



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **1<sup>ST</sup> DAY OF JUNE, 2016** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish and Fritz, 3.

OFFICERS IN ATTENDANCE: Susan Parsons, Acting Clerk of the Council; Ben Walters, Chief Deputy City Attorney; and Jason King and Mike Cohen, Sergeants at Arms.

The meeting recessed at 10:27 a.m. and reconvened at 10:29 a.m.

		<b>Disposition:</b>
<b>COMMUNICATIONS</b>		
<b>567</b>	Request of David Kif Davis to address Council regarding war on copwatchers by the City (Communication)	<b>PLACED ON FILE</b>
<b>568</b>	Request of Neal Walker to address Council regarding how support from Portland Police and a service agency has impacted his behavioral health growth (Communication)	<b>PLACED ON FILE</b>
<b>569</b>	Request of Crystal Elinski to address Council regarding recognition of community activists and volunteers (Communication)	<b>PLACED ON FILE</b>
<b>570</b>	Request of Fletcher Nash to address Council regarding support for H.i.P. class (Communication)	<b>PLACED ON FILE</b>
<b>571</b>	Request of Evelyn Bross to address Council regarding housing (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>572</b>	<b>TIME CERTAIN: 9:45 AM</b> – Proclaim June 6-12, 2016 as Timbers, Thorns, and T2 Stand Together Week in Portland (Proclamation introduced by Mayor Hales and Commissioner Fish) 20 minutes requested	<b>PLACED ON FILE</b>
<b>573</b>	<b>TIME CERTAIN: 10:20 AM</b> – Proclaim June 1-June 12 to be 30 <sup>th</sup> Annual Great Blue Heron Week in Portland (Proclamation introduced by Mayor Hales) 10 minutes requested	<b>PLACED ON FILE</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>		

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**Mayor Charlie Hales**

<b>574</b>	Reappoint Sam Rodriguez to the Building Code Board of Appeal for a term to expire May 21, 2019 (Report) (Y-3)	<b>CONFIRMED</b>
<b>Bureau of Planning &amp; Sustainability</b>		
<b>*575</b>	Authorize an Intergovernmental Agreement with Portland State University for \$20,000 for Deep Carbon Reduction in the Transport Sector (Ordinance)	<b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b>
<b>Office of Management and Finance</b>		
<b>576</b>	Authorize a participating agreement with Aurigo Software Technologies, Inc. for the purchase of a capital project management software system for a not to exceed amount of \$825,000 (Procurement Report - Bid No. 00000257) <b>Motion to accept the report:</b> Moved by Fish and seconded by Fritz. (Y-3)	<b>ACCEPTED PREPARE CONTRACT</b>
<b>*577</b>	Pay claim of Tanya Hartnett in the sum of \$8,902 involving the Portland Bureau of Transportation (Ordinance)	<b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b>
<b>*578</b>	Create a new nonrepresented classification of Assistant to the Human Resources Director and establish a compensation rate for this classification (Ordinance)	<b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b>
<b>*579</b>	Authorize a one year lease with Portland Public Schools for the Portland Bureau of Transportation to lease certain space at 6745 SE 60th Ave, commonly known as the Green Thumb through May 31, 2017 (Ordinance)	<b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b>
<b>*580</b>	Accept and appropriate a grant agreement with the State of Oregon acting through the Oregon Military Department, Office of Emergency Management for federal disaster relief funding for public assistance, for damages caused by the December 6-23, 2015 Severe Winter Storms (Ordinance)	<b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b>
<b>581</b>	Authorize an Intergovernmental Agreement with Multnomah County to transfer Multnomah County's tenancy interest in the 14th and 15th floors of The Portland Building to the City (Second Reading Agenda 545) (Y-3)	<b>187777</b>
<b>Commissioner Nick Fish</b> <b>Bureau of Environmental Services</b>		

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<b>582</b>	Authorize the Director of the Bureau of Environmental Services or designee and the City Attorney to enter into a settlement and release agreement with Jon Wiener and Julie Grandfield, Upper Hillsdale Private RDII Reduction Project No. E10479 (Second Reading Agenda 547) (Y-3)	<b>187778</b>
<b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b>		
<b>*583</b>	Approve Amendment 17 to Intergovernmental Agreement with Multnomah County to provide maintenance services west of the Willamette River (Ordinance; amend Contract No. 51062)	<b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b>
<b>Commissioner Amanda Fritz</b> <b>Portland Parks &amp; Recreation</b>		
<b>*584</b>	Extend the temporary suspension of system development charges for the construction or conversion of structures to accessory dwelling units (Ordinance; amend Ordinance No. 186036)	<b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b>
<b>REGULAR AGENDA</b>		
<b>585</b>	Adopt Administrative Rule 13.03 All User Restroom policy (Resolution introduced by Mayor Hales and Commissioner Fish) 10 minutes requested (Y-3)	<b>37210</b>
<b>Mayor Charlie Hales</b>		
<b>586</b>	Proclaim June 2nd 2016 to be Gun Violence Awareness Day in Portland (Proclamation) 10 minutes requested	<b>PLACED ON FILE</b>
<b>587</b>	Appoint Dr. Alisha Moreland-Capula to the Portland Development Commission Board for a term to expire July 9, 2019 (Report) 15 minutes requested (Y-3)	<b>CONFIRMED</b>
<b>588</b>	Accept report from Design Week Portland on Designing for Civic Engagement (Report) 15 minutes requested <b>Motion to accept the report:</b> Moved by Fish and seconded by Fritz. (Y-3)	<b>ACCEPTED</b>
<b>589</b>	Adopt Administrative Rules for Chapter 23.10 Removing Barriers to Employment and authorize the City Attorney to enter into an Intergovernmental Agreement with the Bureau of Labor and Industry not to exceed \$25,000 (Second Reading Agenda 539) <b>Motion to accept amendments in May 31, 2016 memo:</b> Moved by Hales and seconded by Fish. (Y-3)	<b>PASSED TO SECOND READING AS AMENDED JUNE 8, 2016 AT 9:30 AM</b>
<b>Bureau of Planning &amp; Sustainability</b>		

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<p><b>590</b></p>	<p>Revise solid waste and recycling rates and fees for franchised residential collection and commercial permit tonnage fees, effective July 1, 2016 (Second Reading 530; amend Code Chapter 17.102) (Y-3)</p>	<p><b>187771</b></p>
<p><b>Bureau of Police</b></p>		
<p><b>*591</b></p>	<p>Amend a contract with Central City Concern to increase the not to exceed amount by \$572,137 and extend the expiration date until October 31, 2016 to provide additional treatment readiness services, transitional housing, and follow-up retention support services to chemically-dependent, homeless adult chronic arrestees (Ordinance; amend Contract No. 32001248) 10 minutes requested</p>	<p><b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b></p>
<p><b>Office of Management and Finance</b></p>		
<p><b>592</b></p>	<p>Accept Guaranteed Maximum Price of \$4,901,284 from R&amp;R General Contractors, Inc. for the construction of the Gateway Park Project (Procurement Report - RFP No. 117318) 10 minutes requested  <b>Motion to accept the report:</b> Moved by Fish and seconded by Fritz. (Y-3)</p>	<p><b>ACCEPTED PREPARE CONTRACT</b></p>
<p><b>*593</b></p>	<p>Amend master first lien sewer system bond ordinance and master second lien sewer system bond declaration to provide Bureau of Environmental Services greater operational flexibility and clarify provisions of the master documents (Ordinance; amend Ordinance No. 160276 and related ordinances)</p>	<p><b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b></p>
<p><b>*594</b></p>	<p>Authorize a borrowing of not more than \$34,476,000 in anticipation of the Fire and Police Disability and Retirement Fund levy for FY 2016-2017 (Ordinance)</p>	<p><b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b></p>
<p><b>Commissioner Nick Fish Bureau of Environmental Services</b></p>		
<p><b>595</b></p>	<p>Revise sewer and stormwater rates, charges and fees in accordance with the FY 2016-2017 Sewer User Rate Study (Second Reading Agenda 528) (Y-3)</p>	<p><b>187772</b></p>
<p><b>Water Bureau</b></p>		
<p><b>596</b></p>	<p>Authorize the rates and charges for water and water-related services during the FY beginning July 1, 2016 to June 30, 2017 and fix an effective date (Second Reading Agenda 529) (Y-3)</p>	<p><b>187773</b></p>
<p><b>597</b></p>	<p>Authorize a one percent dedicated fund account and authorize the Chief Procurement Officer to conduct solicitations and execute agreements in support of the Community Benefits Plan for the Washington Park Reservoirs Improvements Project not to exceed \$1,145,500 (Second Reading Agenda 557)</p>	<p><b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b></p>

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<b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b>		
<b>598</b>	Increase the Portland Bureau of Transportation procurement authority for the bike share system not to exceed \$3,750,000 (Second Reading Agenda 531) (Y-3)	<b>187774</b>
<b>599</b>	Authorize Portland Bureau of Transportation to enter into agreements with non-City hosts for BIKETOWN bike share stations (Second Reading Agenda 532) (Y-3)	<b>187775</b>
<b>Commissioner Amanda Fritz</b> <b>Portland Parks &amp; Recreation</b>		
<b>*600</b>	Amend fee schedule for tree permits (Ordinance) 10 minutes requested	<b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b>
<b>601</b>	Approve the designation of six trees as City of Portland Heritage Trees and remove the Heritage Tree designation from two trees (Second Reading Agenda 562) (Y-3)	<b>187776</b>
<b>FOUR-FIFTHS AGENDA</b> <b>Commissioner Steve Novick</b> <b>Portland Bureau of Emergency Management</b>		
<b>*602</b>	Execute grant agreements with the Oregon Office of Emergency Management for a Pre-Disaster Mitigation Grant in the amount of \$526,256 for the City of Portland Residential Seismic Strengthening Project and Clean Energy Works, Inc. (Ordinance)	<b>CONTINUED TO JUNE 8, 2016 AT 9:30 AM</b>

At 1:13 p.m., Council adjourned.

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



By Susan Parsons  
Acting Clerk of the Council

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

<b><u>2:00 PM, JUNE 1 &amp; 2, 2016</u></b>  <b>DUE TO LACK OF AGENDA THERE WERE NO AFTERNOON SESSIONS WEDNESDAY OR THURSDAY</b>	
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**Closed Caption File of Portland City Council Meeting**

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

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

**JUNE 1, 2016**                      **9:30 AM**

**Hales:** We're going to get started. Good morning, welcome to the June 1<sup>st</sup> meeting of the Portland city council would you please call the roll.

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

**Hales:** Good morning, everyone, we have a quorum but barely so there is items on the council calendar that we won't be able to do today, because two of our members are not here. Those include emergency ordinances. So, there is some things that are going to have to be passed onto the future council calendars because we don't have the required four votes to do some of those things. And, in fact, the consent calendar will be going through it one by one and pulling the items that we can act on to the regular calendar. So bear with us while we work through that somewhat anomalous situation.

**Fish:** Can I make a suggestion?

**Hales:** Please.

**Fish:** [Microphone not on]

**Hales:** I think that would be fine.

**Hales:** Correct.

**Hales:** That's a good idea, thank you. Unless there is any objection, we'll do that. Ok. But first before we get to the calendar at all, we have a proclamation, right? That one is on the calendar so we'll take the communications items first, starting with item 567.

**Item 567.**

**Hales:** There Mr. Davis, come on up.

**David Kif Davis:** So I don't want to talk about the targeting of cop watchers and police accountability act by the city of Portland, including the recent trial of Robert west, that filmed the police 9-1-1 where you guys of the city found that he was guilty, and he was the only one that was guilty, and the reason that he was found guilty is because you have lying prosecutors that go up there and say whatever the hell that they want, and they perjure themselves and they take an oath and perjure themselves like cops do every day in the city, and they are rewarded with overtime. Ok. And why are you leaving, Mr. Mayor? You are the police commissioner, why don't you listen to police related issues instead of running off like a coward, scurrying cockroach, rat person. I mean, really, and then you have Kathleen Sadat of coab, and she has a real problem with people filming, and also, the other lady over here who will be elected to the Portland development commission, well, you want to know what? The Portland development commission wars on the homeless, and evict the homeless and mentally ill people, so that's a conflict of interest, her being involved in coab and being part of a group that bullies and evicts the mentally ill and the homeless, sorry, that's a real issue. Ok. Where's my video surveillance tape, of my arrest, on November 25th. You know. You falsely charged me, and mike Cohen said, that I pushed him, well, where's the video of me pushing him. Do you want to see the surveillance video? With the false imprisonment and other stuff, here I am, six months later, waiting for you jack-offs to pull out the surveillance footage and provide it to my lawyer. Sorry, what's going on in this city? You guys, you guys run like a rogue little dictatorship, and you think that oh, yeah, you want to know what? Robert west, from film the police 9-1-1, he's the -- he's the leader of don't shoot Portland. Yeah, right. A fat it

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white guy, is leading, don't shoot Portland, and that's what your little prosecutor says. Is that identify going to get perjury? Is he going to be the same prosecutor that goes and lies on the stand against me? Probably. One of your other city paid state sanctioned liars. What is this? You think that lying against the citizens, and warring on activists is a good thing? You think that? You think that that's -- you think that's appropriate behavior.

**Hales:** Mr. Davis you are out of time. Thank you. Let's take the next item. 568, please.  
**Item 568.**

**Hales:** Let's move onto 569.

**Item 569.**

**Hales:** Are you here? Let's move onto 570, please.

**Item 570.**

**Hales:** Come on up and good morning. Welcome.

**Fletcher Nash:** Good morning And I would like to say thank You for your time, and I think it's an honor and a privilege to sit before you guys. I come before you, just too hopefully for you guys to support the humanity and the perspective class, it's a really, a really great class, and I am kind of nervous.

**Hales:** That's ok. And take your time.

**Nash:** I am supposed to have some classmates with me but unfortunately they could not make it. It's a free class that is put on by the humanities and perspective organization for low income, and I would like to say, the working poor, because all of us, in that class, of not low income, we just -- we are low income. I would just like to read one of the letters that our class had wrote. Dear Portland city council. We, the graduating class of the humanity and perspective of 2015-2016 have learned and grown and opened and enlightened for the last year that we've been meeting twice a week with five college instructors as part of the humanity and perspective program. It is a class made up of very diverse group of learners. People with different ages and race and is backgrounds and sexual orientations. We all live under 200% of the federal poverty, property guidelines, and none of us have graduated from college yet. We want to pursue a higher education to help ourselves, our families, and our community to succeed, and as we reached the end, we want you to know that this class is the first step towards giving back to the community. Education is the most valuable thing that a person can have. Education is one of the surest ways out of poverty. This is even stronger when taught how to be a better person in your community, no matter your age, race, or religion, and it gives a person confidence and the ability to problem solve, and life's problems, without violence or anger. We did not agree on everything, but at the end of the class, we were all still friends. By studying the literature, by studying the literature, visual, culture, philosophy, and history together, we can get a greater sense of interrelatedness of the knowledge and the art, as well as our, as the community that we live in. And our classmate, Tim, puts it this way, I have learned more in depth, understanding on so many fascinating topics. Another classmate put it, hip has brought my narrow views through discussing such things as justice and a very diverse city. I feel that I have come -- oh, yes.

