to take legal action against Monsanto Company and its successor entities to recover public funds that have been and will be expended by the City as a result of the manufacture and distribution of polychlorinated biphenyls PCBs (Resolution) 15 minutes requested (Y-4)</p>		<p style="text-align: center;"><b>37197</b></p>
<p style="text-align: center;"><b>City Budget Office</b></p>		

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<p><b>*258</b> Amend the FY 2015-16 Revised Budget to respond to the housing emergency (Previous Agenda 229) 15 minutes requested <b>Motion to amend Section 1a, Attachment A and Impact Statement to reflect updates to the allocation of funds:</b> Moved by Hales and seconded by Fritz. (Y-4) (Y-4)</p>	<p><b>187629</b> AS AMENDED</p>
<p><b>Office of Management and Finance</b></p> <p><b>*259</b> Approve Innovation Funding for five major and five micro proposals for FY 2015-16 (Ordinance) 30 minutes requested</p>	<p><b>CONTINUED TO MARCH 23, 2016 AT 9:30 AM</b></p>
<p><b>COMMISSIONER AMANDA FRITZ</b></p> <p><b>Office of Neighborhood Involvement</b></p> <p><b>*260</b> Amend fee schedule for Marijuana Policy Program to cover costs of administration (Ordinance; amend Portland Policy Document ADM-20.01) 10 minutes requested (Y-4)</p>	<p><b>187630</b></p>
<p><b>COMMISSIONER STEVE NOVICK</b></p> <p><b>Bureau of Transportation</b></p> <p><b>261</b> Appoint Audrey Ivancie, Jonathan Bolden and Idris Khoshnaw to the Private For-Hire Transportation Advisory Committee for terms to expire March 31, 2019 (Report)</p>	<p><b>REFERRED TO COMMISSIONER OF PUBLIC SAFETY</b></p>
<p><b>*262</b> Authorize the Director of Transportation or designee to enter into and sign Non-Disclosure Agreements between the City and prospective vendors in order for City employees to review proprietary information (Ordinance) <b>Motion to accept amendments in Bureau of Transportation memo dated March 15, 2016:</b> Moved by Fish and seconded by Novick. (Y-4) (Y-4)</p>	<p><b>187631</b> AS AMENDED</p>
<p><b>263</b> Amend the Special Traffic Control District code to create a uniform temporary street closure approval process (Second Reading Agenda 236; amend Code Section 17.23.050) (Y-3; Hales absent)</p>	<p><b>187632</b></p>

At 11:57 a.m., Council adjourned.

**MARY HULL CABALLERO**  
Auditor of the City of Portland



By **Karla Moore-Love**  
Clerk of the Council

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**WEDNESDAY, 2:00 PM, MARCH 16, 2016**

**DUE TO LACK OF AN AGENDA  
THERE WAS NO MEETING**

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

March 16, 2016  
**Closed Caption File of Portland City Council Meeting**

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

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

**MARCH 16, 2016 9:30 AM**

**Hales:** Good morning, everyone. Welcome to the March 16th meeting of the Portland City Council. Would you please call the roll?

**Fritz:** Here. **Fish:** Here. **Novick:** Here. **Hales:** Here.

**Hales:** Welcome, everyone. We're gonna get going here in a minute. We have communications items up front -- we'll take those first and in a moment -- where we allow citizens to sign up to speak on any subject of their choosing, and they'll get to do that. Then, we'll get into our regular calendar. We're going to mess around with the regular calendar because Commissioner Saltzman is not here and I will be leaving at 11:30 to welcome the Lord Sebastian Coe to the city of Portland for the World Indoor Track and Field Championships that begin shortly. Therefore, we want to make sure that we get emergency ordinances addressed while there's still four of us here. And one of the items that's up this morning is a Fire Bureau item introduced by Commissioner Saltzman, who's not here, so I might simply hold that item over to next week and let him and the Fire Bureau report on that next week. Is that a problem, Chief?

**Fish:** I'll talk to the Chief.

**Hales:** OK, why don't you talk to the Chief about that and we will then get going on the communications items, starting with item number 238.

**Item 238.**

**Hales:** Good morning.

**Jeffrey Wihtol:** Good morning. Until about five years ago, the historic misconduct and property damage done by late night partiers in the Council Crest neighborhood was effectively prevented for many years. Then, the City changed its management strategy. Now, four bureaus respond after damage and violations occur, expending more net resources than before. The area is being degraded and regaining its reputation as the late night party spot.

Requests by SWHRL and SWNI in 2013 and again in 2015 to reinstate the proven management system were rejected by the Parks Bureau and Commissioner Fritz on behalf of the City. Why would the proven methods that consumed fewer City resources and prevented degradation of the park and the neighborhood be rejected? For two reasons, it seems.

The first reason -- the elephant in the room that wasn't mentioned -- City bureaus have difficulty cooperating. Too often, they protect their separate resources to the detriment of the city overall. Here, no one bureau wants to pay to reinstate the former system, even if the net cost is less than what the City is doing now. The bureaus are unwilling, so far, to establish an overhead funding mechanism. Recently, a Parks employee was removing gravel left over from road sanding, and spent the better part of two days with the Parks Bureau's little sweeper and blower. I remarked, "What a shame Transportation's big sweeper hadn't taken 20 or 30 minutes and swept the park roadway when it swept the street just outside." I was told that Transportation won't help inside Parks.

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This is ridiculous, expensive, and wasteful. We need a City manager to assure the bureaus always work in the City's best interests overall. I call on each of you to endorse a change to a City manager forum.

The second and stated reason -- "there is worse crime elsewhere." We understand and support equity, and my wife has taught ELL students for decades in the David Douglas district. We know how much that community needs additional resources and support. But equity sought by degrading Council Crest to achieve parity with SE 122nd is racing to the bottom.

Reinstating the proven management system at Council Crest will free up needed resources for other deserving neighborhoods. Please conserve our City resources, stop degrading our neighborhood, reinstate the proven system at Council Crest, and get us a City manager. Does anyone really think that we should continue unnecessarily degrading this neighborhood, especially when it is consuming additional precious City resources? [beeping] Now, Nancy Seton, the chair of the board of SWHRL, wants to comment on her communication very briefly.

**Hales:** Alright. Give you just a moment, Nancy, because you're not signed up.

**Nancy Seton:** Right, right. Yes. I just wanted to express the SWHRL board's support again for the neighbor's initiatives. We wrote a letter in support of some five measures that could be taken to improve conditions at Council Crest Park in December of 2015. I can leave that with you.

**Hales:** Please do. Thank you both very much.

**Fish:** You can leave a copy in my office and Commissioner Fritz's office.

**Fritz:** We have it, thank you.

**Hales:** We'll distribute it.

**Wihtol:** We have much more information that we've given to the bureau chiefs, to each of you, and to your chiefs of staff in the past. We can do it again, if you'd like.

**Hales:** Thank you.

**Item 239.**

**Hales:** Good morning.

**Charles Johnson:** Good morning, Council members. Happy St. Patrick's eve. For those who don't know, of course, SWHRL is the part of the magic letters of what really matters in the city -- SW, Southwest, Council Crest. We dare not let that neighborhood be degraded while other streets, other communities don't have streets and sidewalks in our town.

Recently, we had the pleasure of having 40 percent of you all -- well, actually, half of the people who are sitting in front of me came over to the County Commission building at the invitation of the Buckman Neighborhood Association -- part of their hopefully successful strategy to keep their pool despite the belief that we need a five percent across-the-board reduction so that we can improve the lives of some of our homeless citizens.

I realize that revenue enhancement is a difficult job for you all. Because it's actually what we need. We don't need five percent across the board reductions. We need fair and equitable taxation in the city where the people who are holding onto the wealth that they make off of the city reinvest it in the quality of life of all of the citizens. So, I wish that you were able to find the enthusiasm for a fair and enhanced revenue instead of a five percent cut, but I am at least glad that -- as will be coming up later on the agenda -- we're going to talk about how to put more dollars into serving the most needy and distressed citizens, which is why [tprojects.info](http://projects.info) is in my signup.

We're highly reliant upon Transition Projects to do the frontline services. I hope that the Mayor is not overly reliant on the executive director of TPI to learn about how those frontline employees are feeling stretched, supported, under-supported. They have very difficult jobs. If the City Charter had been written with wisdom, you all would be required to

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walk through the Transition Projects' day room before you could get to your offices and see the negative side. There's also wonderful things happening. The Mayor will be going down to buy near square, which isn't much of a public space right now, but the world is coming here to see Portland as the international amateur athletic federation starts their championships. And there's not been -- as I could tell -- any show-off dramatic sweeps to push the people sleeping off 5th and 6th Avenue away, so I want to thank you for dealing with the world the way it is and trying to adjust the budget to help those people. Thank you.

**Hales:** Thank you.

**Fritz:** Thank you for raising the issue of the Pioneer Square. I was down there a couple of days ago and was kind of disturbed at all the fencing and such, so I just wanted to tell folks at home we have world class -- world class athletes -- very difficult to say at 9:30 in the morning -- coming, and that their safety -- given some of the events that have happened worldwide -- around the event is really the reasoning for that increased security. But it's very different from our usual welcoming Pioneer Courthouse Square that definitely is everybody's living room. So, I appreciate you raising that concern -- or that issue, Charles.

**Hales:** And the activities in Pioneer Courthouse Square are primarily free and open to the public --

**Fritz:** Right, they are.

**Hales:** -- so that's what that's being set up for.

**Fritz:** And the transit center -- I mean, the transit services and Travel Portland are still open to everybody, too. It's just that there needs to be more of a checkpoint to get in.

**Johnson:** It's not all bad. The vehicular single occupancy -- there's no single-occupancy cars in that one lane right there because it's closed. So, that's not all bad.

**Fritz:** That's true. Thank you.

**Hales:** That's true. Alright, thank you. Let's ask -- I think the next two would like to come together. I think so, yes -- 240 and 241, please.

**Item 240.**

**Item 241.**

**Hales:** Come on up, please. Good morning. Welcome.

**Pete Wall:** Good morning. We represent Tools 4 Troops, a charity set up to support the veterans of the five U.S. Armed Forces. We collect tools, refurbish them when necessary, and distribute them freely to veterans at the events of our own making at the American Legion and various other events that come up. So, we're focused on the Portland metro area. It's our third year in existence, and we have some outreach to a Newport, Grants Pass, and the Bend Redmond area as we attempt to grow.

One of the obvious difficulties for any charity is funding, so, yes, we are looking for monetary donors. We're seeking assistance in our growth, which is based on chapters. So, we're looking at having a chapter in Vancouver, one in Lincoln City, one in Salem, one in Lebanon, one out in Troutdale. By this means, we'll be able to grow and expand and help our veterans that much more.

How do we collect the tools? We attend the city's spring cleanup days. We'll take in most anything. And also, we will go to garage sales, estate sales, we'll extend an IRS tax exempt form which often gets the owner more than five dollars for his or her hammer that they're trying to sell. We would also like to put it on record that in extending our presence, we've been on the American Heroes Radio network out of Florida nationwide. Most recently in December, we were on KATU TV, on the news channel. Any assistance that the City can give us and in supporting our veterans we would much appreciate. Thank you for listening.

**Hales:** Thank you.



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**Fritz:** One thing that you could do is -- right on our cable television right now -- tell both the potential donors and troops, how can they find out about where to donate and where to get the tools from you?

**Wall:** Thank you.

**Patt Bilow:** I'm Patt Bilow, and our website is [tools4troops.org](http://tools4troops.org). We had the honor of meeting Mayor Hales at the 9/11 stand-down event, and one of the gentlemen that we gave tools to when Mayor Hales was standing at our booth -- he was a handyman. And since he didn't have tools and he had to borrow his boss's tools, he made half as much money as if he had his own tools. He was in tears when he left, because we gave him all the tools that he needed and he was able to double what he made.

And one of the things after we had a conversation with Mayor Hales is we were talking to him about maybe placing some barrels where the permits and the development where contractors came in so that we could get collections. And we have -- our posters are 20 by 17, and this is just a smaller one. But we put these on the barrels, and we come and collect the tools and we give them to veterans. We do not charge them, we make sure that they are in working order. We've given away over \$100,000 in tools from mid-2014 through the end of last year. And we know we've helped so many homeless veterans, and I know that's on your agenda to try and help to find homes, and we're trying to give tools to the veterans. So, any help that we could get to partner with us, that would be great.

We partner with the Easter Seals and several employment organizations in the state of Oregon, and they may have a veteran that needs a particular tool or a particular setup tools -- maybe they were stolen or they are starting a new job -- and we do our best to help them with whatever tools that they might need. So, any help or publicity that you guys might help us with, it helps us all help and thank our veterans for their service.

**Hales:** We really appreciate what you are doing and the fact that you're here today, highlighting this. Unfortunately, Commissioner Saltzman is not here, whose bureau, the Bureau of Development Services, is primarily responsible for the permit center, but we can follow up on that. But by happenstance, we have representatives of the local Homebuilders Association here -- Paul Grove, who's back there under the light, and Justin Wood, next to the clock -- who are leaders in the local construction industry. So, I hope while you're here you'll do a little networking with them, because obviously, the local Homebuilders community could help, as well as other folks that are coming into the permit center or otherwise interested in supporting the cause. So, you got lucky in terms of them being here today. We'll make sure that Commissioner Saltzman is connected to this idea as well.

**Fritz:** The other thing that you could do in terms of the neighborhood cleanups -- and I'm sure that the Office of Neighborhood Involvement could help get the word out and we could perhaps have a barrel at various community cleanup events. So, if you call 823-4000, which is the all-purpose City and County information number, and tell them that this is what you would like to be connected with -- somebody in the Office of Neighborhood Involvement who could discuss this with you --

**Bilow:** Oh, that would be great.

**Fritz:** Yes. Because usually, people bring junk and it's a bulky waste cleanup, but I'm sure as people are cleaning out their garages, they find -- as I have -- I have two sledgehammers, and I don't know why I need one sledgehammer --

**Bilow:** We attend several -- how many? We attend several a year, and we are -- that's a great idea to reach out to the main source for that.

**Fritz:** Right, we can definitely help for that.

**Bilow:** Thank you very much.

**Hales:** Thanks, we are looking forward to working more with you. Thank you very much. Let's take the last communications item, please, number 242.

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**Item 242.**

**Moore-Love:** He is not going to be speaking today.

**Hales:** Oh, alright. Thank you. We'll give him another opportunity. Alright, then, let's see. Are there any items to be removed from the consent calendar? I don't have any --

**Moore-Love:** 254.

**Hales:** Which one? 254. Oh, there it is. I'm sorry, yes, I did have that. Alright, we're pulling 254 to the regular calendar. Any others? If not, then let's take a vote on the balance of the consent agenda.

**Roll on consent agenda.**

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

**Hales:** Let's move to 243.

**Item 243.**

**Hales:** OK, come on up, Chief. Good morning.

**Erin Janssens, Chief, Portland Fire and Rescue:** Good morning, thank you for taking the time to listen to us this morning. Good morning, Mayor, Commissioners. For the record, Erin Janssens, Fire Chief for Portland Fire and Rescue, and I have with me Lisa Williamson. Lisa is our clothing officer who works out of our logistics section.

Like most sworn professions, Portland Fire and Rescue has a long-standing tradition of wearing uniforms that represent our identity, profession, and esprit de corps. We've currently been wearing our Ben Davis style jeans for over 30 years and our current duty shirts that are the medium blue shirts for 20 years.

Unfortunately, our current duty uniforms do not meet the NFPA 1975 standards, and we've also had significant quality control issues with those also. So, in order to both meet NFPA safety standards and reduce uniform replacement costs, the logistics section in conjunction with the uniforms committee recommended a duty uniform change to the NFPA-compliant Nomex uniform, which has been recommended by both OSHA and NFPA.

So, thanks to the conscientious efforts of Lisa Williamson, Portland Fire and Rescue conducted numerous wear tests with various groups of firefighters. She received overwhelming support for the new uniform and convinced us to pursue the change. And she did this in three ways. The new uniforms meet the current OSHA and NFP recommendations, as I stated earlier.

**Fritz:** What's NFPA?

**Janssens:** National Fire Protection Association.

**Fritz:** Thank you.

**Janssens:** She calculated the longer-wearing uniforms will save money in the long run and did the complete change of the duty uniform over two fiscal years, so therefore not requiring any additional funding to do a uniform change, which is unusual. And with wear tests with the firefighters, our firefighters love the new uniform. She also coordinates with Transition Projects and others to donate any used clothing items that no longer meet professional standards yet continue to have some useful life. So, any kind of used items that we'll be turning in will be put to good use there.

Beginning on Monday, March 21st, Portland Fire and Rescue is going to look a little different. All of our sworn firefighters who work on the line will be wearing a new black Nomex uniform, as Lisa is wearing today. Our 40-hour chief officers will continue to wear the white uniform shirts as I'm wearing, and our staff officers will have the option to wear either the black uniform or the white, but the medium blue will no longer be in existence. And our dress uniform and turnout uniforms will obviously remain the same.

With that, I just wanted to introduce that to Council and to all Portlanders that beginning Monday, we're going to look a little different. I'd like to thank all the people who

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worked to make this much-needed change happen and congratulate and thank Lisa for -- in addition to her regular job duties -- managing the complete sizing and replacement of the uniforms for over 600 members. As you might imagine, it was a little bit of a task and she did great.

**Hales:** Thank you. It looks sharp.

**Fish:** Chief, are you are going to hold it up so we can see it?

**Hales:** That's the old one.

**Janssens:** This is the old one.

**Hales:** Lisa is wearing the new one.

**Fish:** That's the old one.

**Janssens:** Stand up? So, the new one is -- and it's Nomex, it's a lighter weight of Nomex which is used for firefighter turnout clothing, so it's fire-resistant versus all the polyester that's involved in our old uniform which is very dangerous. So, this is a great step for these firefighters.

**Fish:** And the choice of color -- is there a safety standard there, too?

**Janssens:** That was what all the firefighters wanted because they believed it will stay cleaner longer.

**Fritz:** I was thinking that -- [laughter] -- it makes no sense to have the pale blue.

**Janssens:** This goes to the cleaners often. [laughs]

**Hales:** It seems like soot is kind of that color range. So in this case, black is the new black.

**Janssens:** Black is the new black.

**Hales:** So, last time I was at your warehouse, there was a stock of old uniforms. Are those all going to Transition Projects?

**Janssens:** They are staged. They can only take so many at a time, so Lisa works with them to stage and move things through.

**Hales:** And any other community organizations that can use those, or -- you probably already researched that. I mean, TPI is great, but just wanted to make sure that they are going to good use.

**Lisa Williamson, Portland Fire and Rescue:** We are going to try to provide it for Transitions Project, and they said that they can accept it as long as we can stage it because of the numbers they have working there.

**Hales:** So, there's really no wastage involved here?

**Janssens:** Correct. We believe that it's going to save money, ultimately. We were having enormous quality control issues with our old uniforms, even just ordering them in and inconsistent sizing, poor quality, poor stitching, buttons, zippers and all those things.

**Williamson:** Fading.

**Hales:** Yeah, OK.

**Fritz:** Presumably you take the signature off before you pass them on?

**Williamson:** Oh, yeah. Absolutely.

**Fritz:** It'd be fun to put some on EBay and see if you could raise some money for the bureau. I bet some people might kind of like to have an ex-firefighter, you know, a game-worn uniform.

**Fish:** You know, Chief, when Bud Clark moved a couple of years ago, he had a house sale and he sold the raincoat that he used that he exposed himself to art.

**Janssens:** A lot of money, huh?

**Fish:** So, I think when someone finds your uniform, that could also maybe be a big ticket item.

**Janssens:** You never know.

**Hales:** Great, thank you very much. Any other questions or comments for the Chief?

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**Novick:** Thank you for the work you put into this, and it does -- yes, I'm pleased that we are going to be saving money on cleaning uniforms. But I'm disturbed by what Commissioner Fish just said, I have to say, because I would have hoped that raincoat would be in the Oregon Historical Society. So, we need to track it down.

**Fish:** Well, it's in the equivalent -- it's in the collection of one Thomas Lauderdale.

**Hales:** OK. It might be even better. Alright. Thank you both very much.

**Janssens:** Thank you.

**Hales:** Anyone want to speak on this report? A motion, please, to accept the report.

**Fish:** So moved.

**Fritz:** Second.

**Hales:** Roll call.

**Item 243 Roll.**

**Fritz:** Well, I'm sorry that Commissioner Saltzman is not here because it clearly is both an efficiency and a safety issue, and that's dear to -- both of those are dear to his heart. And thank you, Chief Janssens and Lisa and others for all of your good work. It's very impressive, and I'm sure that we'll get lots of good press coverage for how efficiently and cost effectively this has been done. Thank you. Aye.

**Fish:** Yes, thank you for the presentation. Chief Janssens recently announced that she would be retiring in due course, and I look forward to the public celebration of her service to our city. I had the honor of being on a panel that actually initially reviewed her application to become a Chief, and it's been an honor to work with her. And thank you for the outstanding presentation today. Aye.

**Novick:** Thank you for the presentation. I, too, am looking forward to a raucous celebration of Chief Janssens' career. And I would not take Commissioner Fritz's suggestion about the auctioning off game-used uniforms lightly. I bet you could raise some money off that. Aye.

**Hales:** Aye. Thank you very much. OK, let's move onto -- is someone here from the Auditor's Office to deal with 254?

**Moore-Love:** Yes.

**Hales:** OK, let's go ahead and deal with 254 and then move into the rest of the agenda.

**Item 254.**

**Hales:** Good morning.

**Fiona Earle, Office of the City Auditor:** Good morning. For the record, I am Fiona Earle, principal management auditor in Audit Services division of the City Auditor's Office, and I manage the City's contract for the financial audits. I'm here today to ask for Council's authority to extend this contract for a final one-year term.

When we went out to bid in 2012, we had three respondents. It was given to Moss Adams by an evaluation committee. The contract was written in the normal way for these types of financial audit contracts, it was a three-year term with the option to extend for two single one-years, and this would be the second of those one-year terms.

The amount of money authorized in the initial contract covered the first three years. So, this final amount of money would apparently be a huge increase if you measure it against the initial contract amount, but we did in fact get Moss Adams to reduce their fees by three percent compared to the previous year. We managed to do this by working with the Bureau of Revenue Services to find ways to reduce the hours we proposed for this coming year. So, I think I will simply ask if you have any questions about this extension.

**Hales:** No, and do we need to adopt this amendment you provided?

**Earle:** I believe so. That was --

**Hales:** It's just a technical change, right?

**Earle:** A technical change about if there would be any further amendments, how they would be approved. We would have to come back to Council if it involved dollar amounts.

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**Fish:** Do you want us to adopt that amendment?

**Earle:** Yes, please.

**Fish:** So moved.

**Fritz:** Second.

**Hales:** So, we're moving the amendment described in the March 15th memorandum from Ms. Earle. Any discussion of the amendment? Roll call.

**Roll on amendment.**

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

**Hales:** Thank you very much.

**Earle:** Thank you.

**Hales:** Anyone want to speak on this item? Then, if not, it passes to the second reading. Thank you very much. OK, now, let's move to the regular agenda, item 255.

**Item 255.**

**Hales:** Let's figure out how we want to proceed on this. Commissioner Saltzman is not here but apparently has an amendment. This was scheduled for the second reading and we would normally be voting. We also were approached this morning by some folks that wanted to speak on the amendment, and I was not aware of that until just this morning and said that we would try to provide that opportunity, but he's not here. So, my recommendation I think is that we take testimony at some future Council session, not necessarily today, and we take action at some future Council session.

**Fish:** Mayor, I asked -- I was unaware of the amendment, so I asked Commissioner Saltzman's office to furnish me with a copy. I told Matt Grumm of his staff that as a courtesy to him, I would offer the amendment so it was on the table. And my suggestion is we set this over until next week and take the testimony and vote on the ordinance.

**Fritz:** So, as a co-sponsor -- or actually, the initiator of this ordinance -- I was also not aware of the amendment. I was aware that something might be coming but had not seen it until this morning.

This is a stopgap measure, and we are coming back to Council on the 30th of March, which is two weeks from today, with a report on the tree code and a request to establish a committee to look at -- to do a thorough review of the tree code. And if Council wishes, we can get that going sooner rather than later. The request was for the next fiscal year. However, we could get started earlier and we could bring back amendments as soon as the committee has recommended it.

I'm really concerned about putting an amendment on the table that the majority of the public hasn't seen that has not been published even on the Tuesday memo, and which -- there has been an opportunity for public review of what we had on the table, which is intended to be, as I said, a stopgap measure. It's not the be-all and end-all.

There will be more opportunities in just two weeks for people to testify. If Commissioner Saltzman and others want to put an amendment on the table or want to amend the ordinance, they could file this coming Monday and have something on the Council agenda which everybody in the public could then review. So, my preference would be to adopt the -- to vote on the stopgap today, and then continue the discussions -- as I'm sure we will several times over the next year.

**Hales:** I understand your desire to try to resolve this, but I'm uncomfortable with leaving a sponsor of this ordinance behind who has unfortunately not been able to be here this morning and who has proposed an amendment. So, my -- what I would like to do is I'm going to accept a motion to adopt this amendment. Is there a second for that motion?

**Novick:** For courtesy purposes -- second.

**Hales:** I will accept the motion to consider the amendment, put it on the table, and thereby make it available to the public. I think I'm going to set the whole thing over to March 30th,

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so that we can take up this ordinance and the report on the same day so that people who are interested in the tree code will see what we're doing. I'll take testimony on the amendment as Council considers it that day. Does that make sense? Kill two birds with one stone?

**Fish:** Mayor Hales, can I forecast something? Commissioner Fritz, I think, has rightly characterized this as a stopgap measure. It is actually an ordinance which means it's not effective for 30 days. If we set this over for two weeks and we take testimony on the amendment and we have a final package, I probably will sponsor an amendment to put in an emergency clause on the ordinance so we can proceed.