**Fish:** [Microphone not on].

**Hales:** How do people reach you, as well?

**Nash:** The humanities, perspective's class, you know.

**Fish:** [Microphone not on]

**Nash:** If I can have Kyle--here you go Kyle

**Hales:** So tell us how people can get in touch with this program because obviously it's doing some good.

**Kyle:** so the programs run through Oregon humanities, it's a nonprofit its Oregon's state humanities council.

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**Hales:** Oh ok so go to Oregon's state humanities council.

**Kyle:** Oregon Humanities website.

**Hales:** Thank you very much we appreciate you being here and shining a light on this good work.

**Hales:** So Ms. Elinski is here so we'll go back to item 569 which has already been read. So come on up.

**Crystal Elinski:** I wanted to make copies of this from the Vanport mosaic, but I don't have the money to make copies anymore like I used to and Sam Adams veto'd it. He said you can't hang out things to the public. So anyway hi, I'm honored to be here my name is Crystal Elinski, I'm very privileged. I've been making this four hour commute since 2008. I had an interesting weekend it started in the search to find the 150 who'd been swept up in Gresham and dropped off in downtown Portland I never found them, but a friend said he saw a load of suitcases and bags at tpi. Do you know what happened? Meanwhile OPB was talking to city hall about their plans to resettle some number of women and families from the extended temporary sears shelter in Lake Oswego. Will the greshamites get the same?

**Hales:** Actually the sears shelter is in Portland.

**Elinski:** Greshamites the women from Gresham will they get the same attention.

**Hales:** We can try I've never heard about it before.

**Elinski:** Uh speaking of the housing bureau I applaud the commissioner in charge for deciding to tax the new constructions reed, banks, developments, rich people mostly, but maybe he'll give exceptions to the average small homeowner that would be nice. To go towards subsidized housing I hope it's not to the same agencies who mayor hales gave another emergency at 18 million dollars to the ones I've been testifying about. There increasing failures since the first day I came here. I can see how commissioner Saltzman frustration with the other commissioners involving themselves in housing issues without informing the bureau could result in his action which may be the best action to date especially if it leads to rent control as the Portland tenants united has been pressing and fewer galas and lobbying for the metro multifamily house association. Then I saw Nick Fish at the Vanport Mosaic his speech was shorter than any other I had ever seen from him thank goodness. And Freudian slip was not lost on me overcoming diversity he meant to say adversity. After all it was under this administration and before ever funded blood sucking capitalist wanking pdc, Portland development commission that north Portland saw its worst gentrification in history. I know because that's where I lived and there was simply too many tax payer funded monologues by the likes of chunky hales about affordable housing and it put by the locals churches full of clearly black residents who in fact did not want these demolitions and shoddy constructions that cost 3 thousand dollars a month. Meanwhile people who should be honored a hundred fold more than phil knight scraped together enough for us to save collect us from collective amnesia vanport. Did you attend the apac conference last weekend? Do you know anybody who did? Well that was another thing I did this weekend. I went to see ohm okram in ramia of the free Palestine movement.org in my perspective housing and I'm almost done sorry. Housing and colonial settlements heightened and deepened by these two women who are the bravest I ever met and we should honor them we should also honor heddie Epstein who just died last week. She was on the free Gaza flotilla and a survivor of the holocaust and we should also honor people like michelle mundt who lived in subsidized housing and fought for the rights of the people who should not be swept up. Shoes beer and Guantanamo bay torture those are bad for the environment.

**Hales:** Thank you lets take item 571.

**Item 571.**

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**Evelyn Bross:** Sorry I'm walking slow I fell through a screen.

**Hales:** No problem take your time.

**Bross:** I need a minute to sit down right. Alright good morning mayor and city council members. You got the flyer. Thing is I never had bed bugs I until I moved into the housing project, the thing is that they came if you look at the papers they came in January and they came with dogs to check 110 apartments for bed bugs. They didn't find any in my apartment, but they were getting my cat water I didn't know they were bed bugs then I said I have bugs in my cat water. They said drain them out and put them in a sandwich bag and I did and they said those are bed bugs. I said why are they going in my cat water. So finally as you notice, that's after the bed bug testing with the dog they there's all these records where it shows April 12<sup>th</sup> where they were coming to check for bed bugs and they found one on my couch. And then I said there in my cat water I know their coming from the hallway cause it's a secured building. The thing is they went outside and pulled the base board apart and the bed bugs are living in the baseboards they were crawling up the door frame and across and down they were traveling like ants all the way through the apartment. The problem is it's not just my floor that has it there are eight floors affected. I had to drop out of college in order to deal with this the thing is here's eight apartments here, here's the elevator and laundry room here's the other apartments over here. Here's mine, the base boards are all taken off, but the carpet isn't. We're all supposed to be ready for a spray the other side their not making them do anything. So the bed bugs will just travel over there and then they will have to deal with them because they're not doing the whole floor.

**Fish:** [Microphone not on]

**Bross:** They are not doing it correctly, they need somebody from the outside the citizens of Portland pay taxes that go towards the housing.

**Fish:** [Microphone not on]

**Bross:** I called homeforward and they didn't know nothing about it.

**Fish:** [microphone not on]

**Hales:** You're still at the apartment on North syracuse that's where they can reach you.

**Bross:** yes.

**Hales:** We'll make sure they do.

**Bross:** I don't know what to do. I can't bring my school books into my house because they'll go into my books. I had to throw all my books out. I found dead bed bugs in my pants I had to throw them out I threw seven recycle bens out on top of furniture I lost a lot of stuff. I don't have a bed, couch, chair, all I have is a recliner.

**Hales:** We appreciate you letting us know.

**Bross:** im hoping you can do something cause I called home forward and they say their trying their best they are not trying their best, and they only do half of the section of the floor. It is other half is being taken care of.

**Hales:** The results are what matter, so that's -- and you don't have the right result yet, so thank you for letting us know, and sorry you have had to deal with this, we will make sure that we ask home forward to understand and make it right.

**Bross:** And it's not just my floor, there is other floors, too.

**Hales:** Yeah.

**Bross:** And they are just patching them up. They are not doing -- I will know if they can give you, if they can give you a section 8 to move out, if you wanted to. Because there is one lady who wants them to move her out, and she refuses to come back in because she got bit.

**Hales:** I understand. That's one of the options that we'll ask them to explore with you. Thank you, so thank you for making the trip and taking the trouble to come here to let us

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know about it and also, as commissioner Fish said you have given us good documentation, so we can follow up with them and they can follow up with you.

**Bross:** Do you need my phone number or anything?

**Hales:** No, we don't need to put that on the record. We have your address here in home forward so we can get a hold of you one way or another. Thanks for coming down.

**Bross:** Sure.

**Hales:** Ok. Now, let's move to our first time certain, which is a proclamation, which Commissioner Fritz is prepared to read, and which we are going to properly prepare for.

**Fish:** Wait a second. I had five to choose from, and I think that I was overwhelmed.

**Hales:** There is a scarf emergency.

**Fritz:** Can somebody in my office bring commissioner Fish's scarf? Pick any scarf.

**Fish:** Commissioner Fish will read it.

**Hales:** Look at that, how embarrassing. Beyond the call of duty. Come on up, folks, and we'll go through it.

**Item 572.**

**Fish:** Commissioner Fritz is going to read the proclamation and if I can introduce our special guest from the timbers and the thorn's family, first is crystal, raise your hand, please, and she does that for both the timbers and the thorns. Carleen Leone, community relations manager for the timbers and the thorns. Karla. Ok. Jordan Farwell, community relations coordinator. She's not here. So you are --

\*\*\*\*\*: Donna.

**Fish:** And what's your titles?

\*\*\*\*\*: Community relations intern.

**Fish:** An all-star team here today. Who needs Jordan? And of course, we have timber joey and mayor, pursuant to the rules of the building, we did have him check his heavy equipment out front, so he was not allowed to bring in his electric saw. It is our pleasure to welcome you to city hall and to recognize the 2016 stand-together week. We are proud of what you do on the field and off the field, and it's now an honor, and Commissioner Fritz has a special proclamation.

**Fritz:** We are rose city proud, and I am going to put my timber's army scarf on and read the proclamation, which I find the proclamations go best with the British accent still here after 30 years in Portland. Whereas the city of Portland is proud to be home to the Portland timbers, Portland Thorns fc and timbers 2, and whereas the timbers, thorns, and t2 are committed to giving back to our community and promoting civic engagement through their community platform, stand together. And whereas the city of Portland is proud to partner with the timbers, thorns, and t2 in organizing the fifth anniversary of the stand together week. A week of community service from June 6 through June 12, 2016. And whereas over 1,000 stand-together volunteers, including timbers, thorns, and t2 players, the timber's army, and rose city riveters, coaches and ambassadors and front office staff and sponsors and community members will come together for a week of service. And whereas stand together volunteers will participate in over 32 community events and projects throughout Portland, and whereas the community service projects will include building homes, tending gardens, restoring the local parks, thank you very much, and pulling ivy and leading soccer clinics and repairing children's bicycles and more, and whereas stand together will support local Mission driven nonprofits including boys and girls clubs and children's book bank and play works and Latino network and community cycling center, and zenger farm, and the Oregon food bank among others. And whereas stand together week is a call to action by the city, the Portland timbers, and the Portland thorns FC, timbers 2 and community partners, to inspire people to give back through the community service. Now therefore Charlie hales, the mayor of the city of Portland,

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Oregon, the city of roses, does hereby proclaim June 6-12 to be timbers, thorns, and t2 stand-together week in Portland, and encourages all residents to observe this week.  
[applause]

**Hales:** Welcome, welcome.

**Fish:** Crystal, get close to the mic, if you could. Welcome and also please let us know if there are any spots open for people that want to volunteer.

\*\*\*\*\*: Yes, there is spots available for the community to volunteer alongside with our athletes and our players and our coaches and our staff. You can go to ptstandtogether.com and they will be, there will be links for the stand-to go week.

**Hales:** That's great.

**Fish:** And I want to just, a quick personal story, my wife and son have spent the year in Spain and I had is a chance to visit them recently. They were trying to figure out what gift to give the cousins who are roughly my son's age plus or minus 12. So we gave them timber's jersey and they wore them all the time, so it's very cool.

\*\*\*\*\*: Thank you for that.

**Fish:** So timber joey do you want to say a few words?

**Timber Joey:** I am excited and I can't believe it has been five years that we've been doing this. It's a great opportunity to get out in the community to get to meet the players and to give back, and it's a very fulfilling week and we are excited to be a part of it.

**Fish:** You have a great seat and a great vantage point of the team. Can you today guarantee championships of the timbers and the thorns? Can we get you on the record?

**Timber Joey:** Yeah, yeah. I guarantee that in the future you will see championships from both the timbers and thorns. I think whether it's a star on the jersey or just what we do in the community we're definitely going to be champions again.

**Hales:** You are, and there is a real positive relationship between the cities and their sports teams, and we have that, too but this is really above and beyond, and the fact that you as an organization and your players are out in the community working side-by-side with people that want to make Portland better is really distinctive and really noticed and appreciated and that's why we wanted to do this today because one the more volunteers that work with you the more good things that get done but the fact that the timbers and the thorns do this as an organization builds the tie stronger between the teams and the city.

\*\*\*\*\*: This is a celebration not only of our players and our fans but also this beautiful city that we live in and we hope that we'll get to meet many of you there and you will be able to join us on this impactful week.

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

**Fish:** One other thing everybody has a favorite player and every family roots for someone and probably in my house it's Tobin heath so we think the best female soccer player in the world, at least in our home.

\*\*\*\*\*: She's a better person and quite great.

**Fish:** The other thing that we mentioned with, when the mayor and the commissioner Fritz had a hearing on the refugee and immigrants and the work that they are doing, new Portlanders. How proud that we are of darlington nagbe who just as of 2015 became a united states citizen and the other night scored his first goal as a member of the u.s. National men's team. What a proud moment for the community.

**Timber Joey:** And to note recently had his first assist with the u.s. Men's team too in the last game.

**Hales:** Great. Thank you very much for coming and love to take a photo with you.

**Fritz:** May I take some comments?

**Fritz:** I have been watching soccer or football since I was knee high to a grasshopper as they say in England, and there is no European clubs that have the community support that

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we have here in Portland and indeed we're getting national and international recognition for soccer city usa. And the timber's army and the partnership with the professional organizations is what makes it special and keeps it special. This volunteering in the community, which is very much supporter-led and with the partnership as the corporation and the players and the team is unparalleled, and I really appreciate the fact that that's what we do in Portland. It's another reason why we have had 18,000 people there for the game, a regular season game just, you know, whatever, and commissioner Saltzman isn't here today. I was thinking about him on Sunday but he does not like nil nil draws. I thought that he was fabulous. The embracing of being without six national players and battling through a wonderful draw against the people. This just continues to emphasize why Portland is special and why Portland is different and how we do things differently in Portland so thank you for being part of that and thank you for taking the time to come here today.

\*\*\*\*\*: Thank you very much.

**Hales:** Well done. Let's take a photo.

**Hales:** That's a good problem to have, cut too many slices out of that. All right. That was great, so now, I would like to move on to item 587, dr. Moreland is here, and will not be able to be here a long time so we want to take that item please if there is no objection, and would you read that please?

**Item 587.**

**Hales:** I would like to invite everybody up. She's the executive director of the Oregon health and sciences universities, avel gordly, center for healing, an assistant professor of public psychiatry at ohsu, and we know her because of a large amount of community service through the foundation and also through the service on the Oregon historical society board, Oregon health policy board, workforce committee, I have a dream Oregon and governor's council on alcohol and drug abuse programs and on our advisory board. And somehow manages to maintain incredible standing but also serve this community in a lot of ways as a volunteer, so very proud to have you on our agenda today, and that you are willing to take on a really big volunteer job, as being one of the five members of the Portland development commission board.

**Fish:** I moved the nomination before the candidate --

**Hales:** Before she reconsiders? [laughter]

**Fish:** It is a unanimous consent.

**Hales:** I don't know if you want to add anything to my resume that I read of yours, but again, thank you, Alisha, for your willingness to do this. It's a big deal.

**Alisha Moreland-Capula:** I want to thank you mayor hales and Fritz and commissioner Fish and also to commissioner Saltzman and to commissioner novick, what most people don't know is that I was an urban studies minor and short from being a major, these things around city issues, it's important as the city continues to develop and grow, and it is not just important to consider what we develop but how, and I think that there is some very rich opportunities to participate in those discussions and being a bit more mindful of the human impact of the development, which I think is very, very important. The last thing that I would say, is I was reflecting on a quote this morning and it was that the person who looks through it, an open window, sees fewer than a person who looks through a closed window. And really, what that means is that the person is looking through an open window and has everything right in front of them. And in some regards that limits the one sense of imagination or possibility but those who are looking through a closed window, you kind of have to bust through that and kind of open that wide and look a little deeper and wider, so I think that my participation on the Portland development commission is what I would like to call effectively widening and deepening the bench in order to participate more effectively in

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the change process. I think that it does require a fresh perspective and that busts through the possibilities and imaginations so I am very pleased with the opportunity to do that, so thank you.