**Fritz:** Actually, I appreciate the concern and the support, Commissioner Fish, however, that's really difficult for the staff in the Bureau of Development Services. If we put an emergency on, that means that they wouldn't know what they were -- what was going to be in the rule, and then they're supposed to implement it the very next day without the opportunity to do training with their staff, without the ability to put out brochures about --

**Fish:** Withdraw the motion. Because you referred to it as a stopgap and it would otherwise be a 30-day lag until it actually becomes effective, I would propose that if that's not the will of the sponsor, I won't propose it, but it's my intention to cast my vote on the 30th.

**Hales:** I'm going to set this over to the 30th.

**Fritz:** So in that case, Mayor, we're going to need more than an hour on the 30th, and you have another time certain scheduled for 3:00 on the 30th.

**Hales:** I'm not sure why we'd need more than an hour to consider this amendment and a little bit of testimony on the amendment.

**Fritz:** Well, we have the tree -- what's on the Council agenda is the report on the tree code.

**Hales:** Alright, so what's on the calendar that morning?

**Fritz:** On that afternoon, and it's the Office of Equity and Human Rights annual report.

**Hales:** Alright. I might be willing to accommodate this and either move that time certain or otherwise make this work.

**Fritz:** Thank you. I just want to make sure that we are open with people who are planning to testify on both issues.

**Hales:** OK, so I'm going to continue this to the 30th. We'll make the amendment available to anyone interested, and we'll take this up then along with the report.

#### **Item 256.**

**Hales:** Assistant Chief Henderson is here to present this. Good morning.

**Donna Henderson, Portland Police Bureau:** Good morning, Mayor and Commissioners. For the record, I'm Donna Henderson, Assistant Chief of investigations for the Portland Police Bureau. This is Lieutenant Dakin, who's a lieutenant in our Detective Division.

What this amendment does is just allow pass-through money from the State through Multnomah County to the Portland Police Bureau so that we can provide one officer that partners with Multnomah County to kind of monitor some of our customers in the MCJRP program that we have.

**Hales:** Do you want to tell us what that acronym means?

**Henderson:** Sure. MCJRP stands for Multnomah County Justice Reinvestment Program, and if you'd like, I'll read a quick paragraph that kind of explains what it is. Justice reinvestment seeks to improve public safety by reducing spending on incarceration in order to reinvest savings in evidence-based strategies that decrease crime. Our program is a collaborative effort to improve assessment of criminal offenders in Multnomah County and provide them a continuum of community-based services and sanctions. This combination of early assessment and intervention is provided to reduce recidivism while protecting public safety.

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The distinct thing about our program is that we have a number of agencies that have worked together for two years. We arrive at 7:00 in the morning every Friday to discuss what we need to do next. And the partners include, obviously, the Portland police, the Gresham police, Fairview, Troutdale, sheriff's office, the Department of Community Justice, Oregon Judicial Department, District Attorney's Office, Citizens Crime Commission, Defense Bar, CODA, and Multnomah County Local Public Safety Coordinating Council.

If you have the report in front of you, if you go to page 11, it gives you the numbers that we have produced this year -- or this quarter -- and it shows the individuals that we have contacted as a pair. And by the way, the team is one Portland police officer and one Multnomah County officer, and we work as a team. And the whole point is to just keep these folks on track, make sure that they get to the services that they need, and hopefully to keep them out of the system in the future.

**Hales:** So, the fundamental purpose of this whole effort is alternative sentencing as opposed to just sending people to jail.

**Henderson:** Absolutely. Sending them to prison.

**Hales:** Yeah, to prison, I should say.

**Henderson:** So that we don't have to build the new prisons, but still maintaining the safety of our public.

**Hales:** Yeah, so, taking people's individual cases, coordinating the work between parole officers and the bureau, OK.

**Henderson:** Yes.

**Hales:** Questions about this program?

**Novick:** Not a question but a comment. I mean, Multnomah County's program has been recognized as sort of the model program for justice reinvestment in the state. There's sort of a quirk in the funding of the criminal justice system where, actually, in a way, counties have a financial incentive to send more people to prison because then they're in the state budget. If they are in jail or in supervision, they're in the County budget. And Representative Jennifer Williamson and a lot of other good folks a couple sessions ago were trying to figure out how to put the systems in place that give counties the resources to keep the people out of prison, and Multnomah County stepped up early to propose a method of doing that. And I wish that it was being funded more adequately by the state, and we'll take another shot at that, but your work is fantastic --

**Henderson:** Thank you.

**Novick:** -- and I'm glad to see it highlighted.

**Henderson:** Thank you very much.

**Hales:** Thank you very much. Thank you both. Anyone want to speak on this item? If not, it is an emergency ordinance. Let's take action, please.

**Item 256 Roll.**

**Fritz:** Thank you very much for your work. Christina Nieves, one of my policy advisors, worked on this with then-County Chair Marisa Madrigal when she was working there. And so, this is a program that's especially important to everyone in our office, and I'm glad to see it moving forward. Aye.

**Fish:** Thank you. Aye.

**Novick:** Aye.

**Hales:** Yeah, I like the service coordination team and a few other efforts trying to work smarter, treat people as individuals. It's a way to be both more humane, more safe, and save money in the bargain. So, good work. Thank you very much. Aye. Let's move on to 257.

**Item 257.**

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**Hales:** Good morning, City Attorney Reeve.

**Tracy Reeve, City Attorney:** Good morning, Mayor and Commissioners, Tracy Reeve, Portland City Attorney, and with me is John Fiske of Gomez Trial Attorneys in San Diego. I'm here to ask you to authorize us to file a legal action against the Monsanto Company and its successor entities Pharmacia and Solutia to recover --

**Fish:** -- beg your pardon -- [laughter]

**Reeve:** To recover amounts that the City has expended and will continue to expend to address PCB contamination in water bodies within the city of Portland, including the Willamette River and the Columbia Slough.

We have reviewed substantial documentary evidence which we believe demonstrates that Monsanto continued to produce and sell PCBs after it was apparent that they presented a significant environmental danger and could not be contained, and that Monsanto did so with a profit motive. And Mr. Fiske is going to show you just a few of those documents this morning.

Six other west coast cities to date have filed legal actions against Monsanto. We've been monitoring this for some time, and we believe that if the City is going to file such an action, now is the appropriate time to do so. The other six cities have filed in a variety of federal district courts, and as Mr. Fiske is going to describe in more detail, there is currently a motion pending before the judicial panel on multi-district litigation to consolidate those actions in one federal district court. That motion is going to be heard in Santa Barbara on March 31st. We believe that if the City of Portland is going to participate in litigation against the Monsanto Company, it would be appropriate to do so at this time when that litigation is really getting up and running.

One other thing that I wanted to mention is that the question has come up about whether the timing of this is being driven by the status of the Portland Harbor Superfund site. As you well know, the preliminary plan for the Portland Harbor is scheduled to be released by EPA the first week of April, and really the connection in timing is quite fortuitous. As I say, we've been monitoring these potential legal theories and potential claims against Monsanto for some time. And really, our request that we initiate legal action at this point in time -- if we're going to do so -- is driven more by the status of those cases and by the pending motion for consolidation before the joint panel than it is by the Portland Harbor Superfund.

Monsanto will not be brought into the Portland Harbor as a potentially responsible party. These are some unique legal theories, and it's not within CERCLA liability. That's not to say that there's no relationship, because of course, the City has expended significant amounts investigating PCBs both within and without the Superfund sites, and those funds would be among those for which we would seek to recover. So, there is some relationship and it will inure to the benefit of our participation in the Superfund and the amounts that the public has already expended to deal with PCBs, but we are not requesting legal action because of the status of the Superfund action.

With that, I will introduce Mr. Fiske and turn it over to him. And I'll just say that should the Council elect to pass this resolution and authorize us to file, we have already had significant meetings with Gomez Trial Attorneys and have communicated with the other cities that are initiating litigation, and our intention would be to have the City be represented both by the Portland City Attorney's Office and by the same outside counsel, which is Gomez Trial Attorneys and Baron and Budd out of Texas. Gomez Trial Attorneys are in San Diego, California. They are jointly representing the other six cities.

**Hales:** Welcome, and good morning.

**John Fiske:** Thank you. Good morning, my name is John Fiske. I am an attorney from Gomez Trial Attorneys. I'm a civil litigator and a trial attorney, and currently, my firm and



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the law firm of Baron and Budd represent six other cities which include Seattle, Spokane, Oakland, Berkeley, San Diego, and San Jose. And we on behalf of those cities have filed six individual lawsuits in federal court against the Monsanto Company for PCB contamination. PCBs are polychlorinated biphenyls. They are chemicals that are toxic, they cannot be obtained to their original application, and they last decades if not centuries.

In each of those situations -- while each city has its own unique water body, in each of those situations the story of the fate and transport of the chemical is the same. And so what has occurred is that up and down the west coast -- and frankly, all over the country -- municipalities are being held responsible to pay for chemicals that Monsanto knew were a global contaminant and an environmental problem.

Currently, the procedural posture of the case is that we have filed what's called a petition for transfer under 1407. This requests of the federal court system the judicial panel on multi-district litigation, a coordination of all of the cases in front of one federal judge. It does not mean that the cases are combined into one case, but rather that they are all coordinated in front of one judge to save time and money and to be more efficient in the litigation of the case because it coordinates all pretrial discovery and the legal motions.

**Fish:** So as Tracy explained that to me, this is not a class-action lawsuit, but by consolidating -- by putting all the cases before one judge, there's an efficiency result that occurs to all the parties.

**Fiske:** That's exactly right. So, your case would be originally filed -- if it were pre-MDL, it would be originally filed in the district that it is located. So, in Oregon. If it were filed after the MDL, there may or may not be a choice to file it directly into the MDL. However, it's a separate case that the City of Portland has that could be settled before, during, or after or tried before, during, or after any of the other cities just depending on how the procedure moves forward.

**Fish:** Tracy, could you explain in plain English to us why the impact statement says there's minor out-of-pocket expenses but no other exposure to the City if we move forward?

**Reeve:** Yes. While we have not yet and would not do so prior to Council authorizing us to initiate legal action retain outside counsel, we have had discussions with Gomez Trial Attorneys and Baron and Budd on what the terms of the representation would be should Council authorize us to move forward. We would propose retaining those firms -- as have the other cities -- on a contingency fee basis where any attorney's fees and out-of-pocket costs would be paid out of the recovery, if any, from Monsanto. In the event the City were not successful in recovering any amounts at trial or in settlement, we would not owe costs or fees.

**Fish:** That's a pretty good deal.

**Fritz:** Then what would be the out-of-cost expenses?

**Reeve:** The out-of-cost expenses would be treated the same way, they would be payable out of the fees. There would be minor cost to our office, and we believe that we could cover those in our regular budget and not any additional --

**Fritz:** But that was -- Commissioner Fish's question was about the impact statement that there might be some other out-of-City expenses.

**Fish:** I understood, Commissioner Fritz, that the office will be managing the relationship with the law firm so there might be incidental costs they incur, and they're just flagging that.

**Fritz:** But even if we don't recover anything, we don't have to pay the investigation costs or any --

**Reeve:** Correct.

**Fritz:** -- or any other fees.

**Reeves:** Correct.

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**Hales:** There are filing fees and document production and that kind of stuff --

**Reeve:** Correct.

**Fish:** I mean, that's -- from the taxpayer point of view, we're saying that there's very little down side and there's a huge upside if this law firm is successful because we will recover - - a big chunk of that recovery will come to the City.

**Reeve:** Exactly.

**Fish:** And we don't have time today to go through the legal theory of this case, but I understand it's generally described as a novel legal theory. So, we may be making law here. Is that true, Mr. Gomez?

**Fiske:** I'm Mr. Fiske and I work for Mr. Gomez --

**Fish:** Oh, excuse me.

**Fiske:** It's fine, I just don't want to impersonate him -- in public, at least. I wouldn't describe it as novel. What this is -- every state law is different, and even though we're suing in federal court, you sue under the state law that you are located in. And we are suing essentially on claims on product liability, of public nuisance, and of negligence. And there have been many other cases in which a product manufacturer is held responsible for a product that contaminates water.

**Fish:** The public knows this family of claims as polluter pays. There is a polluter, there is some damage to the water stream in a community, and we're trying to hold that polluter liable for the damage.

**Fiske:** Yeah. Essentially, a lot of folks think of environmental law as CERCLA litigation, which is involved in the release or transport or arranger type of liability. Here, what we do is we look to the product manufacturer who knew that the product was going to cause an environmental contamination problem in the first place, and therefore our theory is that it's negligent and creates a public nuisance to release that product into the stream of commerce anyway, knowing there is no way you can contain the product to the original application, which is the nature of many chemical products. But this one is very specific to Monsanto.

**Hales:** You had some slides of the particular documents that you wanted to touch on?

**Fiske:** Yeah. So, PCB chemicals are very specific in the sense that they cannot be contained to the original application and they're toxic and they last forever. In 1969, Monsanto started to react internally -- as far as we know -- to the growing incrimination of PCBs in the public. And here, they identified that PCBs can be found in fish, oysters, shrimp, and birds, and that they have basically contaminated many parts of the globe, including western wildlife, and they identify here that it may be a global contaminant.

This is in the same document that identifies that Aroclor, which is the trade name or the brand name of PCBs -- that the use of the Aroclor was halted, but however, the fate and transport of the PCB is that the PCB was essentially lodged in the sediment and therefore it allowed the PCB to escape from the sediment over a long period of time. And so it says, "we can expect the water contamination to continue for a lengthy period by leaching from the contaminated mud." Here, you see in the '60s that Monsanto knew sort of the fate and transport of how these chemicals would continue to contaminate, which is what's occurring right now all across water bodies.

Here's another internal document from Monsanto with regards to an internal committee that was formed to address PCBs. And I'll jump down to the second paragraph here, where it says, the objective of the committee -- the internal committee within Monsanto -- was to recommend action that will first protect continued sales and profits of Aroclors; two, permit continued development of new uses and sales; and three, protect the image of the organic division and the corporation as members of the community. So here, you can see that even despite knowledge that could be a global contaminant or already

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was becoming a global contaminant, Monsanto decided to expand their sales and protect their profits.

Again in the last slide here is in the same document they go on to say that they believe that there is little probability that any action that can be taken will prevent the growing incrimination of specific Aroclors 1254 and 1260, which are still being found today in their form as nearly global environmental contaminants leading to contamination of human food, particularly fish, killing of submarine species, shrimp, and the possible extinction of several fish-eating birds. Secondly, the committee believes there is no practical course of action that can so effectively police the uses of these products as to prevent environmental contamination. There are, however, a number of actions which must be undertaken prolong the manufacture, sale, and use of these particular Aroclors, as well as to protect the continued use of other members of the Aroclor series.

So here, you can see where some corporate decisions are made that even though they know that this is contaminating fish and water and wildlife, they are choosing profits over environmental health. And the shocking piece about this is that this is exactly the issue that cities all across the west coast are dealing with, which is PCBs and Aroclors are found in consumable fish tissue, creating a public health hazard in addition to an ecological problem.

**Hales:** Thank you very much. Questions?

**Fritz:** Have any of the sovereign nation Indian tribes joined the suit or have you contacted them?

**Fiske:** Well, I cannot discuss my private confidential communications with potential clients, but I am unaware of any Indian tribes or sovereign nations filing lawsuits.

**Fritz:** That's something I know that Commissioner Fish and Mayor Hales are working closely with sovereign tribes with our discussions on the harbor, so I would imagine that they would be very interested.

**Hales:** Other questions? Thank you both very much. Appreciate the presentation. Let's see if there's anyone that wants to speak on this item.

**Moore-Love:** We have three people signed up.

**Hales:** Come on up, please.

**Joe Walsh:** Good morning, my name is Joe Walsh and I represent individuals for justice. We take no money from the city or the state or the federal government, and it would be really nice when people come out to testify that they would say that. So, we're gonna say it every time we testify.

This may be the first and last time that the City Attorney and individuals for justice are on the same page. We like this. In a previous life when I was working for a living at the shipyard, we had a tremendous problem 20 years ago with PCBs in our transformers. They were leaking. This is really bad stuff, and that's what I want your listeners to hear. This is asbestos plus. This is bad stuff. And we really liked the idea that the City would join this and also we liked the statement by Commissioner Fritz that maybe we could reach out to the Indian tribes and get them involved. Because they should be. Their streams, their fish. They should be involved in this.

Now, we do have one question. It's in the last page of the impact statement that basically says there was no public input into this decision because of the attorney-client communications. Well, you know, you can get around that really easy. You don't have to give out information. You could take in the information. You could ask some people, what do you think about this case? Is it possible that we could win this case? And I don't know. It sounds good and I think it should do it, but it seems to me that you could have reached out. The City Attorney could have reached out to other people and gotten their opinion of the case. So, we would ask that in the future, even though you have an attorney-client

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relationship, you don't have to give out the information, you just take in the opinions so you're not going to violate anything. So, we thought this was a little bit shabby on that.

**Hales:** OK, thank you. Charles, good morning.

**Charles Johnson:** Good morning, Commissioners. For the record, my name is Charles Johnson. And obviously, I support every effort by the City to recover public funds that have been expended to cover up the dirty work of private polluters who have massive profits and stockholders and such as that. As a matter of fact, I would say that really, the way of this style is too modest. I think the only attorney up there is Commissioner Fish, but in many situations where -- yeah, I see Steve Novick has dashed out. There are things -- some conduct in tort actions where people trigger triple the damages. When a party has been egregious or deceitful, sometimes the law allows punitive and remediate things beyond the cost. Sorry that I couldn't be here for the entire presentation, but I hope that not only through the City Attorney's Office, which as Mr. Walsh mentioned is not an agency I always agree with how there are the 40 people earn their 100,000 plus a year, I would encourage the City to be open to any communication from outside tort litigation firms that want to work with City documents and actually expand the scope of a financial -- probably be a settlement with Monsanto and their insurance companies. But if it has to go to a jury trial, amen. Thank you very much.

**Hales:** Good morning.

**Crystal Elinski:** Good morning, Commissioner Fritz and Commissioner Fish and Mayor Charlie holy Hales -- I guess you're not going to call the police on me since there are no children in the room. OK, well that's good, that's safe.

My name is Crystal Elinski, and I know that money is not an issue since Monsanto spent the most in Oregon history on a campaign to stop the GMO labeling voter initiative. So, I don't see any reason why this can't go forward as far as the City being able to recover its fees for being in a legal -- involvement legally. It seems like why -- I wonder why this is an issue since a lot of money is wasted on frivolous lawsuits that the City has, or appeals, or motions, and again, they seem to hire an awful lot of attorneys. So, I say go for it.

My question is, why is it just recovering the expenses that the City, the taxpayers have paid to work on this all this time? Why aren't we recovering -- like Charles said -- why aren't we fining them, why aren't we actually suing them for breaking multiple laws that they were very aware of and taking this a step in any direction? This seems a little slow. But if we do follow with other investigations and other trials going on, I guess, we can continue to have these conversations and maybe bring them to a point where we don't want them in our state anymore. We don't want any leaked GMO wheat. We don't want Randy Leonard's GMO corn for ethanol grown in the east. I mean, why can't we get involved with environmental law more as a major municipality of the city where we care about our water systems and we care about the rest of our state, our region?

One month ago, Jeju island was finally dug up for the huge Navy site that I had told you about two years ago. Commissioner Fish told me he never read it or followed through on it, but I think as a city, we should come forth and be in solidarity with other municipalities that are saying no to the extraction of our resources, no to being involved in these -- you know, for war. And also, you know, I have lived in Jeju and right off the Apache reservation in Arizona, and why can't we say that we want to stand up as a city and make a resolution to not allow Rio Tinto to come in and mine our lands? Why don't we do this more often? Why don't we pursue environmental law if we've got all of these very well-paid lawyers?

**Hales:** Thank you all. Anyone else like to speak on this? Any Council questions or discussion? If not --

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**Fish:** Mayor, just a comment. My understanding is that in authorizing this lawsuit, we will be seeking to recover the full extent of damages that the law allows. And if that goes beyond compensatory damages to things like punitive damages and other damages, I'm told we have some great confidence in this law firm and they will seek every -- they will assert every possible legal claim and theory of recovery.

**Hales:** Yes, I'm assuming that, too. Thank you. Let's take a vote, please.

**Item 257 Roll.**

**Fritz:** Sometimes people talk about activist judges as if that's a bad thing. We now have an activist City Attorney, and I'm very proud of this step that we're taking and maybe we will do more of these. I very much appreciate -- I'm so proud to vote yes for this. I also recognize there's a lot of people in our community who care about this and think back to the discussions that we had on fossil fuels and other potentially contaminating things in our community. This is a part of who we are as Portland, and I believe that there are many others who support this. I do share the concern about community outreach, but that's not the City Attorney's job, that's our job, and that we could have done more of that. But it just seems that this is a good thing to do that I'm glad we're doing it right now. Aye.

**Fish:** Well, I think today is a good day for those of us that care about justice. This morning, the president nominated -- imagine this, he nominated someone to serve on the United States Supreme Court. And we shall see. And it is followed by a hearing on a resolution to hold Monsanto accountable for the harm they've caused our community. I'm very pleased this morning to support this resolution.

PCBs are toxins that cause harm to fish and to humans and to our river. And collectively, we believe in the notion of holding people accountable for their bad behavior. And as the lawyer noted earlier, there are different theories of how you can hold someone accountable. Through Superfund, we're hoping to hold people accountable through a polluter pays theory. This is a different legal theory, a creative legal theory, but one that I think that we should join robustly. And it's also a good deal for taxpayers. The way that the City Attorney has structured this deal ensures that we have very little exposure throughout the lawsuit in terms of costs, but we have the potential to have a significant recovery should we prevail in this lawsuit.

Having worked on Superfund now for a couple years with the Mayor and Commissioner Fritz and my colleagues, I have a deeper understanding of how much damage has been done to our river by people that did not always have the public interest in mind. I'm very proud that this Council is taking this step, and I want to join with Commissioner Fritz in lauding the City Attorney for bringing this to us.

The other point -- and Mayor I want to thank you, as well -- and the other point I think we should note is that one thing we have heard loud and clear from the community -- and so I think, in fact, we could amend that statement at the end of this resolution -- one thing we've heard consistently is the community doesn't want us to wait any longer for Superfund to work its way to an end game. And Superfund has been in the works for a very long time, and it's possible it will continue for a very long time. Portland doesn't have to wait until Superfund is concluded. Portland can take an action now to protect public health and safety. And I applaud us for doing so. Thank you, Tracy, and your team. Thank you, Mayor. I'm proud to vote aye.

**Novick:** I, too, am proud to have an activist City Attorney, and Tracy, thank you very much for this and all the good work your team does. I also would like to take this opportunity to say thank goodness there are trial lawyers in America willing to work on contingency, taking the risk they might lose and enabling people and governments to be part of a lawsuit without coming up with a bunch of money up front. And to get to Commissioner Fish's point about the Supreme Court, I hope that we will get a Supreme Court Justice that

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overturns the decisions that have allowed big corporations to impose arbitration clauses on people that prevent them from joining in class-action suits, just as an aside. Aye.

**Hales:** I'm very proud of this as well, and I think that it says a lot about who we are as a city. We are joining this effort not just to pile on and certainly not because we are anti-business, we're joining this because this is very consistent with who we are as Portlanders and because we know in this city that environmental stewardship and economic success are not in conflict.

We just learned our unemployment rate has dropped down under five percent in this city. The city is booming economically, and it's booming in large part because we live our values and people want to live in places that exercise good environmental stewardship and they want to build their businesses there. So, that's outrageous at another level -- that we're having to deal with a business in this case that really saw environmental stewardship as a nuisance or an unwilling cost -- a cost they were unwilling to pay. But we know actually that the contrary is true, that we can have a clean green economy, and we are doing that here.

We also believe businesses ought to be held responsible for their pollution. In fact, as you may have heard, Mr. Fiske, we're dealing with an air toxins problem in Portland at the moment where a couple of local businesses were emitting toxic compounds, and we need to be serious about addressing that problem and cleaning up the after-effects of that pollution as well. And speaking of cleaning up the after-effects of pollution, the other reason why I'm glad we're participating in this and why there is justice and injustice at work here is that the people of the city of Portland have spent over a billion dollars to stop polluting the river with raw sewage. We cleaned up that problem that our sewer system created for decades in our river. So, the citizens of Portland -- many of whom have a lot less money to work with than Monsanto -- dug deep in order to pay for cleaning up our mess, and other businesses should be held to that standard.

Finally, this is one more example lately where cities are really taking the lead on environmental issues, whether it's climate change or energy conservation or transportation or pollution control. We wish that the federal government were a more aggressive regulator. We wish there was money in the Superfund, not just a mandate, and we need our state to step up on environmental stewardship issues as well, but it falls more and more often to the cities to take the leadership in this and that's why the leadership of our City Attorney is very appreciated. Good luck and godspeed. Aye. Thank you. Let's move onto another City issue.

**Item 258.**

**Hales:** I want to call up our team from my office, A Home for Everyone, and the County -- I'm sorry, the City Housing Bureau, and have everyone tell us what we're about here.

**Josh Alpert, Office of Mayor Charlie Hales:** Good morning, Mayor and Commissioners. Josh Alpert, Chief of Staff in the Mayor's Office. I will be brief so I can let my teammates here speak to this issue. But first, I wanted to introduce why we are here today. This is an unusual and somewhat extraordinary request.

Typically, as you well know, we handle budget allocation requests either through the budget process through our Fall and Spring BMP. And in congruence with the state of emergency, we are here today to go outside of that norm because there is a need on the street currently that is not being met that is causing considerable backlog and actually resulting in more people in danger of falling into homelessness at a time when we're trying to get them out of homelessness.

So, the package we're bringing here today is a request for unallocated general fund outside of the budget process to both pay back costs that have been spent by the Office of Management and Finance as we've been moving forward on shelter and other programs,

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and then a request for additional funding, all of which will be spent in this current fiscal year. Obviously, in the budget process we will be making decisions to bring forward to the Mayor and the Council on funding for the next fiscal year. This is all for the remainder of this fiscal year to keep us moving as we're attacking the issues surrounding the homelessness. With that, I'll turn it over to Bob Kieta to talk about the costs for the Office of Management and Finance.