**Hales:** Thank you.

**Fritz:** A question in Addition to the resume read. Jefferson high school graduate.

**Moreland-Capula:** Absolutely.

**Fritz:** And the rose festival queen.

**Moreland-Capula:** Absolutely,

**Fritz:** I think that those two are particularly dear to me in seeing that you are home grown, and have, are doing great things in our community and giving back to our community, so thank you very much.

**Moreland-Capula:** You are very welcome, and this is the rose festival season and we did take our kids up to Washington Park to look at my plaque there that this the queen Alisha but I won't tell you what year that was in.

**Fritz:** We will look and sign up.

**Fish:** I want to look and say that you follow in the big footsteps, two of our most honored citizens that you have had a lot of life experience with and partnership with, obviously, former senator avel gordly, my state senator. And kay toran, I had the honor of serving on her board and former nonprofit of the year executives, so that's, that's -- that is, if you judge someone on the basis of the company that they keep, you cannot do any better than that.

**Moreland-Capula:** Agreed. Thank you.

**Hales:** And I want to thank your husband Daniel, for volunteering more time as a dad so you can do more as a community leader.

**Moreland-Capula:** Thank you for that because I think that that's the other piece, that it totally is a partnership, and my husband, Daniel, is super-duper amazing. What I tell him, I can tell you that he's sunshine on a cloudy Day. When it's cold outside. I have got the month of May, and that is Daniel, and I really appreciate his partnership, his love and I definitely couldn't do it without him.

**Hales:** Thank you and I appreciate you being here today. Is there anyone else that wants to comment on this report before we adopt it?

**Parsons:** We had four people.

**Hales:** Ok. Thank you.

**Moreland-Capula:** Thanks.

**Joe Walsh:** I am Joe Walsh with individuals for justice. We think that she is over-burdened, and there is a point where if you volunteer for too many committees that you cannot be effective in any of the committees. Your time is just taken up and we opposed the appointment, and that's the main reason that we opposed it. There are other reasons, and we are not going to go into those. You know we're having a terrible time with coab, and it is my understanding she plays a role in that, also. It was not mentioned in the preview, but she plays a role in that, and I may be wrong on that. Our main concern is that she's all over-burdened. If I had to do what she is doing, I would be probably in a padded room some place. So what we're suggesting is that I don't know is the talent looked at but also the time that they spend on these committees. So yeah, you have absentees because they are all a burden. And you have inattention because they are overburdened. And the more committees you sit on the less you can do. She's overburdened, and you should consider that. We fully acknowledge that you are going to ok this appointment. We are here to talk to the people listening to this. There is a time -- this is the first time in eight years that we have opposed any appointment that you made. First time. But looking at her resume, it's impressive. Too busy. Too busy. Just like you guys sometimes are too

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busy to pay attention, and you get into trouble because you let something go. And we take you on. We have nothing else to do. We just take you on. But you are busy. So, so is she, nice lady. Talented, too busy. Thank you.

**Hales:** I appreciate your point. I want to respond. That was an issue that we discussed in vetting the possible nominees for this position, and her in particular. Her plan is to ramp down and discontinue some of her other volunteer services in order to put the time into this because you are right there is a human limitation to how much people can do. So she understands that and I understand that and I think the counselor understands that, that she will be discontinuing or diminishing some of her other volunteer activities assuming That this appointment goes forward because this is a big job and we want people that are fully involved in it. So legitimate point, thank you.

**Walsh:** I am sure that you are aware that I believe in what people do and not what they say. So you can say all kinds of good things, and do nothing. I like it when people do something, so if she was to say ok, you know, I am taking all of these out in order to do this volunteer position I would be impressed. But generally I am going to slow down a bit and we'll see that. And I say that every week. Do I do it? No. Thank you.

**Hales:** Who would like to be next?

**David Kif Davis:** So my name is David kif Davis. I think that she is also overburdened and I think that she needs to step down from coab as one of her positions because she does a horrible job at that. She led a group bullying session after I was called a white supremacist, and I am, actually, a Jew, ok. But coab called me a white supremacist skinhead who targets black people, and you know she talked about the human impact of the development. Yeah, I definitely understand the human impact of the development and the gentrification and all of that other stuff that she is going to be a big part of. I understand that the Portland development commission felt that it was a good choice to go under the Hawthorne Bridge and fence it off and lease that land from odot in order to punish mentally ill people and homeless people that had been sleeping there. That's a great job, and then you know it's labeled a white supremacist by one of her fellow coab members, bud fueless, who is a transgender person and actually serves on the board of directors at the national organization of women. Which I don't know. I don't see a 60-year-old guy who is transitioning into being a woman to be -- to have the same experiences as a woman, ok. I don't think that he should be the chair of that. You got bud fueless and all these people slandering me calling me a white supremacist when I am a Jew. And then what did she do afterwards? She talked to all of the coab people after I was kicked out because I made a big stink about that right. Any Jew would probably make a big stink about that but what she did was she said well this is unacceptable that Mr. Davis didn't like being slandered and called a white supremacist, and we're professionals and we demand respect. So, you know this is unacceptable what Mr. Davis did. You know and then oh, wow she works with avel gordly. Yeah another great one who pointed out to Kathleen Sadat oh, he's filming. When I was sitting in the chair filming a coab meeting and I was escorted by the police. So these people don't understand mental illness. And she is an authoritarian dictator and I am sure that she bullies patients left and right or I mean this lady needs to go find a job doing something that doesn't include other humans as she is. She is --

**Hales:** Mr. Davis you are out of time.

**Davis:** She's about as bad of a choice as you guys could ever ask for.

**Hales:** I think you are next.

**Crystal Elinski:** I am crystal elinski and I represent 10,000. I will try to be short since I used a little extra time in my communications. I did mention the pdc in my communications so I won't go there again. I will list some names. Carole smith and Dan Staten and Larry

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o'day and last time I testified Bernie guisto and mike Reese. These -- Vicki Phillips. Neal McFarlane. These people who get appointed, a lot of them need to be, need to resign, possibly indicted, especially when it comes to poisoning our children. I understand Kathleen Sadat just retired as well, resigned. It reminds me of when Hillary Clinton resigned because she was just too busy to do secretary of state and she was sick and had to deal with her family but now is running for president so go and figure and then same with former attorney general Kroger who couldn't handle it and somehow went to reed college as a president. I don't really get it but Kathleen Sadat I have always honored her and I approached her the other day. We were at a meeting together. I said I heard this opb Interview.

**Hales:** Let's focus on this appointment.

**Elinski:** There is very related because this is the same coab group. And she told me -- she was on an opb interview and she said that I was disappointed in the way that she explained -- that she expected every person to be involved. That we needed more involvement, and the way that she did it, I feel the same but I understand and that's why I represent 10,000 that people can't be here, and yet we have the same volunteers and the same appointments and the same so-called experts. I would like to submit my application for Kathleen Sadat's position. She encouraged me to go to the most recent coab meeting. I went to the first two and was very disappointed. Judge Simon was great. I followed it tooth and nail along with the police, and then when I went to the coab meeting I was just floored. I don't really want to go but she encouraged me. But I went and we were the public. The public in general. We were put down. It was incredibly demeaning. Degrading. Dismissive the way that they talked about it. That was my impression. I don't understand how people like this continue to get the same appointments and move onto other commissions and when Commissioner Fritz says you know I am so proud of all of our volunteers in Portland, we need to find ways to get more people involved because we're starting to have this revolving door incestuous thing going on. So I would like to apply so let me know how to do it. Thank you.

**Hales:** Thank you. Good morning.

**Sarah Long:** I am Sarah long. I have come before you guys before and told you your main problem is that you don't have time. That is again something I see here you did not understand why ms. Elinski was making the points that she was. They are very valid points. These appointments are deeply problematic, dr. Moreland is an excellent doctor and she serves as the executive director of the center of healing at Oregon health and Science University and the [inaudible] african nation of angola. Ohsu tortures --

**Hales:** Let her finish.

**Long:** That is true but anyway, this fact that you have chosen someone so completely overstressed, I respect what you are trying to do. You are trying to take someone who is a native Portlander who is a black woman and get her into this position on this board, and that's wonderful. The fact that she is already so completely overstretched is indicative of just how sick and on the verge of death that our volunteerism system is. And you guys need to be reaching out to other people. I strongly support ms. Elinski's application to take Kathleen Sadat's position. I think that she would be much better in the position. You guys really, really need to find the time to listen to the people, not the echo chamber and not the establishment but the people.

**Hales:** Thank you all very much.

**Lightning:** I am lightning and I represent lightning watchdog communications pdx. We have a problem here that at this point I am actually in agreement with Mr. Walsh, Mr. Davis, and the other speakers, and I will state my reason. I attended these meetings at coab where Mr. Davis was trying to film from different areas of the room, which I felt was

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completely appropriate for him to do that. He was told that he could not by Miss Sadat numerous times leave, you are disruptive and we're going to have you arrested. Even well-known attorneys there, Mr. Stein and Mr. Rosenbaum professor all agreed with Mr. Davis. She made it a point to have him removed and arrested. That is a violation of the first amendment rights, the United States constitution. She was unconstitutional, what she did, and that will be proven in court. When people in coab agree with what she did and closed the meetings down to the public, again, you are all unconstitutional. You don't believe in the first amendment rights of the public to speak. You need to continue these meetings, deal reasonably with somebody like Mr. Davis who has every right to be in there filming and understand next week you decided to cancel the meeting, which the mayor and Mr. O'day were scheduled to appear per the settlement agreement. You canceled that. Had your own executive session, and knowing that in an executive session that you cannot have the public included. It's interesting and you want to make those moves because we watch this very close and that's fine. You can do that. You talk about being inclusive or exclusive. I am telling you that you exclude the public and you include your ideas and what you want to say and that's all that matters to you. So as of this time what I have seen happy at coab very disappointed how that's being run, and as of this time appointing you to pdc, guess what city of Portland, Patrick quinton made the biggest mistake on the united states post office building because he tarnished that by mistreating Jordan smith on centennial mills property. Mistreated him. And if those are the kind of people that you want to sit in these meetings that's fine. You can have them all day long but guess what, the public is standing up and the public doesn't like the way that they are being treated. And don't forget you represent the public. That is why you are there. Coab is to speak to the public, listen to their ideas, and listen to Mr. Davis, and listen to Mr. Walsh, and listen to everybody in that room, the public has something to say, and that's what these meetings are about, if you don't like those meetings, you don't like them seeing something that you think is inappropriate, tough, don't put yourself into those meetings. Put people in those meetings understand that when the public is there they want to speak and they want to get their ideas out there and if you don't like it, don't volunteer for these jobs. Just get out. Don't be on these boards.

**Hales:** Thank you very much. [applause]

**Hales:** Anyone else? Let's take action on the report.

**Fish:** Dr. Moreland capula, thank you for stepping up and agreeing to serve. I will tell you I've been on this council for 7.5 to eight years, and we have had plenty of hearings on nominees for the Portland development commission. We have had developers and lawyers and people from all kinds of walks of life. This is the first time that I have heard a hearing focus on whether someone is too busy. To do the job. I would be remiss if I did not say under the circumstances that while people have a right to say whatever they want when they come before us, it struck me as patronizing to tell someone of your credentials that you are, that you are incapable of budgeting your time and making the commitment and frankly, I was embarrassed by the testimony.

**Elinski:** I am embarrassed by you --

**Hales:** You are excluded if you say another word. And so are you, Mr. Davis. [everyone talking at once]

**Hales:** We are at recess.

**At 10:27 a.m. council recessed**

**At 10:29 a.m. council reconvened**

**Hales:** We were in the process of voting on the doctor's position.

**Fish:** Let's get back to the issue that's before us, the other thing I want to say to the good doctor who put her name forward is the Portland development commission is at a

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crossroads. We are in the process of doing a national search for a director, starting in January of next year we'll have a new mayor in charge of the bureau, and we are having a community conversation about the mission and direction of the agency for many years to come, which means that you are coming into leadership at a critical moment in the history. Portland development commission. What excites me is all of the wisdom and judgment and life experience that you are bringing to this position to help us to get it right now and into the future so thank you for stepping up to serve and today I am honored to support the nomination. Aye.

**Fritz:** I am glad that commissioner Fish spoke before I did, and also that he used the word patronizing. I have never, in any appointment in the seven plus years here, heard a man question as to whether or not he is overburdened and doing too much, and I appreciate dr. Moreland capula noting it is part of the partnership with Daniel and you are not only able to do everything else you heard --

**Hales:** Hey, please. Any more interruptions and you will have to be excluded, too. Crystal I will exclude you if you interrupt again.

**Fritz:** I would encourage everybody to check your own biases because that was, actually one of my first thoughts. Then I thought doctor Moreland-Capula makes very good decisions, and so she can make her own decision on this and decide what's too much and what's not too much. And then I wondered about her other experience in, for the Portland development commission, and I looked at the foundation website. So if education this is about helping folks in Angola and going since 2015, and the Capula foundation will continue to build on our pre-existing relationship with Portland community college, which hosts three to four students from Angola a year, students come to Portland, Oregon on an academic visa and a degree in advanced training and health, science, technology and business, and return to Angola, to employ their education, the foundation plans to increase the number of students that participate in academic exchange in Portland community college. What experience does she have in development? The foundation built an urgent care clinic named -- I will not try that, in cacao, Angola. The clinic is up and running. It will serve 10,000 local Angolans. It will house two physicians. Five nurses. Five physician nursing assistants. Basic health maintenance service and low level surgical procedures will be performed. So she has had development experience, as well. I could go on and on about the qualifications, and I won't because of the time. I am very honored that you are going to serve and I would reflect that this is one of the highest volunteer jobs in Portland. It's one of the most responsibilities. It has a lot of authority to spend millions of dollars of the taxpayer's money, and who better than somebody who has done so much volunteering to have worked her way up in the volunteer world to serve on this important commission. Thank you very much mayor for nominating her and for putting your trust in her and her abilities. Aye.