**Bob Kieta, Office of Management and Finance:** Good morning. Bob Kieta, OMF, working with the Mayor's Office on several different projects here.

The first one we're going to talk about is the Sears shelter. It's the Sears Building on SW Multnomah Boulevard. We have opened that one as of Thanksgiving of 2015 for -- six months is the term on that, but as far as our budget for that building goes, we have always operated as an empty building right now. So, putting 175 people in it has its effect on not only the utilities but on the maintenance calls that we have to go out and service the building, whether it's stopped-up toilets or heat calls or things like that. So, we've had an increase to our operation budget that we are looking to recoup through this action.

The second shelter is on 4th and Washington. We got it for a very good price at a dollar a month, but with that we had to take over the actual improvement to make it an operating shelter where we had to do TIs on the building to --

**Fritz:** TIs?

**Kieta:** Tenant improvements. To increase the exiting to meet fire code for the building as well as repairing toilets -- again, the big piece of it -- and making sure the heat systems are working in that building. So, that's the second item in our request.

The campsite facility services is a little bit tied to what our base program facilities was, which is the campsite cleanup program where we have identified camps throughout the city. And in this program, we are looking to provide basic human services, whether it's a toilet, a trash pickup, storage of some sort, fencing off an area to protect not just the residents but to keep camps from expanding far beyond what folks are setting up. So, there are several areas in here that we're trying to recover to make sure we have the funds to take care of the fencing, the toilets, the staff time involving with going out and meeting with contractors to do these kinds improvements.

Trash services is one of the big ones in that. There are programs where folks are going around picking up trash everywhere where we're finding that if we simply locate a dumpster, the campers -- the people will actually clean up after themselves if we provide the simple service of having a dumpster at a site. But again, there is a cost to that to have that picked up and maintained. In that, we have the Hazelnut Grove, we have the Forgotten Realms currently, we have other sites that are developing on Springwater that we're trying to keep under control and keep these things clean. So, there's a big portion of that piece.

The next portion is the property broker, as, again, we're working with the Mayor's Office in identifying housing and properties for shelters. We had our broker service -- which we use to find and identify properties -- enlisted first on this project and determined that just the sheer number of properties -- for everybody involved in this process as well as the community, we needed to have a staff person who could actually be on the ground going out investigating the properties and seeing whether or not these properties have a possible purpose for shelter or for some other long-term purposes in the housing and homeless issues.

And then finally on our list is the day storage pilot. So, the day storage has, as you probably heard, opened up this week at the Hazelnut Grove campsite as well as well as the Steel Bridge location over on the west side of the Steel Bridge. The day storage, again, is something that we're piloting to see and address the needs of the homeless. Currently,

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homeless people on the street have nowhere to store their belongings so that they can seek services throughout the day or employment or whatever else it might be.

The day storage is being piloted at two locations. One is a non-organized camp -- that's the Steel Bridge. That's where we have independent campers or small groups of campers that we're looking to utilize this service. The second site currently is the Hazelnut Grove, which is an organized camp. We're seeing if an organized camp has a use for this, also, in order for people to be able to leave the camp and seek services and do the things that they need to do throughout the day.

The day storage units are mobile and portable. They cost us \$200 to pick it up and move it somewhere else. So as campers move, we want to move these things in order to provide the service where the need actually is. Day storage units have toilets, they have trash, they have sharps containers and the storage. They're lit so that at nighttime they don't pose a safety issue as far as toilets and those kinds of things being in the dark. They actually have light. We've gotten good feedback on that.

While we've had the day storage unit placed at the Steel Bridge site for a month now -- we just opened the storage portion of it this week -- but the toilets, the sharps containers, and the trash have been utilized for over a month. We're pumping toilets three times a week, emptying the trash three times -- that's two toilets and a two-yard trash container. So, the impact on the neighborhood is already amazing as far as the use and campers using these things, bringing the trash in, using the facilities as they're meant for.

We have surveys that will be going out to the communities as well as to the users that we're going to collect information on, just to see for the user's perspective, is this working, is it going to service and provide things you need to help you find what you need? The day storage units -- we also have seven agencies' worth of information, pamphlet-type forms that will be able to be handed out as the day storage is opened each morning for people looking to find services. So, those make up the OMF portion of this request.

**Hales:** OK. Did you want to go through the housing portion? Marc is going to do that? OK.

**Marc Jolin:** So, I'll start with a couple of the items. Good morning, my name is Marc Jolin. I'm the initiative director for A Home for Everyone. I appreciate the opportunity to be here. I want to speak specifically to the rent assistance requests for permanent housing placement, retention, and also eviction prevention, and a little bit on the shelter services request.

In terms of the rent assistance, you're aware we have 4000 people a night who are sleeping outdoors or in our shelters. We have another 12,000 people or so a night who are doubled up on the couches sleeping in basements and garages and don't have permanent places of their own to live. All of those folks are looking for permanent housing. At the same time, the continued rental crisis and escalating rents and stagnating incomes are pushing thousands of individuals and families to the edge of homelessness every month. Our providers are reporting receiving hundreds of calls for eviction prevention help each month that they have to turn away.

Thus far, under the state of emergency, Council allocated emergency funding primarily to expanding shelter capacity, which is absolutely essential. But if we want to stem the inflow of new people onto our streets and onto our shelter waiting list, and if we want to help people move out of those shelter beds and into permanent housing, we desperately need additional rent assistance dollars. Our providers are reporting that the increasing demand and escalating cost per household to place and retain them in housing has left them entirely spent out of their rent assistance dollars with four months left to go in this fiscal year. And that's across the system -- the single system, the youth, domestic violence, and veteran systems have all allocated the dollars that they had available.



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They've done tremendous work with that. As you know, last year, those providers were able to help 3500 people move into the permanent housing. They were able to help 4000 people avoid eviction this year already in the first six months. They have housed 1000 people. They've actually helped more than 3200 avoid eviction through prevention assistance.

**Fritz:** Just this year? This calendar year or this fiscal year?

**Jolin:** This fiscal -- the first six months of this fiscal year. So, this is not that the providers are not doing everything that they can with the resources they have, but the demand is so high and the cost is going up fast to help families stabilize, and so we are in a situation where they have allocated the resources that they originally budgeted.

**Fritz:** Could you just explain to the folks at home what short-term rent assistance is?

**Jolin:** Sure. Short-term rent assistance is very flexible funding that allows a nonprofit agency that is working with someone who currently is homeless to pay first and last month's rent, application fees, past debt, things that are financial barriers to that family getting into housing. It also allows providers to work with families that have currently a housing situation that they could stay in but for whatever reason they haven't been able to pay the rent, and it allows us to provide rental assistance for a month, maybe two, maybe three months. It's not a long-term investment, but it allows that family to bridge whatever economic crisis they're facing.

**Fritz:** That's where you get the 3000 plus people since July 1st --

**Jolin:** That's right.

**Fritz:** -- who didn't become homeless because we gave them a little bit of help.

**Jolin:** Exactly. Exactly.

**Fish:** Marc, I'm remembering over the years the conversation that we have had about short-term rental assistance, which we call STRA, and that almost every time this conversation has come up and we've asked the Housing Bureau or our partners, "if we had one extra dollar to spend, where would we spend it?" I think the consensus has been it's the most flexible and most effective dollar because it gets people off the street quickly and into existing shelters, and in some instances, prevents people from falling into homelessness. And I think that the scenario that drives us all crazy is the person that's \$100 short on making a rent payment that leads to an eviction that leads to a parade of horrors with that family that's all preventable if we can keep them in their home.

**Jolin:** That's right.

**Novick:** Marc, I've got sort of a side question, which is, do we know what percentage of the homeless population are people who had a home and their rent went up and they couldn't afford the rent increase?

**Jolin:** I don't off the top of my head. I think we've surveyed in the past sort of primary cause of someone's homelessness. I mean, ultimately, everyone who's out there had a home at some point and for whatever reason is no longer there. How many of those that the most proximate cause was the rent increase, I don't know the answer to that. What we're hearing from the family system is that about a third of the families that are in the new family shelter have not experienced homelessness before, and that is principally being driven by market conditions in the rental market.

**Novick:** I mean, I think that would be useful to have because if rents continue to go up and that's a major cause of homelessness, then we're going to be dealing with a rising level of homelessness unless we can come up with a hell of a lot of money for rent assistance.

**Jolin:** Yes. And the challenge of affording the rent, the primary cause was the disability or some other one that continued rise in rent levels is definitely preventing folks from ending their homelessness and is a driver. The percentage that you're asking for I don't have off the top of my head.

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So, that is the piece around the rent assistance. And again, we're hearing from our providers that've got folks with 72-hour notices. Obviously, we have people in our shelters who want nothing more than to get out of those shelters and in camps who want nothing more than to get into housing, and our providers just don't have the resources to offer. So, that's what's driving this, that piece of the request.

On the shelter assistance side, as you know, we have expanded the shelter in the short-term through Sears and PEACE. We have about 270 more beds through those two investments than we had previously. You also know that our goal is to expand shelter by 650 beds over the next year and a half. In order to sustain the existing new capacity and continue to expand the capacity of opportunities arise, that's what those resources are requested to allow us to do. They represent the ongoing expense of whatever the transition sites end up being for Sears and PEACE. They also represent costs that would be associated with opening additional shelter options in this fiscal year.

And we've been doing this work now weekly under the state of emergency of looking at potential sites and knowing that we need to be able to react quickly when the opportunities arise, and this puts us in the position to do that. We've got conversations going on with churches in Northeast and North Portland and East Portland. We're hopeful that some of those will materialize into shelters still in this fiscal year. And if that's going to happen, we'll need some resource both to make improvements to those sites and to cover the operating expenses.

These are all things that going into the next fiscal year and fiscal year budget we'll be able to continue, but if opportunities arise now given the tremendous unmet need out there -- I mean, we're going to neighborhood associations and they are seeing folks on their sidewalks and in their parks and in vehicles, wanting us to be able to provide a solution. We're working really hard to create those solutions. These resources is a critical piece of being able to deliver when opportunity arises. So, that's what that request is about, ultimately.

**Alpert:** In addition, tomorrow the Multnomah County council is taking up a similar request for short-term rental assistance dollars at a million dollars so that together, we are targeting -- we're pulling and targeting that money to give back out to the providers.

**Hales:** That's great. Sally, do you want to cover the other items here?

**Sally Erickson, Portland Housing Bureau:** Sure. I'm Sally Erickson, I'm homeless programs manager for the Housing Bureau, and I want to talk about the three additional programs for which we're seeking the start-up funds with what we're bringing you this morning.

One is a tenant protection team. You know, as you're hearing this morning, with escalating rents, we're seeing more tenants that are seeing no-cause evictions or seeing rent escalation who would really benefit from legal services to prevent their eviction. So, this would provide some start-up funds for that. It's something we'd want to continue next fiscal year, but we don't want to wait until next fiscal year to start it because people are being evicted this month.

Secondly, transportation for people experiencing homelessness who are stranded here. Maybe they came here for a job possibility or for family or friends that were here, but they need assistance in getting back to where they have a support system where there's a place they might be able to stay permanently. San Francisco has had a similar program since 2006 called Homeward Bound where they pay transportation assistance so that people can get back to where they have a support network so they're not stranded in that city. It's something that we're looking to start up.

**Fritz:** Let's just be clear -- we're not planning to take busloads of folks to San Francisco or Seattle at the same time that they're sending busloads to us. That's not what's happening.

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**Erickson:** Not at all --

**Fritz:** That's not what we're proposing.

**Erickson:** Not at all. It's something that the City with the rent assistance through the Housing Bureau allows now. So, if somebody came here for a job, it didn't materialize, they have no friends or family here where they could stay, but they have a job possibility in another state or another community, if a nonprofit organization staff person can verify that yes they do have a permanent place to go, then -- but this isn't just handing out bus tickets at all.

**Hales:** It's connected in every case with casework.

**Erickson:** Exactly.

**Hales:** OK.

**Erickson:** The third thing that we'd like to start now and not wait until next fiscal year is additional housing placement assistance. We have, as you've heard, new shelters that have opened this fiscal year. We don't have additional rent assistance or staff to help people in those shelters find housing, so we've got hundreds of people that need a little bit of assistance in locating housing, applying for it. And so, we want to start up a mobile team of providers from different organizations, including culturally-specific organizations that could help in the housing search process. So, those are the three things we're hoping to fund with this request today and get it started.

**Hales:** Alright, that's the package. Questions?

**Fritz:** I'm mindful that time is going and you have to leave at 11:30 and we have other issues on the Council. So, quick questions. Remind folks or tell folks at home, where is this new money coming from? Because I think people are, "oh, suddenly, the City finds \$2.8 million." How did that happen?

**Alpert:** Thanks for the question, Commissioner. The City had two I think somewhat unexpected transfers into the general fund towards the end of this fiscal year. One came from the Portland Development Commission in a proposed deal with a developer for a development near Pioneer Square that did not end up happening. There was money that somehow got transferred back into the general fund from PDC. The second was from a settlement that our Revenue Bureau and our attorneys had brokered with online travel companies. It was a long, multiple year legal proceeding that finally just got settled that ended up coming in this fiscal year.