**Hales:** Thank you. And she has my trust in her abilities and Portland. First I want to thank Camille elmore-trummer and Julian detwiller on my staff who vetted nominees for this position and actually we are an embarrassment of riches as a city in terms of the capable volunteers in our community who are willing to take on roles like this, so she was in a tough competition but she prevailed because of her dedication to the city and because of what she brings to this post. The rest of the qualifications have been well discussed but let me just return for a moment to ohsu. One of the reasons why I think that having the doctor on the board of the pdc for the next few years will be critical is that there was a time when medical research and that industry was not much of a factor in Portland's economy. Now thanks to the night challenge and the amazing plans that are underway in the south waterfront and on the hill ohsu and other medical research, cancer work going on at providence and the broad spectrum of cutting edge research at ohsu I think that that's

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going to be an important part of Portland's economy in the future and in fact, I'm not the only one that thinks that because one of the things that we did in our strategic plan for pdc was say you know the medical world is going to be a bigger part of Portland's economy in the future. So your expertise as a physician and as part of that organization is going to be well placed. This is a small board so having people with multiple qualifications and multiple facets to their experience is really important so I think that that's going to be important as well. And I also want to mention you know some, some of what government does is take the community's hopes and dreams and put them in boring documents like the budgets or a comprehensive plan or a strategic plan for pdc, and that plan made a pivotal change. It used to be that pdc's job was to build the city and create jobs. Now pdc's job is to build the City and create the jobs and share prosperity across a much more diverse community. And her passionate commitment to that goal is another reason why alicia will be a wonderful addition to this board. Thank you for your willingness to serve. Portland will be well served by your volunteerism and thank you for doing this. Very happy to vote aye. Thank you very much. [applause]

**Hales:** All right. We have got to do the time certain and we have mayor Clark in the hall. I am not going to keep that man waiting much longer. Let's move, please, to the next time certain.

**Item 573.**

**Hales:** We have a team of people that care about Portland's environment, coming forward, and very pleased to have you here especially mayor Bud Clark, always a pleasure to welcome you back. I will read this proclamation and then turn it over to this distinguished panel. It says whereas 30 years ago the city of Portland established great, the great blue heron as the official bird and a symbol of commitment to projecting and restoring the urban watersheds for the health of people and wildlife. And whereas over the past decades the city achieved significant accomplishments towards this objective including addressing the discharge of raw pollution into our waterways and establishing itself as a leader in infrastructure and creating Parks, trails, and natural areas. The city achieved significant milestones towards that objective including passing a ban on new fossil fuel infrastructure along the river, developing a comprehensive plan that prioritizes the reclaiming of the fields and intensifying the use of existing industrial lands in order to meet the industrial land needs and establishing that the city's largest remaining unprotected natural area at West Hayden Island is not needed to be industrial land demands and our city still has significant challenges and opportunities ahead to continue to meet this objective, including insuring that a plan is adopted to clean up and mitigate for the Portland harbor superfund site that will provide for the health of people and the wildlife using the Willamette river. Developing a second generation of cutting edge green infrastructure programs and insuring that all Portlanders have access to nature within walking distance of their homes. And whereas the city repledges to double the efforts to integrate the nature into the city to innovative green infrastructure and enhanced protection and restoration of Fish and wildlife habitat and cleanup of contaminants in the Willamette river and aggressively addressing the areas of the city that lack access to nature in order to make Portland the nation's most wildlife friendly city. Now therefore I Charlie Hales, mayor of the city of Portland, The city of roses, do hereby proclaim that June 1 to June 12 to be the 30th annual great blue heron week in Portland and encourage all residents to observe this week. Let's hear it for the bird and the people that care about it. [applause] Mayor Clark, a pleasure to have you here sir.

**Mike Houck:** I am going to start off and Bud will follow.

**Hales:** Ok. Tell us who you are.

**Houck:** I am Mike. I was downtown attending a Fish and wildlife managers for the western U.S., and Bud Clark gave the welcoming address and during his remarks he

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mentioned the great blue herons numerous times how wonderful it was to see them flying across the skyline and I think that he referred to his duck hunting in Scappoose. And not to miss an opportunity I followed him out of the Hilton and said but you know you mentioned herons numerous times, and there are a few cities around, I think two or three that have an official city bird. Portland did not. Why not make it a great blue heron and he famously of course said woop, told me to go and see ethan seltzer in mike Lindbergh's offers and two weeks later we had a proclamation established in the great blue heron as the official city bird. It may sound trivial to some people but every year for 30 years we had the opportunity to come to you and to reflect on the amazing progress that we made and also to challenge ourselves to ensure that the herons are going to share the Environment with us, I don't know if Ethan suggested it or not but I contacted William Stafford, for the state of Oregon, and said, told him what we had done and would he be willing to write a poem. And he did, and every time I did, I get teary eyed, right on in terms of what we need to do in the city. And bud has offered to come along today and say a few remarks and read the poem.

**Hales:** Wonderful and welcome.

**Bud Clark:** I have the honor, I was recruited by, you know, the constant pressure continuously going on.

**Fish:** Who can say no? We know.

**Clark:** I am sure that you know. Yeah. Anyway this is spirited place by William Stafford, and he's passed away I think in 1993. This is a spirited place. Maybe two shadows lurch forward and become life lifted from the dawn to the rain. It is a wilderness come back again, a lagoon within the city reflected in its eye. And we live by faith in such presence. It is a test for us that thin but real, undulating figure that promises if you keep the faith, I will exist at the edge where your vision joins the sunlight and the rain, and heads in the light and feet that go down into the mud, and where the truth is, woop-woop. [laughter] I haven't been here in a while, and I see you have as much problems -- more problems than I ever had, so good luck.

**Hales:** Thanks, bud.

**Clark:** It's good to have people speaking for the city bird, it was an initiative of mike and mike Lindbergh, the commissioner at the time, and of course, they work for, worked for mike for years.

**Hales:** Thank you for being here today and appreciate you.

**Ethan Seltzer:** I am Ethan seltzer, a resident of Portland, and when we started out with this 30 years ago, and I can't believe that it was 30 years ago, it was for fun but serious fun in recognition of the fact that a city, a great city, actually, had a lot of things that it offers to people who are here, and if you pay attention, if you are willing to kind of keep those things kicking around. And for us the heron was one of those things, emblematic of a deep connection to the landscape that a lot of people in Portland hold very dear and which could be a part of the way that we think about the city and the way that the city operates. There is another part of this which is kind of the notion of the American dream. The Portland dream is that a couple of people getting together can have an impact on making and repaying the city, and the legacy of not just a couple of people getting together to ensure that the heron was always a part of this place is, actually, emblematic of that idea that in Portland what we're striving for is a collectively created livability, and I do hope that is always the case. In many, many different forums so thank you very much.

**Hales:** Thank you. Welcome. That slides over. Yeah. That will help you.

**Bob Sallinger:** Good morning, mayor hales and members of the city council. I am bob sallinger, the Portland conservation director for the Audubon society, and we wanted to talk a bit about the challenges ahead but first we wanted to acknowledge the

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accomplishments that have occurred especially as we enter this transition phase. There's been some significant accomplishments during the last four years. I don't have time to go through all of them but I want to highlight the propane and the fossil fuel resolution, and the decision not to go forward with the development on Hayden Island, and a comprehensive plan that focuses on brown field remediation rather than conversion of Greenfields to meet the industrial land needs. And also the parks' levy. Those are major accomplishments, and they took courage, and they took guts, and they are going to leave our city greener and more sustainable for having done that. So I wanted to express my appreciation on behalf of Audubon and ugi and everybody up here today and especially mayor Hales as you go to your transition phase. Looking forward we do have challenges ahead, and I think that the environment -- somebody asked me when will it be enough? When are we going to get to the end game and the answer is we always can make our environments healthier and more sustainable and we're always going to be faced with new challenges. We have significant ones ahead but I look at them as opportunities so I want to highlight a few of those. First and foremost the superfund, Portland has become much more aware of the fact that we live in a city with real pollution problems, air and water pollution. And that's come to the forefront in the last year, and we have an incredible opportunity ahead of us to -- I think to really the most significant opportunity on the river ahead of us to create a river that's healthy for people and for wildlife. And I think that too often we focus on what is the minimum that we can do under the law as opposed to what's the most that we can do to achieve our goals, which are a healthy and sustainable environment. And that's going to be entering the public comment phase in a week. And so we really look to the city to take a leadership role in asking, you know, how far can we go and how clean can we make this, and can we get to a point that we lift the advisories. That's going to be the most symbolic thing that we can do to ensure the river is healthy going forward. And on a climate change, another opportunity is right ahead, and in terms of the floodplains, they have adopted new, going to have to adopt new regulations to protect the floodplains, and we developed it in the most vulnerable landscapes and taking a proactive approach to how we develop the plains and where we develop them and how we mitigate for that, is another huge Opportunity and challenge right in front of us that we need to get ahead of. Lastly, I will highlight the challenge of access to nature. The herons are this incredible thing that we have in the city, and the ability to see and experience the wildlife, and we know the human health benefits of the access to nature and we also know that a lot of our city doesn't have access to nature still, despite the green reputation we have the equity gaps, and we made incredible progress over the last four years, and commissioner Fritz you have done an amazing job in east Portland, and I think we ought to be setting a goal of filling every equity gap for nature in the next 10 to 20 years. Let's set a timeline, and we know where those equity gaps are and let's make sure that every family in the city, every person in the city can walk to a park or a natural area, and we can list out where they are and let's knock them off one at a time and get that done and make that a real hard core goal for our community so thank you very much.

**Hales:** Questions or comments for this panel.

**Fish:** I want to thank you for being here and mayor Clark probably it's interesting to fast forward and see how this chamber has evolved and how the public discourse has changed and how democracy in action is working in this body.

**Clark:** Democracy.

**Fish:** And mayor, the other day we had Tom Potter with us and we were reflecting on the mayor's Office efforts to open the door of this building a little wider to let more people feel welcome. In effect every council builds on the accomplishments of a prior mayor and council, and we would be remiss if we did not thank you for your glorious service to our

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city, both as an elected official but you have a bit of the Barbara Roberts in you, as well which is you can debate whether your greatest impact in our community was whether you were in service or after service. And we are grateful you continue to call Portland home.

**Clark:** Thank you, commissioner.

**Hales:** It's probably time for me to tell my heron story.

**Fish:** The heron that got away.

**Hales:** Yes. Sort of, yeah. The heron is both an indicator species, you know, that shows us that our rivers and streams are healthy so if we have healthy rivers and streams and in the riparian areas we'll have a healthy heron population but also this magical almost prehistoric animal that is a symbol of our city. And so 12 years ago when Nancy and I were getting married in the Chinese garden we were with our backs to the pond and this beautiful summer evening, just twilight, and facing the efficient on the steps of the pagoda there. And literally in the middle of the vows and our guests were behind us on that walkway, seated out there, and the pond in between them and us. While we were saying our vows there was this ohhh in the Crowd. A heron flew majestically across the pond, so if I ever felt blessed to be a Portlander it was at that moment. I felt like our marriage was personally authorized by the great blue heron, and it doesn't get any better than that. Thank you all for being here and let's take a photo with this distinguished group and our mascot if we may.

**Clark:** That's a wonderful story about the heron.

**Fritz:** 12 years before Bernie put a bird on it.

**Hales:** Thank you very much. Ok. let us move, I think, commissioner Fish, did you have something else you wanted to pull first? We'll all come back.

**Fish:** We're teed up for 585.

**Hales:** Let's go to 585 then please.

#### **Item 585.**

**Hales:** We want to thank you for your leadership on this.

**Fish:** Thank you, mayor. I am happy to co-sponsor this, with Jamie Waltz from the office of finance is with us and I want to acknowledge the work that other people have put into this, including Betsy Ames who we hope is resting comfortably and recovering. Mayor I will make brief opening comments and then reserve the rest for the vote. Very proud today to play a role in bringing forward new city rules and policies on our restrooms. I believe that city staff have done an excellent job in crafting the rules and policies to reflect our values and the Council intentions. In doing so they are affirming a very important principle that the city of Portland is quarterbacking to all. Everyone benefits when barriers are removed, including removed from restrooms. Older adults benefit. Particularly older adults with caregivers. Parents with young children. People with personal attendance. Even transgender individuals. These rules reflect the change that is long overdue at the city of Portland. Multnomah County instituted a similar policy in 2013 and Portland state university Portland community college and grant high school are all ahead of us. Nationally we follow cities like Austin and Philadelphia and Washington and our neighbor to the north Seattle. And as we will learn today the city is poised over the next few months to change the signs on over 600 single occupant restrooms to remove the gender specific designations. I believe that this is a proud day for our city and for all of us who care about access and equity and mayor I am pleased to welcome Jamie to walk us through what is before us.

**Hales:** Thank you. Welcome, Jamie.

**Jamie Waltz, Office of Management and Finance:** Good morning mayor and commissioner, I am Jamie, the development manager for the cities facilities. I am presenting on behalf of Betsy Ames who provided the leadership to develop this policy

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but could not be here today. I am going to talk about the all user restroom policy, which is an, in exhibit A of the resolution, and I also want to talk about three specific elements. I want to talk about why this policy was created and the current work being done to date and what you expect, should expect to see in the city. And then describe the elements that are in this policy. As commissioner Fish said the city supports having restroom options that benefit everyone. All user restrooms provide a safe and comfortable option for people of all gender identities and expressions including transgender and non-gender conforming people and parents or other caregivers of children of different genders. Back in December on 17th of 2015 you approved a resolution that directed several different elements. Some of the elements include directing all bureaus to conduct an inventory of all the restrooms across our city owned facilities and to convert all gender specific single occupancy restrooms to all user restrooms within six months of the passage of that resolution. And that includes placing new signage up on the restrooms, and that new signage which is also in the exhibit attached to the policy explains what is behind the door not who is to use that bathroom and so it just says that there will be a toilet behind that door. Some of the other elements of the resolution directed the office of management and finance to develop a policy for incorporating all user restrooms in new construction and major renovation and then it directed them to lead a study that we conduct the feasibility of creating all user restrooms in all of our city controlled and city owned buildings. Since December a lot of work has been taking place, and I want to highlight some of the accomplishments. We have been busy conducting an inventory of all of our restrooms across the city, and I want to thank the staff from multiple bureaus that own the city facilities and properties who have been doing those inventories and helping to convert those restrooms that are single occupant or gender specific to all user restrooms. They have been working hard on that. There are over 850 restrooms in the city in city controlled facilities and 600 of those are single occupant restrooms that you will see being converted so that's 70% of the restrooms will be converted to all user at this time. Parks and recreation has 300 of them so through this resolution they are asking for an extension through September 1st to be able to have more time to make those conversions and put new signage up. And one of the other things that is going to be happening in July is with the Portland building reconstruction we have an ton to incorporate thoughtful approaches to providing all user restrooms in that building. We are going to be doing a pilot of creating a multi-user gender, non--- all user bathroom. Right now our bathrooms in the Portland building are gender specific multi-occupant so we'll be converting multi-occupant all user bathrooms on the second floor and putting in taller partitions to provide more privacy. We'll be putting the same partitions on the first floor of the Portland building but keeping the restrooms gender specific at this time. We'll be putting signage directing individuals who want the all user restrooms to the second floor, and we'll be collecting information on the experiences of the users and we'll be incorporating that when we get to the design portion of the Portland building. Again that will be happening in July sometime.

**Fritz:** Why did you choose to put the old user restrooms on this floor that you need to take an elevator to accessorize it rather than putting it on the first floor?

**Waltz:** I don't know the answer to that and I can find out why the choice was for the second floor.

**Fritz:** It's still in the design phase. We might change that.

**Waltz:** Oh, yeah. Again this is just a test and when we go to the reconstruction we'll look at accessibility and options.