**Hales:** And it ought to be noted that our City attorneys argued these cases successfully. That's why we're here.

**Fritz:** Yes, yay for getting that. And so both of those were one-time money?

**Alpert:** Correct.

**Fritz:** How much do we have -- does any of this money come from contingency?

**Alpert:** No.

**Fritz:** So we still have the same amount left -- which is not much -- in contingency, right?

**Alpert:** Just around a million, I think.

**Fritz:** Right. So, all of this money will be used in this fiscal year?

**Alpert:** Correct.

**Fritz:** And there's no intention to carry any bit over to the next fiscal year?

**Alpert:** No. If there's money that doesn't get spent, it reverts back into the general fund.

**Fritz:** Thank you.

**Hales:** Other questions?

**Fish:** I have a few, thank you, Mayor. First a comment. I'm going to support this, and I -- while it's an unusual process, I think the programs you've identified are compelling. Sally, I think at some point we need to have a clear sense as a Council what are the anticipated outcomes. We would normally do that for the normal process where you would show is

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each investment and what you hope to accomplish. So, I think as I follow up, I think Council would benefit from having some sketch of what the target outcomes are for each of these investments.

**Alpert:** Commissioner, we do have that, we just for the sake of time --

**Fish:** I'm not going to belabor that piece. I have great confidence in this bureau. Here's a little secret -- if you ask for more, I'd also support more. That's not the thing I'm going to focus on.

I'm going to focus on the question of who's the lead agency. Because I continue to believe that the Housing Bureau should be leading this effort and we should be -- through the Home for Everyone process, we should be consolidating and streamlining and aligning. And I realize in an emergency we sometimes have to do things differently, and I appreciate through the declaration of an emergency we have opened the door to being innovative and opportunistic as we deal with this crisis. But we are reimbursing the Office of Management and Finance for some expenses, so I think it warrants a question going forward. What do you anticipate to be the role of the Office of Management and Finance, Josh?

**Alpert:** Commissioner, thanks for the question. To be clear, our team meets once, sometimes twice a week, and it includes other partners who are not at the table today including the County and County facilities team as well. Because our view is that whether it's a campsite, whether it's a shelter, actual bricks and mortar building, those become City and County facilities. And having Bob's expertise in property search and how buildings and outside living situations are assembled and how they become sanitary we viewed as a facilities operation. And that's been the role that we've used them for during this process.

You know, the policies get discussed around that table with everyone who shows up at our meetings, including the County Chair's office and others. So, having that kind of team has been I think a little bit unusual for us and our City when we have the commission form of government, and it's been a little bit clunky, but I think a lot in efficient use of government resource because we bring the experts to the table. Where the money moves through has been an effect of one who had the money -- OMF had money at a time when the Housing Bureau didn't -- and so we availed ourselves of that.

**Fish:** And let me be clear -- I think that this question is gonna take on a sharper relief as we go through the normal budget process for next year because I very strongly believe that the governing structure for all of our work in addressing homelessness needs to be A Home for Everyone, and specifically, the Housing Bureau needs to be the lead agency. And while I have enormous respect for you, Josh, and for Bob and for your efforts, what I want to avoid going forward is what to some may be viewed as a series of work-arounds. And having lots of people at the table is great. Having a leader with expertise on an issue is what our system anticipates. And in fact, the Housing Bureau is that lead agency.

Sally's shop -- whether she's located on this side of the river or the other side of the river -- is the top ending homelessness resource in the state of Oregon. I can say that without fear of contradiction. And I just want to make sure that we're aligned and we're not just sort of adding new players and new bureaus, new folks -- well-intentioned but outside of the leadership structure that we've worked so hard to create -- and in fact, with the goal of narrowing who's at the table and not expanding who's at the table.

**Alpert:** Yeah, I very much agree and appreciate that, Commissioner. And I will tell you, we don't do anything until Marc tells us it's OK to do. And that is because Home for Everyone we have all recognized and respect as helping to funnel to that narrowing so that we have one set of policies that we move forward.

We are working right now on scheduling with the County a joint City-County work session to discuss the lead agency conversation that's moving. We're looking I think at the

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beginning of April to have that, and it would be a great conversation to answer some of those questions --

**Fish:** I'm delighted you're going to do that. And the lead agency is code language for whether we -- a proposal to essentially co-locate the ending homeless team on the other side of the river and to marry it with the County's parallel effort to end homelessness and to sort of continue the work that we started with reset of looking for better alignment. That's a work in progress. If we're going to do that work session, though, I would like to have as an additional substantive discussion who's on first with respect to all that we're going. Because while the state of emergency gave us some flexibility and has certainly allowed for a more nimble and in some cases edgier response to challenges we face, I want to make sure that we're honoring the leadership structure which has been in place on both sides of the river to ensure that the values the Housing Bureau are guiding all that we're doing.

**Alpert:** Thank you.

**Hales:** Other questions, comments? Thank you all very much. Anyone want to speak on this item?

**Moore-Love:** We have an amendment for this.

**Hales:** I'm sorry, that's a good point. There's an amended attachment A, which doesn't have a different number on the bottom line but does have different amounts in the line items. I would move the revised attachment A.

**Fritz:** Second.

**Alpert:** If I may just address the amendment. It was because we also recognize that our initial effort at this was not necessarily money that wouldn't have to be carried over, so we spent a significant time right-sizing for just this fiscal year, which is why the amendment came forward.

**Hales:** Thank you. Further discussion on the amendment? Roll call to accept the amendment.

**Roll on amendment.**

**Fritz:** I very much appreciate that. Aye.

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

**Hales:** OK, let's take testimony.

**Moore-Love:** Two people signed up, Charles Johnson and Crystal.

**Hales:** Come on up.

**Charles Johnson:** Mr. Walsh will be our lead.

**Hales:** Oh, he gets to go first? Mr. Walsh, you've gotten first dibs if you'd like.

**Joe Walsh:** My name is Joe Walsh, I represent individuals for justice. And again, we take no money from you guys.

I'm sad that there's not representatives from the homeless here today. I'm not sure they understood the significance of what's going on here. And that's sad. So, part of it I think falls on you because they didn't know or they didn't understand. And I'm very uncomfortable speaking for homeless, because I'm not homeless, so I don't feel it. I don't know what it is -- 3:00 in the morning to be really freezing. Never had that experience. I have always been able to go into a warm place, like you. Take a hot shower. Have some coffee.

It's not that you're spending not enough money. I would suggest you're not spending the money correctly. And we asked you over and over again that you have homeless representatives on your committees, because they're the ones that know. I can speak theoretically, but you need someone to tell you, Mayor, what it's like. Constantly. So you pay attention. You have lots of other things to go to that are more pleasant than this. This is a tough question. And I would suggest to you that you might want to consider taking

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the whole homeless question and separate it from housing. Separate it from the shelters. Separate it from housing, because it's failed. You've been doing it for years that way, and it's failed. So, try something new. Take the homeless -- whatever the numbers are -- I can't believe the numbers people throw around. 1800, 4000 on couches and garages -- what is that? We never heard that figure before! I never it before. I heard couple thousand are sleeping on couches. I've used that one. But I've never used 14,000. So, you failed. So do something new for god sakes. Get away from housing. Housing has screwed it up. Do something else, something creative. Get the people off the streets, period. Look at Salt Lake City, for god sake. This is not rocket science. They've done it. Please look at what they did. And they are conservatives, they're not progressives.

**Hales:** Thank you. Charles?

**Charles Johnson:** Good morning, thank you.

**Walsh:** Welcome back, Commissioner!

**Johnson:** I'm Charles Johnson, for the record. Commissioner Novick's arrival is indeed appropriate, since I often specifically mention the attorneys that have been elected to this body. And we have still some cracks that I believe need to be patched in the very hard and productive work that Josh Alpert and his team are doing.

If we really believed we had a homeless state of emergency, we would be if not compelling, effectively partnering with Judge Nan Waller and the Oregon Department of Justice and there would be a list telling us exactly how many people are evicted every day and making sure those people get connections with essential services. Some people can handle that on their own. Other people are going to drift around for a few weeks and then they're gonna end up taking their last shopping cart of belongings they have left to the day storage unit. So, you know, probably we needed to add a little bit. There's a nice exhibit A about the money. There was no money on that exhibit to clone Josh Alpert. We need two of them. But you know, in addition to actual service work, it is legitimate to budget for agitation and coordination until we can build a more responsive thing. One thing I hope there will be time to look at is what does the City of New York do? It has a department of homeless services. And we should look at, if we're really progressive, are we per capita matching and aware of what the need is gonna be? Since we're all going down to the part at Pioneer Courthouse Square, I'll stop there.

**Hales:** Thank you. Please.

**Crystal Elinski:** Yes. Mayor Hales, Commissioner Fritz, Commissioner Novick, and Commissioner Fish is back. I was just going to say how funny it was that the people in charge of housing on this Council aren't present. Commissioner Saltzman isn't here at all today, but Commissioner Fish -- I always feel like maybe when you didn't vote for the R2Dtoo and some of your comments you made, it makes me think that looking back when you were Housing Commissioner and I came here first as a homeless person many years ago how nothing ever got done and it such was a disappointment after all the work after all the work that Erik Sten has done, Bud Clark before him, but Erik Sten and all the plans we had for the 10-year end of homelessness. And it seems like it's actually gotten worse, so at least you have that. You couldn't do much under your control. I don't know what Saltzman is doing at all.

As far as this -- my name is Crystal Elinski, for the record. I will say I think this has been the failure and more detrimental to anything calling it a state of emergency, but I'm going to represent 10,000 right now since I've been wanting to speak about this since you declared it a state of emergency and I've since heard so much more feedback from everyone I know. Everyone I know who's a renter has since suffered even more exponentially. It's been detrimental to have a declaration and not a plan. I think part of this budget -- I'd like to say we need to include grants. I know you give loans to businesses and

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then waive them if you want, say, to The Nines. When I was homeless more recently, somebody introduced me to the dumpster outside The Nines. We were wearing the nine million dollar slippers that people just threw away when they leave this fancy hotel that gutted out Meier and Frank. They got a waiver on their loan, but the people who are suffering under this emergency -- as soon as you announce there was going to be a moratorium on increases, just like when under George Bush under the 2008 economic collapse when there was an announcement they were going to get tight on credit cards, suddenly people's credit -- my mother's went up 36 percent and she has a couple -- I tell this story all the time -- a couple million on 10 different cards and she's been paying them since the '70s, and all of the sudden, she gets an increase, too. That's what's happening right now to everyone I know. And people who rent out -- they own property and are renting out, they claim they have to because of all the expenses on building, on SROs, on Airbnb taxes, on Uber, on -- there's an excuse for everything. It's just perpetuating the problem. There's no plan and we really need to start over. [beeping] You can talk about experts and work sessions all you want, but these people need to be able to apply to you right now and say, I need a grant to cover that \$200 that they increased after five years the day you announced you were doing an emergency.

**Hales:** Thank you very much. Anyone else?

**Elinski:** You'll spend a lot less money if you keep people in their homes right now than you are going to be puttin' them -- like I said, \$50 a month for someone who can stay in their home versus a couple thousand to put them in a shelter.

**Hales:** We get that, thank you. OK, anyone else? Unless there's further discussion, please, let's take a vote.

#### **Item 258 Roll as Amended.**

**Fritz:** Normally, I wouldn't be supportive of spending \$2.75 million in new resources outside of the budget process and with little public warning or input. Even -- it could have gone into the budget monitoring process. I do appreciate that if we didn't spend this money right now, it could indeed fall to ending balance, and that would be an additional \$1.4 million for capital maintenance projects, which, as Commissioner Saltzman pointed out yesterday, we do need to be continuing to invest in safety on our streets with 37 people having died last year on our streets in violent traffic accidents. And there are people dying on our streets from lack of shelter.

We have a homeless and housing affordability emergency. For those who have been sending us emails that we're not doing enough, we know. We don't have enough resources. And even with this \$2.75 million, we do not have enough resources. So, we agree. It is a tragedy that people are outside, and I really appreciate the team's work on this. As Ms. Elinski just noted so cogently, giving people rent assistance, in particular, stopping people from becoming homeless is by far the most cost-effective, and there's a good chunk of change in this ordinance for that and for other necessary things. While we continue to put most of the City's money into long-term housing -- as we should -- we do need to also continue to fund shelters and we could use some help from the business community to do that.

For these reasons, I'm going to set aside the objections I stated about doing this outside of the budget process. Thank you, Mayor, for your leadership on that. Thank you for -- both Josh Alpert, Bob Kieta, and Sally Erickson, as well as Marc Jolin coordinating with the County. We actually are doing things differently, and I appreciate that. Aye.