**Fish:** It goes without saying both for today and going forward to the mayor and commissioner Fritz that we're very open to fine tuning and adapting this going forward, the

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goal, we have an audacious goal but how we get there, there is flexibility and if there is a better way, we obviously like to consider that.

**Fritz:** Thank you.

**Waltz:** And then we are starting to draft up the scope of work for conducting the feasibility study to look at all of our restrooms across the city of city owned properties. So then the last piece is the administrative rule 13.03, which is part of the resolution today that we're asking you to adopt. We drafted this policy with solicited input and feedback from the city property and pass it managers and equity and inclusion managers, h.r. And office of equity and human rights and employees across the city. Before I get into some of the elements of the policy there is a couple of definitions helpful to understand. One of the elements of this policies that it applies to city controlled buildings, and the city controlled buildings are those buildings that are both owned and occupied by the city, and for which we have facility related decisions -- decision-making authority for, so it does not apply to those city bureaus that are in out leased spaces but for our buildings that we have ownership and control over. And then the other definition helpful is restroom bank, and so a restroom bank is used to describe a suite of restrooms located in close proximity that are designed to meet the plumbing codes requirements for defined space so for example on this floor of city hall you have a mail, or a female and male restroom separated by the Council chambers and that is considered one restroom bank because it serves the code requirements for having restroom fixtures on this floor. So with the new policy we are requiring that new construction or substantial renovation like the Portland building incorporate all user design and that there be at least 10% of the toilet fixtures be in an all user restroom, with at least one all user restroom per bank, so for example, if there were 20 toilets on this floor, we would have two all user toilets available or we would have one all user restroom available per this bank. So that's how that is set up to work. It also requires renovation projects that have a hard construction cost of 500,000 or more assess the feasibility of doing some sort of all user restroom design. It may not be feasible on every project, but at least this is a way to look at those projects and see if there's a feasibility. It also stipulates what was designated in the December resolution that all single occupancy restrooms be converted to all user. So I want to again thank staff for helping develop the policy and doing all the hard work up to this date and in the future changes you'll be seeing.

**Fish:** [Microphone not on]

**Waltz:** Just to go online and see the signs

**Fish** [Microphone not on]

**Hales:** Other questions for Jamie?

**Fritz:** Commissioner Fish I really appreciate your leadership on this and your partnership with the office of management and finance to—this is the most basic of basic services and I would be remiss if I didn't mention commissioner Rand Leonard who first got us starting on bathroom facilities particularly public bathrooms and it does make a difference. So I just have one request and it's not in the—I don't see a place to put it and that is to me it's not an all user restroom if it doesn't have seat covers and if there is one thing that can enhance my enjoyment of providence park is the fact that the bathrooms don't have seat covers and it only—when I told this to my daughter she goes mom everybody knows you don't catch things from toilet seats and I looked it up and in fact she's correct. And then I mentioned it to one of my male friends and he goes eeww there's still the eeww factor. And it wastes bathroom tissue because people do the origami thing then you don't have bathroom tissue for its intended purpose. I was actually in the fire station on the esplanade for Chief Janssen's retirement and was very pleased to see a gender-neutral bathroom and no seat covers. What's up with this? I would really appreciate it. I will feel

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very satisfied if at all locations we could take care of that simple need. It's important. Thank you.

**Hales:** Questions. Guidance for Jamie? Thank you so much. Do you have any invited testimony?

**Fish:** No.

**Hales:** We'll see if there are any questions for you.

**Parsons:** Two signed up. Frederick Wilkins and crystal elinski.

**Shedrick Wilkins:** I'm Shedrick J Wilkins and I'm an expert on this topic. I work for a supermarket. Cleaning bathrooms is a very hard situation. About a year ago it boiled over where we have open bathrooms at the supermarket. I have to clean them. I made a suggestion, you know, they are open. Anyone can come in. If there's a mess I have to go clean it. Immediately I was written up one time for staying in the bathrooms and it wasn't defaulting doing my job, spying on women, to get somebody else who was a woman. That was ten years ago. But recently my store is very busy and I offered to be transgendered to clean the women's bathroom. This suggestion was rejected by women managers. It's a very tough thing. My comment is, you should continue to do experiments in schools and public buildings, but I doubt if it will ever be something where supermarkets are going to have transgender bathrooms. It's a major obstacle. It's basic -- i'm spying on women. I think there's a thing called passive transgenderism where you just use the bathroom but there are people who want to be overt, wear lipstick, communicate with other women and that's not going to go. It's funny to the little kids -- I used to go in the bathroom when I was five. Little girls at my supermarket can go in the men's room because a man doesn't want to lose sight of a child. So it's weird. Experiments are needed in public facilities but don't think it's going to spill off into the private sector at all.

**Hales:** This is not a mandate for the private sector. It's just city policy. [audio not understandable]

**Wilkins:** Then I support that. Any issue about developing transgender bathrooms, hiring that done, my store will not pay the price for that. I wish they would.

**Hales:** Thank you very much.

**Crystal Elinski:** John Pillager is making a new documentary. So crystal Elinski. I represent 10,000. Thank you very much for this. Now I forgot what I want to say thinking about all the bathrooms I clean. I go, I come downtown, the bathroom is always so dirty and they don't have any insulation. We could do some great things with the -- I never got my plot. They stole my plot from five, six years ago and promised they would give me a slot when the next one came up and they never did. I'll ask Amanda Fritz to look into that for me. We need to think of good ways to make toilets. I think the Leonard loo was a bad idea, especially when we started suing other cities for copying it. What do I always say? Let me see now. We're always -- applauding ourselves. Look, we're like Seattle and Denver. This is our chance to make a proclamation and challenge those states that dare, that dare to discriminate against people. This is ridiculous. We need to make a political statement. I would like us to go further. I trust you guys can do that. What's the other thing I wanted to say? Charles? [audio not understandable] oh, yeah. I really am interested to hear about the feedback on people's experiences. [laughter] I think it's the funniest thing I ever heard. Housing. From the homelessness angle, we see a lot -- incrementally more and more transgender people in the community. That is a reflection of what's going wrong. It's very sad. It's kind of bizarre that it took the transgender people to get us more toilets. We have been asking for that for a long time. Rose festival gets more toilets. Homeless people don't. Maybe we can push this number, increase it. Oh, yeah, then -- i'm just going everywhere, but this is fun. In Korea people share bathrooms. You walk past the men in the pisoirs, women have a little stall. It's bizarre we're so hung up on

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this and obviously I am too because I keep talking. We need a breakthrough. Pooping and peeing is a human right.

**Hales:** Thank you. Joe, please.

**Joe Walsh:** My name is Joe Walsh, I represent individuals for justice. One of the things my wife and I were watching television and we learned about this. She is much less radical than I am. She looked at me and said why is this an issue? What is the big thing about restrooms? Why do we even -- in the process of trying to figure out who should use a rest room or who should refuse, it seems it's so basic. You have to go to the bathroom, you have to go to the bathroom. It shouldn't be a label that says you can't use it. One of the things that I responded to I said, you know, we have these festivals and we have these gatherings where we put hundreds or 50 port-a-potties around, and they are all used by everybody. And it doesn't seem to be a huge problem. So why do we get caught in this thing? A word of caution now. I'm not a libertarian but I get very nervous when government on any level starts legislating what we should do. So be careful with this. I know this is just the opening salvo. This is here. This is what you control. I understand that. It's not out in Starbucks and other places. That's my understanding. This ordinance wouldn't do that. But it's an opening. It's a message. I would rather see a whole bunch of work done in the community to have people understand this is not really a big issue. It's basic right, if you will. Maybe on a lower scale but human rights but it's a right. Especially somebody like me, when i'm downtown and I need to use the restroom, I have a card says I have emergency medical and I need to use the rest room, so I can go into any establishment and use the restroom. I would just caution you a little bit about getting too excited about this and forcing it on people and do a lot of p.r. Work on this because a lot of people say to me in conversation, what are they doing? So they need to know what you're doing. I would caution you that we support it. We congratulate you on taking it on. It's a toughy. And good luck.

**Hales:** Thank you. Very much. Welcome.

**Charles Johnson:** Good morning. I'm Charles Johnson. I can't remember which Frenchman it was, victor Hugo, maybe, reminds us that the law and its majesty makes it illegal for the rich and the poor equally to steal bread. It's equally illegal and difficult to if these windows were open we could see the two blocks that separate the men's bathroom from the women's bathroom. All of which will be available to whomever soon except after midnight when if you're homeless or not you're locked out of the bathroom. We would rather have you urinate and defecate in public than use the bathroom. Even though these moves towards gender inclusion and choice options during limited hours for everybody at public bathrooms is good, we still have a ways to go to make the city fully functions for human needs the way people live 24 hours a day. I know there's hope that everyone can be sheltered near indoor plumbing within the next year, but when we're talking about bathrooms we need to face realty that we're still going out -- bowling out potties as a privilege. If you have a life where you can go home to a bathroom we can lock up the public bathrooms at midnight. There are three loos that service 3,000 people. So in addition to the political correctness and crystal mentioned I know that the mayor mentioned whichever state passed this ridiculous law so we couldn't go visit the uss Portland because it's in the red south, it's true that we want to go beyond Seattle and do the best on gender and choice and providing basic human needs. Thank you.

**Hales:** Anyone else? Let's proceed to take a vote, please.

**Fish:** Mayor hales, Commissioner Fritz, this is a proud day for our city. It's another example of us taking our values and translating those values into action. City of Portland is committed to providing a safe and inclusive workplace for all employees and we're committed to welcoming everyone in our community when they visit us. Today we're

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taking another step forward in that spirit. There's a number of people I want to thank today. I want to start with our friends in the office of management and finance, Jamie waltz and Betsy aims. We sometimes hear our government is inefficient and the hardest thing to do is to get everyone to work together. This is a conspicuous example of collaboration to get to this point. We set a very big goal and very tight timeline. We have largely met it. So I want to thank everybody that has participated in this process. It's really been a model of engaging the community in getting to this point. So to all the bureaus and all the leaders and our friends at omf, a big thank you. I also want to thank some of our community partners who have from the beginning helped us get it right, basic rights Oregon, smart, disabilities right Oregon, elders in action, flush, Multnomah County. That's not an exclusive list but those are some of the people in the forefront of removing barriers. I want to thank Jamie Dunphy on my team who has been working tirelessly on this issue. I thank Asha Blair, a young man who used to work for me who has gone on a spiritual journey. It arose out of his own life experience. I'm proud that this council is moving forward to put this into action. Let's be clear, the cornerstone of what we're doing is providing the public with more choice. We're providing safe options. That's a good thing. I think Joe is right. The ability to use a restroom is a basic right. We can argue where it falls in all of the rights that we cherish, but it's a pretty basic right. I'm proud today that we're joining with the county and sister cities up and down the west coast in making a very strong statement that in the future our single stall restrooms will be available to all, and that as we move forward to implement the broader policy we'll be giving people meaningful choice. Thank you, colleagues, for your support. Thanks, staff. Today i'm proud to vote aye.

**Fritz:** Thank you, commissioner Fish, for your leadership on this and for getting it done in such quick manner that Portland parks and recreation had to request an extension to september to get all of our single-user rest rooms with appropriate signage. I appreciate both the speed of bringing this resolution forward and the understanding that with so many restrooms in parks that we need more time. I brought up the seat cover issues and I was reminded the first time my grandmother visited me in Portland she must have been about 80, and when we met her off the plane at pdx she went to the bathroom. She was astonished about the seat covers. She had never seen one. The privilege that we have living here where you can go to the bathroom and the amenities, you can go to the bathroom. That was brought home to me there. Then lately the issue of can everybody use the bathroom whenever they need to be able to go and we should be able to do that. I'm very proud of the pioneer courthouse square board who has been wrestling with improving the restrooms there as promised in the bond measure, the 2014 fix our parks bond measure. They keep coming up with more innovative designs. There was a mention of the square bathrooms. Yes, we have the right to free speech and we have to be mindful of not abusing that privilege. Yes, we have the right to go to the bathroom and expect others will not abuse that privilege. One ever the challenges at pioneer courthouse square is people leaving needles in the baby changing facilities. Not taking care of those facilities. So i'll be coming in the next budget process to ask for funding for an attendant for the most widely used restroom in Portland so not only are the towels kept stocked and the rest rooms cleaned, thank you, Mr. Shedrick-- thought that would wake you up -- for reminding us that we have wonderful people who clean our bathrooms and that we need to be responsible for wise use while providing services of that nature. And again in Europe that's something that is more routine, there's a friendly attendant who can give you directions to the bus stop as well as providing soap and towels and security. So it's an ongoing challenge to provide funding for these services. I appreciate the work being done. Aye.

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**Hales:** Thank you, commissioner Fish and Jamie. You know, the English poet George Ebert said living well is the best revenge. When we contemplate backsliding that's going on in places like North Carolina and Mississippi and eruption of intolerance, what do we as Portlanders do about that? I think what we do is we demonstrate that we live well by practicing openness and inclusion and tolerance. That we live better because that's what our values are and those are our values and that's how we live here. I am enough of an optimist to believe if we live well in openness, tolerance and inclusion that eventually backward thinking like that will fall and this will be accepted and not worth commenting on. The rest of the country. But we can do this now and do it right and I appreciate that that's exactly what we're up to here today. Thank you very much. Aye. Good work. Thank you. Let's move on to the next item, 586.

**Item 586.**

**Hales:** Let me invite up a panel and read the proclamation. If anyone from cease-fire Oregon is here, Paul Kemp, welcome, and some others as well. I'll read this proclamation and turn it over to this panel. Whereas every day 91 Americans are killed by gun violence and the lives of countless others injured. Americans are 25 more likely to be murdered with guns than people in other developed countries. Whereas protecting public safety in communities they serve is our highest responsibility along with law enforcement officers and how we address that and how we are best positioned to understand that is critical. Whereas support for the second amendments rights for law abiding citizens goes hand in hand with keeping guns out of the hands of dangerous people. Whereas June 2<sup>nd</sup>, 2016 would have been the 19<sup>th</sup> birthday of Hadia Pendleton a teenager who marched in president Obama's second inaugural parade and was tragically shot and killed just a few weeks later. Whereas to help honor Hadia and the 91 Americans whose lives are cut short by shootings every day, the national coalition of organizations has designated June 2 as the second annual national gun violence awareness day. Whereas the idea was inspired by a group of Hadia's friends who asked their classmates to commemorate her life by wearing orange. They chose this color to announce themselves and symbolize the value of human life. Whereas by wearing orange on June 2 Americans will raise awareness about gun violence and honor the lives and lost human potential of Americans stolen by gun violence. Whereas we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and keep our children safe, I do hereby proclaim June 2, 2016 gun violence awareness day in Portland and encourage all residents to support their local community's efforts to prevent the tragic effects of gun violence and to honor and value human lives this day. Thank you all for your work. As somebody who hears from the police bureau in the middle of the night when we have lost another Portlander I know that there are people here in the city that are working very hard to prevent gun violence and unfortunately to deal with it when it occurs, but this movement is I think really important part of who we are as a country now. I want to thank you all for your leadership in this work and for carrying on in the face of personal tragedy to help make life better for other people. Would you like to start?

**Penny Okamoto:** Thank you very much, Commissioner Fritz, Mayor Hales, I appreciate this. I'm Penny Okamoto, executive director of Gun Violence Oregon. We work by advocating for common sense gun laws and educating the public about storage, safe gun laws and suicide prevention. My thanks to you all for being here today. I'm particularly honored to be here with the Mayor and Commissioners, also Paul Kemp and Robert Yule of Gun Owner's Responsible Ownership and the Portland Police Bureau. My thanks to them for their great work to increase awareness of gun violence prevention in the state of Oregon. Mayor Adams worked to establish prevention laws, he established a requirement to report lost and stolen guns helps curtail gun trafficking and he supported cease-fire

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organizations. Mayor Hales and the Portland city commissioners continue that great work. In fact Oregon and Portland are known nationwide for work to stop gun violence and for a great coalition partners including gun owners responsible ownership, Brady campaign, all of whom are members of the Oregon coalition for gun safety. We are -- wear orange day is highlighted so we can talk about gun violence awareness. As you said earlier, wear orange was begun by friends of Hadia Pendleton. We're here in honor of her and all of those involved. This is awareness not only about how many people are killed, injured and intimidated by guns but about the scope of what we can do to reduce this tragedy we witness daily. We can increase the standards of gun ownership. We can enhance accountabilities of dealers. We can implement safety standards for gun manufacturers with simple concepts like chamber loaded indicators, magazine disconnect mechanisms and technology. All these are available at our new website [ceasefire.org](http://ceasefire.org). Our new website has been completely revamped and redesigned including our logo by Portland's own company Cloud 4. Cloud 4 wanted to do something to help. Cloud 4 stepped up with their own special skills. I challenge all people in all organizations in Portland and in Oregon to do the same thing. What special skills do you have, can you take to stop gun violence. You can wear orange just like I am today. What does that mean? It means you talk to your friends about safe storage of guns, about reducing gun violence and the prevalence of suicide, especially in Oregon today. We lose about one person a day to gunshot suicide in Oregon alone. You can buy orange. That means if you own a gun, by gun locks, a safe, practice safe storage. You can make sure you patronize gun sense businesses and support legislation and gun violence prevention groups. When a group of teenagers wanted to honor their friend Hadia Pendleton, I urge everyone to be inspired and my deepest thanks to the city of Portland and the commissioners and the actions they take today in this proclamation.

**Hales:** Thank you. Welcome. Sergeant Duilio first? Whatever order you would like.

**Ken Duilio, Portland Police Bureau:** I'm sergeant Ken Duilio, been employed 18 years. Currently assigned to gang enforcement. 2010, we saw kind of a dramatic increase in gang violence and gun violence. Most of our gang violence is gun violence, probably 90% or above. The numbers almost doubled to about 100 a year. That stayed consistent for about four years until last year with that number that had doubled in 2010 then last year it doubled to almost 200. Last year we had 185 shootings that were gang related. This doesn't count nongang related shootings. We had approximately 1200 casings that we recovered from shots fired. Our gang enforcement unit sees 200 plus guns off a gang members other associates. And this year our gang violence response rate is at the same as last year. Which is kind of follows a national trend. Portland -- I first became an officer, Portland, little old Portland. We're a big city. We have big city problems. I personally have seen the impact of gun violence on people as far as being injured, being killed, on property. Innocent people in the background, homes, bullets that fly through homes and barely miss people. One bullet at a shooting at Mt. Tabor landed in the crib of a baby who was in the crib. Fortunately wasn't injured. I have also seen the impact on the community in fear. Especially on the east side where we have had a big increase the last several years. Community fear about gang violence and gun violence. When I first started there were more shootings, one shooter versus another shooter. This year we saw the trend where there was multiple shooters. Three, four guns. Multiple calibers. Very routine to go to collect anywhere from 20 to 40 casings which is pretty astounding at crime scenes. I think this is a big issue for our city. I think it's a good fight to fight. I think we should continue our strong efforts against gun violence and I support this proclamation. Thank you for your time.

**Hales:** Thank you. Welcome.

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**Paul Kemp:** I'm Paul Kemp. I live in Happy Valley. I'm the president of gun owners for responsible ownership and Robert and I are both board members. I'm also a gun owner and a hunter. Like most Americans never thought my life would be affected by gun violence. On Tuesday, December 11, 2012, our family was touched when I brother-in-law Steve Forsythe was shot in the back of the head, killed instantly by a young man armed with an assault rifle at the Clackamas town center mall. My sister and her daughter had just left and walked into Macy's when the shooting started. My sister and niece heard the shot that killed Steve. My sister called me at work, frantic, crying, she could not reach Steve on the cell phone. We waited at the sheriff's office for over four hours before they could tell us that Steve had been shot and killed. The first is for my sister after hearing Steve had been killed were did he suffer. The detectives assured us Steve did not suffer. He was dead by the time he hit the floor. As I made the phone calls to tell family for out of state and told them Steve had been killed I'll never forget the screams from the other end of these phone calls. We still had to tell Steve's son his dad had been killed. Telling Alex his father had been killed that afternoon was the absolute worst moment of my life. Several of us personally affected by the Clackamas town center shooting formed gun owners for responsible ownership. We wanted to create a voice in the middle for gun owners so they would speak up about safe, responsible ownership. There are too many loud, extreme voices on the far right claiming we all need to be armed to protect ourselves. No other industrialized country in the world has this high level of gun violence that claims about 88 u.s. Citizens every day. Every time our family hears about another shooting whether it's in Portland, such as at the Reynolds high school, down in Roseburg at UCC, we have an understanding of what those families are going through. These gun violence deaths are not a nightmare you wake up from. These violent deaths are forever. Steve was not in the wrong place at the wrong time. The shooter was. The students at Reynolds high school were not and UCC were not in the wrong place at the wrong time. The shooter was. These gun violence victims were going about their daily lives as you and I do every day. As a gun owner I take the responsibility of owning a gun and handling a gun very seriously. My guns are locked up, unloaded, ammunition stored separately. That was how I was raised. At 6:30 a.m. Following the murder a sheriff's deputy told us the stag 15 assault rifle was purchased legally by the gun owner but the shooter took the unlocked, loaded gun from his friend's home the morning of the shooting. We found out Oregon does not have safe storage gun laws. So the negligent gun owner would not face any criminal penalties. This negligent gun owner, Sean Kates, also had several other loaded, unlocked guns in his residence. There's no consequence to him. Oregon needs a state of storage law so negligent gun owners face legal consequences. Enacting a law should lead to behavior changes by gun owners. The threat of gun violence has affected our family, I have a question for everybody in the room. How many of you in school ever had to do an active shooter drill or lockdown drill? Raise your hand if you ever had to do one. My son -- I'm in my mid-50s. In school all we did was practice fire drills and tornado drills. Not lock-down drills. His senior year my son at Clackamas high school had to do a lock down drill. My daughter, who is an elementary school teacher in the Portland area school district, received training during her student teaching period on how to deal with a shooter if he gained access to the classroom. The sheriff's deputy told the other teachers including my daughter their first action should be to flee the classroom, however, if she and her students could not flee the classroom, the sheriff's deputy showed the teachers how to grab the end of the rifle barrel and push it to the ground. It's a lever. My daughter -- very easy to do. The deputy then told the teachers to get any remaining students in the classroom to attack the shooter with sharp pencils, books, fists, kick them, bite them, whatever. This action is supposed to continue until the shooter is incapacitated or

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subdued by police. I never envisioned these school drills would be part of my kids' lives. I believe in this country we can do better than this. In Oregon more people die annually from gun violence than traffic deaths. This is also the case in about half the states across the country. Traffic deaths have been declining across the country for the last 20 years. A while gun violence deaths have remained at the same level for years on end. Why does reducing gun violence seem to be such a problem that we cannot solve in the u.s.? According to an article in mother jones magazine April 15, 2015, gun violence cost the u.s. Approximately \$229 billion in 2012. They equal a cost to every American of about \$700. For example, Clackamas town center mall was closed for three days during the Christmas shopping season after the shooting there. That left hundreds of employees out of work. The mall own her to make repairs due to the shooting damage. Crime scene cleanup. The staff spent untold hours dealing with our family, your family, and another family after the shooting not to mention all the time the mall owner staff spent with the police investigation, their own insurance company, additional security after the mall reopened. In Steve's case we had about 1500 people at his memorial service. We had family and friends that took time off from work and many flew in to Portland from all over the country. The Clackamas county sheriff's office also produced a 900 page police report for this shooting. Thankfully the shooter took his own life so the affected families did not have to endure a trial nor did our community have to bear the cost of that trial. There is no single solution to reducing the daily toll of gun violence. It will take police departments, elected officials, public health doctors, gun retailers, gun owners, and non-gun owners to bring about the necessary cultural and legal forces to reduce the daily incidence of gun violence in our community. Thank you for giving me your time and attention.

**Hales:** Thank you. Welcome.

**Robert Yule:** Good afternoon. Thank you very much, mayor hales. Commissioner Fritz, commissioner Fish, thank you for allowing us to come and speak today. I also thank you for initiating this petition to have wear orange day for gun awareness day today. It's a sad time in our society as a whole that we have to have a special day to be aware of gun violence in this country. Very sad day. There are several ways that we could reduce gun violence as a board member for gun owners for responsible ownership I believe we all have a right to own and bear arms in a responsible manner. I'm not going to go over the statistics and the costs but I can certainly tell you that had not -- I had in my family had support from the community my life would have been completely changed. I would have lost my house. Possibly could have lost my job. It has changed my family life in many, many ways. Put it that way. So gun violence goes way beyond just the highlights and things you read in the paper. People forget people are shot every day. Certainly the police officers alluded to the fact that gun violence has increased triple -- double it has in the past. Number of guns he's recovered has doubled. One way to stop access to weapons is for every responsible gun owner to lock his weapon up. Certainly gang members put a very high value on guns. It's almost more valuable to them to have a gun than to own the drugs they use the guns to procure. If gun owners were held accountable for their weapons and required to keep them locked up certainly home burglaries would not be so popular and guns would not be so easily stolen. Had the gun owner lock his weapon up the Clackamas town center killings probably would not have happened. The man that did that would have had to take time to think about what he was doing. It's been proven that people who commit suicide with guns, if they had to stop and wait even for a few seconds that gives them a chance to stop their actions and think twice about what they are about to perform. So again I want to thank you so much for helping make Portland more aware of gun violence by proclaiming today wear orange day. Thank you.

**Hales:** Questions, comments from my colleagues?

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**Fritz:** This I by far the most important scarf i'm wearing today. This I had to go back to my office to get. This one I put on this morning in honor of your families and the work that you're doing. Thank you for being here today. I know how hard it is to talk about sudden tragic loss ongoing yet you're doing it because it's necessary. I would like to add one thing to the act of orange list, for parents to ask their children's play dates, are there guns in your house. That happened to me when my first son was in grade school. He set up a play date with David. I was looking forward to it. His mom called and said, if there are guns in your house? If there are, are they locked up? She said one of her friends in grade school was killed in a senseless accidents. Accident is not an accident. It's as you say a shooter is in the wrong place at the wrong time. I'm mindful of your daughter, mayor hales and I attended the gun violence prevention at Peninsula Park. A dreadful day in the parade, a lot of people came out to wear orange ponchos and walk around in honor of your families and the work you've done. Something your daughter said in honor of her mom Cindy Yule, she said, it doesn't get better. She's not in a better place. This didn't happen for a reason. I think we all need to embrace that. 91 deaths per day in this country. What is wrong with us? What is wrong with our society that we cannot say that, yes there are responsibilities to owning a gun just like a responsibility to free speech and there's a responsibility when you use the bathroom to leave it in decent shape. What is wrong with us that we cannot do something about this and thank you for doing something about it? Thank you, mayor hales, for bringing this to our attention and spending time on it today because it does matter. It does matter. We need to stop it. Thank you.

**Hales:** Thank you.

**Fish:** I would echo what commissioner Fish said and thank you for bringing this forward. Thanks to each much you for joining us today. When one of you said gun violence now exceeds traffic deaths in our country that's a shameful statistic. I do not have a personal history with someone in my family the victim of gun violence, but I do have a personal history of losing a parent to a traffic accident. It follows you the rest of your life. If these are deaths that are preventable we should do everything in our power. Couple summers ago I got a text from my daughter who is on Alberta street. She was about to go into a store with some friends and a firefright erupted and it was a gang shooting. She was right in the middle of it. It is a minor miracle that she wasn't injured in that. But that's something that a parent shouldn't have to worry about when their daughter goes out on an evening with friends that they could get shot senselessly. Mayor hales issued a memo this week on transition issues. One of the things I really liked about the memo a lot, one of the things I particularly liked was the mayor has encouraged the mayor-elect to go out on a ride-along with the gang enforcement team. It's both an eye opening and terrible experience. I did it in the fall and not much happened until about 10:00 at night on a Friday, but between 10:00 and 1:00 there was a triple homicide, two crime scenes, three dead, five people shot. We can't allow that in our community. It just -- one was in mt. Tabor, one was a strip club in outer SE, in the heart of residential areas. We can't allow that. Every time thoughtful, sensible people use terms like responsible gun ownership and the mayor leads an effort about responsible gun ownership we should all be offended when others are critics and say this is an attack on the second amendment. We have to say that's not acceptable. Not an attack on the second amendment to be in favor of responsible gun ownership and saves lives. It's just a big lie that keeps getting recycled in our politics. I thank you for bringing this forward. I'm proud to join Amanda in supporting you.

**Hales:** Thank each of you and your organizations, the work that you do. Mr. Kemp, Mr. Yule for turning your families' tragedies into a caught all of us should be supporting actively. Sergeant Duilio, you and everyone in the police bureau for the work you were doing. One ride along I was on was with officer schnautz, it was an incident that happened

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where a young man turned into a crowd of other young people and began firing. Fortunately didn't hit anyone though if you go to east precinct now you'll see a divot in one of the window frames where one of the bullets struck. Two of our officers were coming out of the front door and seeing that he was in a crowd of young people held their fire even though he was actively shooting at teenagers. He was chased around the corner, he was taken into custody and couple weeks later his father came to our community peace collaboration and thanked our officers for their restraint because his son was going into the criminal justice system but was still alive. So thank you and all of your officers for the work you're doing to try to address this crisis. We appreciate you calling on all of us to be partners in this work. Finally, normally when we have proclamations about happy things like rose festival princesses or sports teams we take photographs and applaud, the only thing appropriate is if we could all just take a moment of silence for all the victims. Thank you very much. Let's take a one-minute recess and return to the rest of our work.

**At 11:46 a.m. council recessed**

**At 11:48 a.m. council reconvened**

**Hales:** Thank you. Item 588, please.

**Item 588.**

**Hales:** We have a presentation about this from Tsiui pines and Kate Bingaman. Appreciate you for waiting and so welcome.