**Fish:** First, I want to just acknowledge we haven't had Sally in our chambers in a while. I know she's been out for a while, but Sally Erickson and her team that work on long-term cost-effective solutions to ending homelessness have been leading the way for a long time. And Sally, thanks to you and your team. Whether you go to work on this side of the

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river or the other side of the river, you're going to continue to be playing a leadership role in helping us get it right. I also want to acknowledge Marc Jolin. I think the decision to place Marc in as the quarterback on the Home for Everyone, Mayor, was inspired. And he's been a great leader.

You know, we have gotten to a point as a country where on almost every issue, we come together and we bemoan that the cup is half empty and we -- friends and foes alike, we simply make up claims of failure and somehow feel better as we go home at night, poisoning the record with misinformation, disparaging people that are actually doing the work, and ultimately accomplishing nothing other than self-indulgent exercises. We politely listen to it and we politely play along, but every once in a while what we need to say is that an awful lot of work has been done by an awful lot of very, very passionate people. And I sometimes grow weary of all the misinformation that is a substitute for thoughtful discussion. And I particularly -- people up here ran for office, and part of running for office is you have to take the slings and arrows. But the people working in the trenches doing the work deserve our respect --

**Elinski:** Well, maybe you should --

**Hales:** No -- please.

**Fish:** They deserve our respect. And I'm going to support this today because I have such respect for the people that are actually getting up every day trying to make a difference in our community. And thousands and thousands and thousands of people have a better life in our community because of their collective efforts.

And today, we're investing in success, not failure. We're investing in a plan that has changed people's lives and will continue to make a dent. And for those who somehow think that Portland is this isolated sort of place over here that has a unique situation with homelessness, I invite you to go to New York City where they're under court order to provide emergency shelter for 60,000 people a night. I invite you to go to Los Angeles where a federal judge recently declared there were 50,000 unsheltered people and growing. I invite you to watch the debates for the president of the United States, and two things you'll notice. One is that housing does not come up as an issue and two is there's an entire party that apparently as its platform believes we should eliminate federal funding for housing.

So, we have a tough hand. And every once in a while, we step up and say, let's do one more. This is a little more, it's not enough. I wish we had more money. But I am deeply, deeply proud of the people that are doing the work out there. Deeply proud. And I regret -- I regret that at moments when we should be acknowledging good work, we often spend too much time with nonsense that has absolutely nothing to do with the subject before us. So, Mayor, I thank you for your leadership. To the team that came before us, I thank you, and this Council is committed to providing the resources to move the ball. For that, I'm proud. Aye.

**Novick:** I very much appreciate what Commissioner Fish just said. Also appreciate what Commissioner Fritz said about her usual reluctance to engage in budget decisions outside the budget process, which I share, but I also share her reasons for going along with making a budget decision outside the normal budget process in this case.

Just wanted to briefly touch on one element of this proposal, which is funding for day storage facilities. I think that's important not just for people who are homeless but for the larger community because I think when we get calls of people upset about seeing the homeless people on the streets and sidewalks, I think to a great extent what they're upset about is seeing a bunch of stuff lying around. And if there's places for people to put their stuff, then that's good for the people whose stuff it is but also for people who would no longer see so much stuff lying around. Aye.



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**Hales:** Well, I want to say that if it were technically, scientifically, and financially possible to clone Josh Alpert, that would have been the first line item in this proposal. But unfortunately, science doesn't allow us to do that just yet. I want to thank Josh and Bob and Marc and Sally and the others that were here today and the others doing this work, because you are really making a difference. You're all working really hard, and I do appreciate it.

When we took action to declare a state of emergency some people said, "Well, what does that mean? What is it? Does it mean anything? Is it just words?" It's three things, two words each. Number one, it's rapid action. It's doing things quickly. We've opened 400 shelter beds in this community since we declared a state of emergency. Some of them are temporary, so we're gonna have to replicate that feat a few more times here shortly. But rapid action is job one.

Second is deliberate experimentation. We are trying things. We are learning things. We are learning from other cities. We had the mayors of the west coast cities here in December, and we spent the whole day along with the secretary of Housing and Urban Development and the head of the United States Interagency Council on Homelessness talking about what works and what doesn't work and how many more people we're each dealing with, as you mentioned, Commissioner Fish. So, we're learning from each other.

In fact, following that meeting, because of the discussion at that meeting, Commissioner Saltzman and Chair Kafoury and the folks here before us got on the airplane, went down to San Francisco, and spent a day looking at the homeless navigation center there, which I believe is a better mousetrap that we should replicate here similar to and different from the Bud Clark Commons.

So, the second item is deliberate experimentation. Some of the things we are trying are going to work, some of them aren't. Everyone needs to understand, just like the innovation proposal -- which we may not get to today -- is that it's OK for the government to try things as long as we're doing that with our eyes open and then we measure and see what works and do more of it.

And the third one is real money. So, rapid action, deliberate experimentation, and real money. Those are the ingredients of the state of emergency that makes a difference. And taking TIF to 45 percent, having the Housing Bureau -- thank you, Director Creager -- get that money out on the street in large doses quickly is the right response from our bureau, and I appreciate the good work there. And this is one more sign that that commitment is real. And we should take note of the fact that progress costs money on this or any other front. We have a local business group that's been spending their money buying billboards saying we can do better. Well, we can do better, but it costs money, and everyone should keep that in mind. I'm very glad that we're committing this money to this good work. Aye. Thank you all. Now, I have to leave quickly but I think we should try to do one or two things --

**Fish:** If you were to leave, we could still take up 261 and 263.

**Fritz:** I would like to do 260 before the Mayor leaves, please.

**Hales:** Yes, I think the Commissioner wants to do 260, which I think we can do quickly, and then I will have to leave. I think the question is on the OMF presentation on 259 whether you still want to do the presentation or whether it can wait to be voted on. So, I'll let people deliberate on that and call up the team and have Karla read 260.

**Item 260.**

**Hales:** Good morning.

**Fritz:** Thank you, Mayor. When the Council adopted the new code for the marijuana policy program, we adopted a fee schedule. It is based on a cost recovery model to cover program staff responsible for program administration. The initial fee schedule anticipated a

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greater number of retail license fees, fees which the program will not collect until the Oregon Liquor Control Commission issues licenses later this year. Theresa Marchetti from the Office of Neighborhood Involvement will explain very briefly why we're asking to amend the fee schedule to reflect the current landscape of marijuana businesses in Portland.

**Theresa Marchetti, Office of Neighborhood Involvement:** Thank you, Commissioner. I'm Theresa Marchetti, I'm the livability programs manager for the Office of Neighborhood Involvement.

When Council adopted the fee schedule on September 30th based on a cost recovery model, the initial projections of number of licenses were really low confidence estimates. We were really operating in the dark. And it was communicated at the time that they would likely need to be adjusted to appropriately reflect the actual license applicants. This field is continuing to evolve. And initially, Council had also efforted to reduce the burden on medical dispensaries at the time.

With the passage of Senate Bill 416, medical dispensaries effectively became the retailer market. The retailer licensing fees were counted on to carry the majority of the burden of the cost recovery for this program. We will not be actually issuing any retailer licenses until October of 2016, which is not within this fiscal year. Additionally, the medical dispensaries that are effectively acting as the recreational market are not converting as we had anticipated to the recreational market as quickly. Currently, we only project that about 30 percent of the medical dispensaries will convert to retailers. The fee schedule that's in front of you reflects the changes needed to meet our administrative burdens.

**Fish:** Theresa, we're going to lose the Mayor, so I'm not going to ask any lengthy questions, but I have a request that goes beyond today. Given that now the legislature has completed its work and there were some changes in the law, given that you've had a little bit of time to test-drive some of the things we've done, can we get like a half page or one page with an update on what's going on on the street?

**Marchetti:** Absolutely.

**Fish:** We get a lot of requests from the public about what's going on, and I profess to be a little confused about the all the moving pieces. So, if you could give us a little snapshot, that would be great.

**Marchetti:** Absolutely.

**Fritz:** I get weekly updates, Commissioner Fish. I would be happy to share with you.  
[laughter]

**Fish:** Yeah. So, thank you.

**Hales:** OK. Well, that was quick. Any other questions for the team here? Thank you very much. Does anyone want to speak on this item? If not, then let's take a vote, please.

#### **Item 260 Roll**

**Fritz:** Thank you for your ongoing good work. Aye.

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

**Hales:** Yes, we're going to do 262, and then I'll hand you the gavel, Commissioner.

#### **Item 262.**

**Hales:** Commissioner Novick.

**Novick:** Mr. Chisek.

**Kyle Chisek, Portland Bureau of Transportation:** Hi. I'm Kyle Chisek, Bureau of Transportation. The genesis and driver for this is our Smart Cities Challenge grant that we submitted on February 4th. We were awarded as part of the top seven finalists the opportunity to revise our grant application, put real numbers, and work with private industry to integrate them into our proposal. This will allow our director to sign nondisclosure agreements with them.

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There is an amendment. Working with our Chief Technology Officer Jeff Baer, he suggested and we agree that we need to make this specific for Transportation. And that is what the amendment does. We also clarified that, of course, we are going to send any agreement through City Attorney for their approval and review.

**Fish:** I move the amendment.

**Novick:** Second.

**Hales:** OK, the amendment based on the memo dated March 15th from Mr. Chisek is moved and seconded. Discussion? Roll call on adopting the amendment.

**Roll on amendment.**

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

**Hales:** Thank you, Kyle. Anyone want to speak on this item? OK, let's take a vote, please.

**Item 262 as Amended.**

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

**Hales:** Thank you very much. Alright, sir.

**Fish:** OK. Thank you, Mayor. Karla, will you please read Council Item 259?

**Item 259.**

**Fish:** Colleagues, this is an emergency ordinance. At the request of the Mayor, we're going to take the hearing today but we're going to set over the vote until next week. Welcome.

**Jane Braaten, Office of Management and Finance:** Thank you for your innovative approach to that problem solving this morning. I'm Jane Braaten, I'm the business operations manager in the Office of Management and Finance. We are here today to ask your approval of an ordinance authorizing funding for five innovation fund major proposals and five micro proposals totaling just over \$470,000.

Now in its third year, our second year in OMF, our City Innovation Fund continues to support innovative ideas with an emphasis on equity and opportunity and promoting a culture of innovation within the City. I know that your time ran a little long today, so we'll be brief because really the focus we want to bring up are our proposals. We received many comments from people that they enjoy that and they would never have an opportunity to address Council if it weren't for this. So, I'm going to waive some of our introductory remarks.

We certainly want to thank the Mayor and Council for continuing to support this. We want to thank our review panel who give their time and expertise, and they ask a lot of tough questions when they go through this process. Community members Warren Chan and Stefanny Caballero were part of the review panel that's making the recommendation today, as well as City personnel Sam Hutchinson and Robert Walker.

Our proposers work hard, and we have four here today to greet you. They got the endorsement of the review panel because they found that their proposal promotes equity and opportunity; improves customer service; saves time or money for the City, partners, or community members; improves City services; and make things better. So, we got 28 proposals from this round, and we narrowed it down to the 10 we have today. I'm going to introduce Janet Storm from business operations. She served as the primary contact for our proposers and our review panel. She will introduce a couple of our proposers, and I'll be around for questions.

**Janet Storm, Office of Management and Finance:** Good morning. My name is Janet Storm, I'm a management analyst with OMF business operations. I coordinate the proposal process.

On January 7th, OMF business operations put out a call for major and micro grant ideas Citywide. Interested employees submitted their proposals and their proposals were then sent to bureau directors so that the bureau directors could look at the proposals from

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their own bureaus as well identify cross-bureau partnership opportunities. We then forwarded the 28 proposals submitted by eight bureaus to the innovation review panel.

The panel is asked to evaluate proposals based on the following filters. Does it show creative -- strategic creativity? Do you think that the proposal is innovative? This innovation fund the most logical source of funding for this particular proposal? Do you believe the proposed project can be achieved within the estimated budget provided? And does the proposed project advance equity? Does it save time or money? Does it provide opportunity? And is there potential for greater benefits with broader applications?

On February 23rd, the review panel met, and through a facilitated discussion with proposers agreed upon the funding recommendations for the 10 project proposals you see before you today. We've invited four proposers to come up and share with you for a minute or two about their proposals. First, I'd like to introduce Ronda Fast from Bureau of Environmental Services, and Ronda's proposal is the Crystal Springs walking tour.

**Ronda Fast, Bureau of Environmental Services:** Good morning. Thank you for having me. My name is Ronda Fast, I'm environmental program coordinator at Environmental Services in the watershed services group. I'm here to tell you very briefly about our micro grant proposal to develop a series of audio episodes -- otherwise known as a podcast -- to complement an existing walking tour along Crystal Springs Creek.

We're proposing this because the work at BES is rooted in science and engineering and it can sometimes be difficult to communicate the benefits of our work, and we feel that adding podcasting potentially to our toolkit would benefit our customers, ratepayers, and our overall general audience of Portland. We think it's also a tool that others may want to share as well, which is why we're bringing Portland Parks and Recreation as a partner along with this.

To communicate about our projects and programs, BES and others would develop fact sheets, static webpages. We also lead lots of tours and give lots of presentations. These tools are all very, very useful, but we'd like to better utilize the technology that our audiences are using and also create more digestible and entertaining content to tell our story. We've researched a few examples that you'll see in the proposal handout across the country, one in Lexington, Kentucky, which is based on one in New York City. There's a couple of great examples out there of other cities doing this same kind of thing.