**Hales:** Takes a village to start our system. Please. Please. That's cool. Thank you very much. Thank you. We appreciate having you here very much.

**Tsiui Pines:** Thank you for having us, mayor hales. Commissioner Fritz, commissioner Fish. We really appreciate the opportunity to share and learned this year during our festival. Im Tsiui Pines, I'm the director of design week Portland.

**Kate Bingaman-Burt:** I'm Kate Bingaman-Burt on the board of directors. I'm also a professor at Portland state university in graphic design.

**Pines:** So we're going to start by giving you a little bit of background about design and then we'll go to the headquarters public engagement that we held on pioneer courthouse square during the festival this year and what we learned.

**Bingaman-Burt:** We have of course have a visual presentation that isn't coming up yet but we're going to go for it. This is a week-long city-wide series of programs exploring the process, craft across all disciplines. Our mission is to increase appreciation and awareness about design and its far-reaching effects on matters of cultural and social relevance including community development, education and the economy. So we started in 2012 as a collective of local independent events for the design community and pooled our resources together and we wanted to share audiences. There were already several events going on like create i.v. Mornings, design speaks, show and tell. There was web visions. As you can see from were a lot of independent events happening but we had a sense that of course a high tide would raise all of our ships collectively. There was no central infrastructure, only a dozen organizers galvanizing their networks over the course of five months. What we lacked in infrastructure and funding we made up with designs. The two things we are really good at, we're getting people on board and branding what we were doing. So it really worked. What happened from there was we had friends of workshops, panel discussions, fairs, instruction, auctions, readings, portfolio reviews, tours, exhibits, celebrations and happenings. The first year we had over 100 events and open houses. This year in addition to the depth of independent events that make design week Portland amazing we added a main stage. So what the main stage is, is two days of speakers from a range of design disciplines which kicked off the festival and brought 500 people together for conversations about where design is today and where it's headed. Soon we'll be launching an online journal hearing talks from the main stage with pieces

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from local writers to spread design thinking from Portland far and wide. We have started thinking about ways to galvanize the collective talents of the design community for tangible impacts in the city. We partner with the jon yon conspiracy and center for planning and sustainability around the proposed green loop. What we have is an international jury with entries as far as from Prague. The winners were a young group of local designers titled untitled studio. They were awarded \$20,000 to further design their concept with the bureau of planning and sustainability.

**Pines:** Design week has grown and now in our fourth year we have over 5,000 people attending the festival each time we mount it. Have over 100 events, over 100 open houses. We have over 100,000 people visiting our website each year. That sort of gives you by the numbers the reach that we have. But we're here today to talk about our headquarters. When we first started out our headquarters was actually a type truck which is exactly what it sounds like. Like a food truck except instead of food there was printing studio inside of it. Each day we would relocate the truck based on where all the events were happening and hand out programs and -- oh, hi. Are you going to help?

**Fish:** Help from the experts.

**Pines:** I.t. Experts. They are the best. So we really didn't have the resources to do much more than try to do outreach and let people know about our programming. By the third year we had kind of figured out how to do the core of what we were doing and we were looking for a central shared experience. So we thought we would create a headquarters on pioneer courthouse square, Portland's living room, to both provide an address for people engaged with the festival to come and experience what we were doing as design week Portland, but also to have a way to cross paths with the public and have more of a conversation with laypeople about design. So what we did the first year was to set up three geodesic domes. One for programming where we would have conversations and experimental performances. One was a lounge are people could meet. One was an engagement dome where we had 50 designers in residents cycling through the dome throughout the week illustrating conversations that were happening on our social channels and in person on the square. What we did was we populated the square with colorful flags illustrating all those conversations then upcycled those into the bags you have before you. A lot had changed between 2014 when we did that engagement at 2015. We felt like we couldn't really avoid the changing zeitgeist in the city. Everywhere we turned we were hearing conversations with the future of the city, where is everything going. We could only do this in a small way. We felt we wanted to have a conversation with the public about all the issues facing the city. Things you are on the front lines doing every day. We thought what would happen if we tried to make it more of a design engagement? To give an open invitation for people to participate in the conversation around the core issues facing the city. We structured it around five issues. Education, transportation, housing, equity and education. The participants would walk into the geodesic dome and see a board with one of these issues at the top of each. They would pick a tag from the board they felt strongly about. If they wanted to say something about housing they would pick that tag. Each tag as you can see before you had both a vision statement and a pledge on it. We structured the language specifically to encourage constructive feedback. We wanted people to say what they wanted to see more of. Then what they personally would do to help reach that vision. Now, after completing, they would record their tags in custom hardware that one of our resident geniuses, Thomas wester built, who is here today, it would photograph both sides so we had visibility to all responses coming through. Then they would place their tags on a post. We scattered posts around the domes that represented the neighborhoods of Portland. We were only actually able to build 45 because of our limited budget. So we got about half of the neighborhoods of Portland represented on the square and we asked

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people to put the feedback that they had on to the posts of a neighborhood that they cared about. We also had an online forum to collect responses. So here's what we heard. We got 700 responses. That was over the course of four days. Eight hours a day. The way it broke down was that 40% of people weighed in on housing. 22% of people weighed in on transportation. The rest of the folks weighed in on the other three issues. They were trailing by a fairly large margin. The housing responses tended to be concentrated pretty close in in neighborhoods and unsurprisingly transportation concentrated further out in the neighborhoods. Responses ranged from folks who wanted high speed trains to the coast, Vancouver, and California, to housing localization and expansion throughout Portland to education that embraced visual learning styles. Some people had unconventional suggestions like housing that hangs from cables strung over the river. Many pledged to get involved. 20% of the respondents used the word vote, help, advocate or volunteer in their answer. More than anything else, what we heard was that people were concerned about affordable housing. 127 responses had the word affordable in the language. 19% of overall responses then and that accounts for more than 40% of the housing responses. Another word that figured heavily was homeless or homelessness which consisted of 7% of responses and 19% of housing. So what we did was we tried to identify patterns within each of the issues. We ran a sentiment analysis of all of the entries for both sides of each card. We figured that if people were more positive in their pledge than they were in stating the problem that they we're feeling hopeful or like they could do something. If their pledge was more negative than the problem that they stated then it might suggest a feeling of powerlessness. After running the analysis what we saw there was an average score on housing and on employment that was much lower for the pledge. These were the issues people were having a harder time thinking about solutions for. So your job is not easy, clearly. Some folks had constructive feedback about those topics. It's not that they were all negative. For housing folks suggested things like zoning to encourage development that supported affordable housing or vouchers to support low income households. Often there was anger and disappointment in these particular issue answers. Some people just left question marks as their pledge. But it might interest you to know there were only six frowny faces. [laughter] whereas there were 25 smiley faces. [laughter] so that's evidence that Portland is still a nice place. So the topics that had more positive pledges were education, equity, and transportation. Bike, the word bike appeared 41 times, which accounts for a quarter of transportation. People provided helpful diagrams for technical turning lanes they would like to see in the city. And they also talked about wanting to see safe bike lanes from particular neighborhoods that were further out. There was also a sense of personal empowerment in some of the education responses. For example one card said we need more equity in women and minorities in stem. The pledge was so I will share stories of lesser known scientists with my students. A sense of ability to do something. I just want to leave you with one thought that seemed to summarize a lot of the overall sentiment we collected. That was a comment that we got on one of the equity cards. That is this. Portland is growing fast. We need to ensure through all levels to give access to all. So we know that the council is in the midst of finalizing a comprehensive plan. You have a lot of ways you engage with the public that certainly has further reach than design week Portland. We hope sharing these results would add a bit of texture to what you hear already. We did have quite a few folks from city bureau take an interest in our inspiration downtown which we're very excited about. Where do we go from here? Well, if anything that you heard here today or you're interested generally in our installation gives you a sense of excitement we want this to be the beginning of an open call for closer collaboration with the design community. We are very well organized. There are a lot of people in the design community with specialized skills that care about this city. Through

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our various efforts at engaging more closely with bureaus and with the public we would like to have more of an impact on the city and be part of the solution. So thank you for the opportunity to share this with you.

**Hales:** Great report.

**Pines:** We look forward to collaborating.

**Hales:** Thank you both very much. Comments? Questions? [applause]

**Fritz:** Do you have any information about the demographics of the people who participated?

**Pines:** We don't we have a good sense of demographics of folks who attends our festival but we tried to keep the bar of entry low so people would participate so we didn't do a lot of exit interviews.

**Fritz:** What out comes do you expect and what will you be doing with this input?

**Pines:** We have all the data collected. We did have some interaction with several bureaus, pbots and a couple of folks doing affordable housing. Stuff in east side stopped by. We are happy to share data with anyone who wants it. We're going to put out a report that collects all of the highest level takeaways and gives some of the examples that give it a little bit of texture. But honestly, we want to join forces with anyone who is interested.

**Fritz:** I'm glad to hear there will be a written report. That was the one thing that could have been helpful to me read about it ahead of time as well. Once that's done -- [speaking simultaneously] thank you for a very interesting presentation.

**Pines:** Thank you.

**Fish:** First, thank you for what you do with design week. I know that you get very little sort of support from local government and it's very much a dyy event that's grown well beyond what you originally imagined. It's become one of a signature festival. One of the ideas that the mayor has had that I really appreciate is formalizing the way the city interacts with people who do big events. We concluded a tough budget cycle where the dollars were scarce at the end but I still think the concept of a special office that figures out how we help or maybe as chad might say get out of the way is important. That's something that I want to see the conversation continue. Second, I want to apologize about our technology. It's anomalous to me that we have almost a hearing a week on wanting to be an advanced technology center, city. We're talking to google fiber, yet we had a big technology upgrade at city hall and of course now nothing works. [laughter] I apologize for that. I would say if you would send us the power point we'll all look at it and again apologies. Finally, just a comment about people's comments on affordability. Years ago I read a book called what the unions do. It was a book that an economist and a scholar and labor person, others were trying to make sense of the fact that when they did some polling they kept finding that people who were represented generally had a more negative view of the workplace than nonrepresented people. It seemed anomalous because having union protection, civil service protection you would think would have a positive impact on your view. What they learned was the more secure people felt in the workplace the more confident they were expressing their grievances or criticisms. People that don't feel power often feel like their voice is silenced and no one is listening. It was an interesting -- it sort of put everything -- turned everything on its head for me. We are changing as a city. People are anxious. I fear along the way that people as they become increasingly unclear about how to communicate their views are getting lessons from the national scene which I don't think are helpful lessons. Where we tends to yell and scream before we actually engage. We spend a lot of time in the community as part of our day-to-day job responsibilities and i'm always struck by the different temperature when you actually meet people in their backyards and engage them. People love the city. They feel there's growing pains. But the conversation is almost always respectful. But social media is not so helpful. When

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comments become anonymous people take on a different persona. People feel they have to jazz it up to be heard. I hope that's not the case. I hope we're listening and the respectful dialogue can still happen. The final thing is i'm very worried about pricing young creatives out of our city. I was at a city club forum on this recently. I'm convinced we have to bring the coalition of arts advocates and design professionals and all the people who think about Portland as a creative hub back together. We have to have a strategy for how cities affordable for creative people and millennials in particular and for organizations, nonprofit arts organizations, performance organizations and small businesses. I hope that is something we can get an agreement on to have pdc and rac do an analysis. I think it starts with a cultural inventory and looking at other cities. The redevelopment agencies of cities like Boston, Seattle, are in the forefront of thinking about this. I think we have to -- our primary focus morally and otherwise is on street homelessness and people in crisis. We all that. That -- we all understand that. We can't at the same time risk losing what makes Portland special as a place that draws creative people that want to chase a dream. Right now the affordability issue impacts everybody. We have to look at how we keep young creative people in our city. That's going to require new thinking about space and investment and I hope we can launch that this fall. It's something I would like to take a leadership role in. So thank you very much.

**Hales:** Anyone else want to comment on this report? Let's take a vote to accept it.

**Fish:** So moved.

**Fritz:** Second.

**Fish:** I gave my comments earlier. Thank you. Aye.

**Fritz:** Thank you I look forward to the written report. Aye.

**Hales:** Here's that famous line in casa Blanca where they say round up the usual suspects. You rounded up some different people than the usual suspects and that's great. Both the creative force and spirit that you have tapped into with design community in our city and having all of those creative people learn from one another and then having us as policy makers learn from them about how they see the city is really important discussion. Thank you for doing this. I echo commissioner Fish's comments about we got to keep creative people here. That's both a strategy and a price problem. We appreciate your focus on the issue. Thank you for your leadership in putting this great thing for Portland together. Aye. Thank you so much. Next time -- let's hear it. Next time we might have a working laptop here. Let's move on to 589, please.

**Item 589.**

**Hales:** We can't take action on this today but we can adopt amendments today. There are amendments before us. We have already had our hearing. I will move the amendments that are in front of us as a memorandum if there's a second.

**Fish:** Second.

**Hales:** Then turn it over to our team here to Judy prosper and then we can take action on them if that's the will of the council.

**Judy Prosper, Deputy City Attorney:** Good morning, council members, mayor hales. I'm judy prosper, deputy city attorney.

**Hales:** Good afternoon.

**Fish:** Good afternoon. We're halfway through our agenda. See you at dinner. [laughter]

**Prosper:** Good afternoon. There's just a few changes to this ever evolving actually we received comment in the last few days I think the mayor received a letter. We're not going to stop listening to comment even though comment period is over. The first thing is what we discussed last week, we are adding sort of clause -- there was a discussion about the \$5,000 fine. So in trying to come up with a way that's both a hammer, not too light as commissioner novick who is not here but we keep channeling speaks of, we crafted what

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we thought was a compromise. Usually the a.g. Can bring what's called a pattern and practice case before and how we have crafted it is we have given ourselves the city of Portland the authority to bring a pattern and practice case that was already the case in the drafted contract but only if the city brings a pattern and practice case would the additional up to \$5,000 fine be on the table. That's an additional compromise that we hope you'll accept.

**Fritz:** The city gets an employee that demonstrates a pattern and practice of violating an ordinance I didn't understand in the amendment that we would fine that, why wouldn't boli be fining that?

**Prosper:** The city of Portland only brings a case if we had complaints brought to us that established the pattern and practice, not just one complainant but if we were aware that a particular employer had a pattern and practice --

**Fritz:** The complaints are going to boli. Boli determines whether or not the complaint was valid. Why would the city be in the middle of that and who would do that?

**Prosper:** Under 659 a, there's a clause where the attorney general may bring a pattern and practice case as we did -- I can't be speaking to sick leave. I wasn't here then.

**Fish:** An example would be fair housing. In our fair housing work the u.s. Attorney and the attorney general are in a position to bring pattern and practice.

**Fritz:** My concern isn't that the -- language which I looked at yesterday and thought it was fine, the city would make that finding rather than boli would make that finding.