The episodes are about three minutes long. They vary, and they explore topics such as ecology, geology, gray and green stormwater infrastructure, habitat, and history -- kind of all-in-one kind of compelling format. And there's no shortage of good topics to build a podcast on in telling the story of our investments in Crystal Springs Creek. Along the route, possible topics may include salmon recovery, climate change, nature play, native fish and wildlife, citizen science and stewardship -- the list goes on and on. And we'd like to bring our Native American community members in on the partnership as well.

And building on this existing walking tour is a cost-effective option, since the content is already there. The story is already there and the expertise housed within the Crystal Springs partnership is ready to go. So, we plan on working with a consultant -- PP&R and Bureau of Technology Services and the partnership to bring all this expertise together to tell a compelling story from multiple perspectives, not just our government perspective.

We feel the project is unique in telling the Crystal Springs story, but the idea is to pave the way for others, for other bureaus and programs to more easily tell their stories, reaching new audiences and using the technology that our audience is using. Thank you.

**Fish:** By the way, your team has also produced a map, a fold-out map of potential walking tours around there, and I got to see it recently. And we're going to re-order some and I'm going to hand them to my colleagues. I would like to have them someday be at every hotel

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room and at every place where visitors come because it's now become a destination to go watch the salmon spawn, children play, and people cast into that lake. Good work.

**Fast:** Thank you.

**Storm:** Hopefully, I don't mispronounce her name. Next is Virginia Krakowiak from Bureau of Emergency Communications, and Virginia's proposal is on-call community animal rescue.

**Virginia Krakowiak, Bureau of Emergency Communications:** Ladies and gentlemen of the Council, I'm Virginia Krakowiak, I'm a senior dispatcher for the Bureau of Emergency Communications.

Over the past several years, there's been a lack of funding in regards to after-hours animal control services within Multnomah County. Between the hours of 17:00 and 08:00, if a citizen comes in contact with an injured or lost animal, 9-1-1 dispatchers must inform them there are no services available to them. The animal usually suffers or is set loose in these incidents unless the citizen is willing to pay out-of-pocket for a third-party contractor. On some occasions, we will send out a police officer if the animal is creating a road hazard, but even in these occasions, police officers do not have the equipment or the time to properly care for the animal in need. Just in the last two weeks, we've had at least 12 9-1-1 or non-emergent line calls where dispatch explained to a member of our community that we would not be providing a service to them or the impaired animal. This is not only a failure of customer service, but it also wastes our 9-1-1 dispatchers' time and the City money when we should have our phone lines clear for police, fire, and medical emergencies.

OKRA is an organization comprised of volunteers that will respond to, trap, and provide sufficient care and handling of these animals until transported to the appropriate care facility. OKRA is supported by and will be available 24-7 to Portland and Gresham police, Multnomah County Sheriff's Office, as well as many other city organizations and all of our citizens. OKRA's main goal is to lessen the suffering of animals, decrease the amount of calls coming into the 9-1-1 center that will be going directly to an alternate resource, lessen the burden of a non-crime related animal calls on our law enforcement agencies, and improve customer service to our citizens in time of need.

The intent is also for OKRA to be utilized by Portland Bureau of Emergency Management and Portland NET teams during catastrophic events to help provide suitable shelter and care for displaced pets. Essentially, OKRA's mission is to save time and money for the City of Portland and our emergency responders, inspire community-building and outreach, and help our less fortunate animal residents. I have no doubt that this program will be a great help to our citizens and our employees and that 20,000 grant award from Portland Innovation Fund would be tremendously helpful in providing the proper equipment to our volunteers as well as cover insurance policies and outreach materials. I have included some examples in your packets of dispatch call referrals, as well as incidents we did create for a street response which were inconclusive or unnecessary hindrance on our police officers. I appreciate your time and consideration.

**Fritz:** Tell me exactly how this is gonna work. The calls will still come to 9-1-1 or to non-emergency?

**Krakowiak:** They will still come in the beginning. The idea is to spread the word about OKRA through outreach so that people will know they don't need to call dispatch, they don't need to call non-emergency. Eventually, they would call a phone number for OKRA directly. We're going to work with 2-1-1 on that. Perhaps we could just refer callers to 2-1-1 instead of having to waste the time on the phone to explain to them you can call these people or these people. So, in the beginning we will be referring people to them instead of explaining to them that we can't do anything, essentially.

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**Fritz:** And are they up and running? They're an existing organization?

**Krakowiak:** No, this is a -- it's a pilot program, so I have a list of volunteers and I've been in meetings the last six to nine months with our organizations, Oregon Humane Society, Dove Lewis, Multnomah County animal control, just trying to figure out how we can best work with them and even if this would be beneficial to all of those organizations as well. So, we're still in the beginning. We would need the money to have the insurance to cover our volunteers and give them the equipment in order to even start responding to calls.

**Fritz:** So you're actually helping to create the organization, not just referring people to it.

**Krakowiak:** Yes, ma'am.

**Fritz:** Got it. Thank you.

**Fish:** First, a question. Who did you bring with you today? Let's acknowledge that.

**Krakowiak:** This is my Director of BOEC, Lisa Turley.

**Fish:** Lisa? While Lisa is coming up to say something, I just want to acknowledge the great work of 9-1-1. This morning on the way to work, I observed a disabled truck at the western exit of the Hawthorne Bridge. My first instinct was just to remind this guy he couldn't park his truck there, and he told me that it was a disabled truck. Called 9-1-1. Within a second of putting the call through, someone answered and dispatched a tow truck. Nice work.

**Lisa Turley, Director, Bureau of Emergency Communications:** Glad to hear that. I'm Lisa Turley, Director of the Bureau of Emergency Communications. All I have to say about this is what you are seeing and what you'll see in your packets is all Virginia's work. This is her brainchild. She has made every contact. Every piece of work in this is hers, and it really is an example of the innovation that we have at BOEC. They see a need and they respond, and this is what they do all day every day. So, this is awesome. We appreciate your support in this project.

**Fish:** Director Turley, thanks for being here to testify. Thank you both.

**Krakowiak:** Thank you.

**Novick:** Virginia, I just have to say, I'm always very proud to be your Commissioner, but I'm particularly proud right now. I'm sure -- to Commissioner Fritz's question, I'm sure that now not only is it frustrating, but it takes time to explain to people there's really not anything I can do for you. It would take less time to say, "here's a number to call" than to go through that discussion. And also, there is an itemization of what the money would go for, and it is largely for materials for the volunteers -- pagers, crates, heavy duty animal handling gloves -- things that would be helpful getting this organization started. Thank you so much.

**Krakowiak:** Thank you very much.

**Storm:** Now, I would like to ask Eileen Argentina of Parks to come up. Eileen's proposal is piloting youth music education.

**Fish:** Welcome.

**Eileen Argentina, Portland Parks and Recreation:** Good morning, Commissioners. Thank you, Janet. My name is Eileen Argentina, I'm with Portland Parks and Recreation. The proposal that was funded that I'm here to talk about is a proposal to pilot free music lessons at the Rosewood Initiative, which is a nonprofit community center at 160th and Stark. You may have heard about it -- it was in the news this past weekend with a shooting that occurred within the facility. Jenny Glass out there is trying to do -- is doing amazing work meeting needs of the community.

This particular proposal grew out of a desire to expand the program of the Community Music Center to underserved communities. As you probably know, the Community Music Center has been in operation for 60 years, they're located in inner Southeast Portland and they recognize there's a large community beyond I0205 that they would like to serve and that would benefit from their services they would provide. So, I'm

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here for Gregory Dubay, who's the director of CMC -- I should say that. Gregory and I met with Jenny Glass at the Rosewood Initiative just to see what could happen. Out of that came this innovation fund proposal, which would furnish a soundproof room within the Rosewood Initiative -- which if you haven't been out there, it's a former big box store that is very open, cavernous space, lots of things going on. And music lessons can't really be effectively delivered in that environment. So, this would fund a soundproof room.

These are available from a variety of vendors, can be set up anywhere, semi permanently, can be disassembled and moved if needed. Fully self-contained with ventilation, lights, requiring only a level four and 20 amp outlet. The proposal would also provide a year's worth of music lessons -- nearly 3000 lessons to be provided for youth in East Portland, would provide for well-trained music instructors and offer instruments on loan to students who need them from CMC's collection.

I want to also acknowledge that we have a partner, CMC, Inc., that has been working with us for decades at Community Music Center, and their strategic plan calls on a partnership for us to go out and reach underserved communities. They'll be involved with this.

Our goal is after a year, we would be able to develop and expand the model with private foundation and individual donors to support the needs of the underserved area. We really are expecting that the innovation fund grant will provide a quick start to a pilot and allow us to make the case for long-term funding. Thank you.

**Storm:** Our final proposer is Elle Weatheroy with Portland Police Bureau, and her proposal is community trainer project.

**Fish:** Welcome.

**Elle Weatheroy, Portland Police Bureau:** Thank you. Good morning, everyone. Again, I'm Elle, and I'm really excited to be here to talk about the community trainer project.

This idea originated as a result of two processes. One internal process of identifying a need, doing a needs assessment and recognizing that the training division wanted to enhance its information around Portland's history. An external side of that was a clear ask of the community stating that they want to be involved in training their officers. And so, based on these conversations and this information, we saw the sense of urgency, recognized that I would play a huge role in that, but knew in order to build this and start this that we needed help. And that's what this fund kind of originated from.

Quick side note -- this is my second submission. So, knew that this was a great idea I think the committee felt like it was a great idea but needed more detail. So, worked with the committee members, got some coaching, and filled in those missing pieces and I'm here as one of their recommended funds. So, I appreciated the process. Also had the opportunity to meet with Loretta Lynch when she was here a couple of weeks ago and briefly talked about this. She loved the idea, and her first question was, "On the front end, how are you going to fund this?" Good question! I got to talk about this great option we have of funding innovative ideas. So, I'm really excited by this, getting a lot of support, a lot of potential here.

Quick overview. There are three major components to this project. The first is that it will require a consultant coordinator, and you'll see that's a bulk of this project. This is the person that's going to do the outreach, conduct focus groups to identify how this should look. This is the person that's going to coordinate the curriculum design and really work with me to build this piece.

The second piece is community representatives. These are -- this is bringing community members, sometimes folks who have never participated in this type of process to the table into our training process. This is where they get to say, "when you engage with our community, this is what we want you to know. These are the people you should meet.

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These are the businesses you should learn.” And so as a result, our officer before finishing academy will have relationships, have contacts and stronger connection to the community.

The final piece is that this project will help us build community training pool of professional trainers to help us with delivering the curriculum, building the curriculum, and this is definitely a win. And these will be folks who are already certified with the City of Portland. Which is exciting. They’ve already gone through this process, the procurement process, and so we have a pool of diverse community members able to train.

Our overall desired outcome as a result of this is, one, stronger relationships and partnerships between our officers and the community. Also, this will build our pool of contracted community trainers, as I just said, but this not only benefits PPB, this benefits the City of Portland as I consistently get questions like, “Who’s working with you? Who’s training your program?” And we have certified consultants of color and women who would be ready to work with our bureaus.

And then finally, this will strengthen community partnerships and continue to build greater trust between our bureau and the community. So, really excited about this, and thank you for the time to talk about it.

**Fritz:** Really excited about your work in general as the equity manager for the Portland Police Bureau. I was especially interested to hear the Attorney General of the United States -- one of her first questions is, “well, how are you going to pay for this?” All of us know that without the money, it’s very difficult to get things done. Thank you.

**Weatheroy:** It is. Thank you.

**Storm:** Thank you to all of our proposers, and we’ll answer any questions.

**Fish:** Looks like a splendid group of recommendations. Colleagues, any questions? Karla, did anyone sign up to testify?

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

**Fish:** Would anyone like to testify? Then, without objection, this will be continued for a vote next week. Thank you. And for those who won’t be with us next week, congratulations. I don’t want to tip my hand, but I think -- [laughs] -- I think I’m reading the tea leaves.

Colleagues, we have two more items which we’ll handle quickly. One is second reading and one is a report. Karla, let’s take 261 first.

**Item 261.**

**Novick:** Colleagues, I’m afraid I’ll need to ask for this to be returned to my office. We need to do further outreach to the driver community. We keep on losing driver applicants.

**Fish:** Without objection, this will be returned to Commissioner Novick’s office.

**Fritz:** So -- I did have a question. Are these three not going to be serving?

**Novick:** I think at least one of them has dropped out.

**Fritz:** Ah.

**Fish:** Karla, I think our final item of the day is 263.

**Item 263.**

**Fish:** Second reading, vote only.

**Item 263 Roll.**

**Fritz:** The title is such that I’m glad we had the presentation last week. We consider all kinds of things, great and small, and this is taking care of the details. Congratulations, Commissioner Novick. Aye.

**Novick:** Thank you, Commissioner. Aye.

**Fish:** Aye. The matter passes. I promised my colleagues we would be done by 11:57. It is now 11:57 -- [laughter] -- we are adjourned.

At 11:57, Council adjourned.