**Parsons:** The findings are happening at boli. We would bring the case. We would stand in the shoes of a petitioner and bring the case before them because we were aware of an employer who engaged in a pattern and practice of violation.

**Fritz:** We're contracting with boli to look into complaints. We have language in sick leave about pattern and practice. So why is it the city, how are we even involved in looking at the concerns? Aren't we just sending them straight to boli?

**Prosper:** We can. There are three ways cases can come before boli under our scheme. The first is a petitioner brings it directly to boli. The second is as understand 659-a, one clause allows the attorney general of the state to if the attorney general becomes aware of a pattern and practice to stand in the place of a petitioner and as the state bring a case to boli. Just be the petitioner. We're giving ourselves the option if the city became aware -- i'll give you a scenario. If one of the advocates came to us, the city, they would have no standing if an organization like the urban league was aware of a pattern and practice, that organization would have no standing to bring a case. But they could give the city that information and the city could step into the shoes of a petitioner and bring a pattern and practice case. So on behalf of more than one petitioner is the only way this would happen.

**Fish:** Can I offer a perspective on this? We cannot compel the bureau of labor and industries to bring a case. We cannot compel the attorney general to bring such a case or the u.s. Attorney. The reason I like this compromise, and I think Judy was acting like secretary of state going back and forth on it, that in a case where we believe there's egregious repeated action, we are saying the city has the option to serve to act as an attorney general, which I think is appropriate, that doesn't mean we bring the case. We could have a law firm bring the case, we could partner with the attorney general's office, but we are in the driver's seat. If we are successful in that case, because again we can't compel boli or the a.g. To bring this case, we collect attorney fees and this gives us a civil remedy. I think this is rather creative because for me, it's premature I think to change the regulatory system that was set up under state law in terms of boli's enforcement. If it turns out there's more bad actors than we thought we can give them more authority than current law provides. But to give us the option of being essentially an attorney general seeking relief where we determine that there's a pattern and practice, go after a bad actor, have a

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bigger stick with up to \$5,000 civil penalty and be able to collect our attorney fees, which the statute provides, I actually a creative compromise. That's why i'm going to support it.

**Fritz:** Does this mean boli can't do that?

**Fish:** Well, i'm not the expert although I practice in the area. We can't tell boli to do that.

**Fritz:** If they find the pattern and practice of abuse that they cannot do that unless the city -  
-

**Fish:** This doesn't alter in any way boli's existing authority, this supplements the statute by giving us this opportunity. But I can tell you having litigated these cases we can -- we're contracting with boli to exercise its best judgment in how it would administer and handle these cases. We can't tell them which cases and what remedies to pursue. This is a safety valve which gives us the option to bring such a case if we think there's a pattern and practice and we think a bigger stick is warranted.

**Fritz:** But this is an amendment to 3.04.

**Prosper:** Yes, to the administrative rules.

**Fritz:** This in fact is discounting commissioner novick's concern that the penalty under ors-blah blah blah -- is too low. It says -- it takes out the boli commissioner's ability to assess a civil penalty of up to 5,000 and says only if we say or the attorney general says there's a pattern of practice --

**Fish:** It doesn't diminish existing law. There's no discounting anything.

**Fritz:** It changes the proposal before us.

**Hales:** In addition to the remedies provided under the statute.

**Fish:** I believe this has been cleared with steve's office.

**Prosper:** The original \$5,000 was in addition to the boli penalties that can be assessed and there are many of those. There's a civil penalty where the attorney general brings a case of \$1,000 for each violation. There's an amount not to exceed \$11,000 under another circumstance. There are penalties --

**Fritz:** I'm concerned that this puts us in the middle of adjudicating whether or not an employer has demonstrated a pattern or practice of violating the ordinance because the ordinance says that boli will be responsible for figuring that out. How would we even take that complaint?

**Prosper:** Boli is the adjudicator. We would be a party. They would ultimately make the decision as to whether there was a pattern and practice but I use the urban league example where the urban league could not if they were aware nor force as commissioner Fish said the attorney general to bring a pattern and practice case, they said we have this evidence of a pattern and practice. This amendment gives us the option to bring a case and give the \$5,000 penalty.

**Fritz:** I don't have a problem with that. What I have an issue with here is boli's ability to make -- responsibility under the contract to look into is there a pattern and practice. We want petitioners to be going to boli, not the city attorney's office. That decision was made by the council that we don't want the city attorney enforcing this ordinance. That boli is going to do that. It seems to me this takes away from boli's ability to.

**Fish:** Commissioner Fritz, this has no bearing-- no change in the existing statute. It doesn't add to or subtract from their statutory authority, which is a creature of state law and our contract is just asking them to handle the complaint process. The reason I think this is a plus is it gives us the option, it doesn't require us—and I share your concerns about having the city attorney's office becoming a mini boli. It gives us the option where there is a serious and repeated level of bad action to be in the position of the attorney general that allows in that role to partner. But it gives us the right to make that judgment. It doesn't require us. It gives us the option. I think that is worthy.

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**Fritz:** It does take away from boli because it changes what we just said. Going from the perspective of someone who has implemented the sick time law and worked with boli, but if you believe this is better, I will defer to your judgment.

**Prosper:** If I can maybe try to help clarify, in the very much earlier iteration of this, it was the city attorney who would be adjudicating and deciding on whether or not a violation took place. Here we would not be doing that. We don't have the authority. This would be us becoming a party and bringing that.

**Fritz:** How would we know that?

**Prosper:** An advocacy group would come to us. They could go to the attorney general and be turned down, for example. Let's say an advocacy group that we partnered with for help write this law said we have our clients who we believe are being discriminated. We believe this particular employer is conducting a pattern and practice of discrimination. This empowers the city attorney to do some preliminary investigation and bring the case to boli. They would determine everything from whether or not there was sufficient evidence, they would go through their whole process.

**Fritz:** When does boli decide when there's a pattern and practice of abuse?

**Prosper:** They always will decide. Usually there will be one petitioner at a time that decides on an individual basis. If they find there's a pattern and practice they can levy fines or do whatever they wish.

**Fritz:** Where does it say that without us asking them to?

**Prosper:** So throughout 659-a, beginning with 820 to 865, it goes through the whole complaint process. 820 talks about who can bring a complaint. Any person claiming to be aggrieved. But it does not allow for sort of this pattern and practice. That's where the statute gives in 825 the attorney general the authority to do so. So boli is not in the business of pattern and practice. The attorney general would step in.

**Fish:** Can I give you another example? The city has been doing fair housing testing armed with the results of our tests, we have the option currently to go to the u.s. Attorney, the attorney general, or boli and say we want you to bring a big lawsuit understand this. They have the right to say not interested. This doesn't take away, add or subtract. It just allows the city if there's an egregious circumstance to be a party. And I see no harm in giving us that option because it doesn't come at the expense of anyone else's jurisdiction. That's a fact. We can argue it back and forth but that's a fact.

**Fritz:** Does boli have the authority to do pattern and practice?

**Prosper:** No. The attorney general has the authority to be the party who brings a pattern and practice case. We would be an additional entity that could bring a pattern and practice case under this amendment.

**Hales:** Ben is going to --

**Ben Walters, Deputy, City Attorney's Office:** This seems to fill a gap. Why don't I step over? I'm getting reverb on the mike. [audio not understandable]

**Fish:** We did see your power point. [laughter]

**Walters:** It's here. I promise. Ben Walters, city attorney's office. What this amendment does is fill a gap in that as has been described, boli itself does not have a pattern and practice authority. That is given to the a.g. Under the statute. Our intergovernmental agreement is with boli, not with the a.g.'s office. In order to be a pattern and practice enforcement, of our ordinance, the a.g. Would have to say, we will take that on. They might, they might not. They do tend to work off a model where if they are doing work for an agency, they bill the agency. There is no mechanism within the i.g.a. As currently established for us to pay for that.

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**Fritz:** With all due respect I understand that. 3.041 before the amendment says the boli commissioner may assess a penalty of 5,000. Under the amendment that will no longer be the case.

**Prosper:** Unless the city of Portland --

**Walters:** Under this narrow circumstance. That was to address commissioner novick's concern this gave too much authority.

**Fish:** It was designed to balance commissioner novick's desire for a bigger stick with mine to make sure that we have a role in the discretionary process of deciding whether a bigger stick is necessary absent any experience under this particular new law. As I said, at some point in the future, if we're seeing rampant violations of the law, I think it's perfectly appropriate for council to consider giving boli additional statutory remedies but I don't think it makes sense at this point to change state law in terms of what are the remedies for violations of these kinds of ordinances.

**Hales:** Let's move to the second amendment, the criminal history matrix and concern that commissioner Saltzman had about attempts.

**Prosper:** So we have also just a slight amendment to the criminal history matrix which came from a comment we were happy to receive, to include attempt, which brings down a felony to the lesser. So if it was an a-felony, it brings it down to b, to include criminal conspiracy and solicitation. Like attempts bring it down one level. From a, to b. B, to c. Criminal conspiracy maintains the crime at the currently felony level that it is. We wanted to add those to be clear that, for example, in a category b, i'll choose aggravated theft 1, rs164.057, solicitation of that would also be a crime that you could use the matrix for. The collision takes or attempt of that would also be a crime that you could use the matrix.

**Fish:** Do you recommend the changes?

**Prosper:** I do. Just to be clear, category c is not affected. Because if I can't remember the last -- if it's a d felony it would be reduced to a misdemeanor under an attempt or solicitation, that might go against the very policy we're trying to establish here, bringing down drug crimes to the misdemeanor level.

**Hales:** All right. Other questions? Thank you both.

**Rachel Wiggan, Mayors Office:** Just one for the group. Procedurally, there's a need for an emergency clause on this item unfortunately it needs to be carried over next week we run the risk of having an ordinance in effect that has administrative laws not -- I don't know if that's something to be added now or next week. [speaking simultaneously]

**Fritz:** We can't add an emergency clause without four people.

**Hales:** We can't do that until next week.

**Fish:** I would be happy to support the emergency clause.

**Prosper:** We'll remind you.

**Hales:** I'll offer an opportunity to testify if anyone wants to speak just on the amendments.

**Prosper:** Thank you.

**Hales:** If not let's take a vote, please, to adopt the amendments then it will come back next week on regular calendar and the emergency ordinance -- clause could be added if council so chooses. Roll call, please.

**Fish:** I want to thank staff for the work they did engaging council in really these technical finish line considerations. I think you came up with an elegant compromise solution, Judy. Thank you, aye.

**Fritz:** I would just prefer to have given boli more authority and ability to give significant penalties. I vote aye.

**Hales:** I thank commissioner Fish and my colleagues who suggested improvements to this ordinance. I want to thank you, Judy and Rachel, for your continued stewardship of this

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very good thing that Portland is doing. Aye. Let's move on, please, to item 590, a second reading vote.

**Item 590.**

**Fish:** Aye.

**Fritz:** We are decreasing garbage rates. Aye.

**Hales:** With a very modest increase in the commercial tipping fee we'll be putting trash cans in business districts all over the city. Aye. 591.

**Item 591.**

**Hales:** Miss Westbrook and Miss Rochon are here to tell us about this program. If you ever get the chance to do what I got to do last week and watch the graduating of the service coordination team which you probably have. It's a reaffirmation that progress is possible so thank you for doing that.

**Sara Westbrook, Portland Police Bureau:** I'm Sara Westbrook the commander at central precinct and this Emily Rochon our coordinator of the service coordination team. We're here simply to ask for an extension of the current contract that we have 15-16 contract. It's taking longer than we thought it would to change from the regular contract to the rfp process. We're almost ready to get that rfp out there into the public we're just worried we're going to run out of the current contract.

**Fish:** Does this change the scope of the work or continue the status quo in.

**Westbrook:** Continues the status quo.

**Fish:** And we had a robust discussion the last time that you were with us about the contracting process. Are we on track as the council, I think, expressed its intent to do a, an rfp or whatever the technical process you are using is, to design to give everybody a fair shot at applying for this work yet?

**Westbrook:** Yes, we are.

**Fish:** There is nothing in the contracting process that is being developed, which gives a preference for any particular provider, including the incumbent?

**Westbrook:** No, there is not, that's one of the reasons we're working hard to work on the language.

**Hales:** Further questions?

**Hales:** Anything else you want to add, emily, please?

**Emily Rochon, Portland Police Bureau:** We are also doing a presubmittal conference, as well, so anyone who may be interested in the rfp process can come in and ask any questions, and so, we're hoping to open that up just so that i'll be doing a presentation and the overall scope of the work, and that we do, and the participation, the participants that we serve, so there is a greater understanding for the Rfp process.

**Hales:** Thank you both.

**Fritz:** I want to comment, I believe this is part of the intent of the mayor's office concern for the diversion program, and except not with the people who were arrested, or rather for people who are just living outside but who do need chronic treatment for being chemically dependent. So this is a great model and in a few weeks I'll be bringing an ordinance to the council referring a marijuana and sales of recreational marijuana to council, and this is an example of a program that we could expand if we had multiple funding for it, which has been proven to be successful, and you are right, the personal testimony of the lives saved and the productive citizens returning to becoming taxpayers and having the employees, it's very, very rewarding so thank you for all of your work.

**Hales:** Anyone want to speak on this item? Ok. Take the testimony, come on up.

**Hales:** Thank you both.

**Fish:** Do you have something on this?

**Hales:** On the service coordination team itself?

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**Parsons:** yes he signed up.

**Hales:** Okay, good.

**Shedrick Wilkins:** I was almost five years ago when I found out these services are necessary and need to be funded for a comfortable Portland. Chemical dependence is also cigarettes, when homeless people come up to me, I was homeless, and asked me for money, I don't give them any money because Maybe they are going to go out and buy cigarettes, and I like to refer people to the bud Clark commons. It changed my life five years ago, and got me coordinated there, so I also like to say sometimes, just like sometimes the people think the commissioners here and the mayor are heartless. I am heartless with homeless people. I don't know what their agenda is if I gave them money. They go out and buy a 5<sup>th</sup> or something and lay on the sidewalk. Generally, I don't know any social programs where they hand out alcohol and cigarettes. So, that's just my point of view that we need these things, it was useful for me, and I had to go to L.A., where it's warm or something and I have a rule that I would rather starve to death than freeze to death. This area is agriculturally blessed. We have a lot of food low population, and so that's why I am glad that I stayed in Oregon, and I am just saying that I cannot go around giving people money, and I like to be able to -- I say go to the bud Clark commons near the bus station, and then that's it. And I don't feel guilty about that, and I know that -- I don't know what they are going to do with money if I gave them some.

**Hales:** Thank you very much. This will be continued to next week because we have to have four people here to vote for it. But I just want to say that I won't be here then but this program is expensive but worth it. That is it is very expensive to keep arresting people over and over again for committing crimes. We do that as a society, and it is expensive to get people into recovery and get them back into society and, actually, of course, it's much less expensive to do this. Not to mention the human difference in cost for both, all the parties to those criminal violations. And to those lost opportunities, and to that lost productivity. So this program is just a huge success. It gets demonstrated everyone time that we see a graduation, and I am still walking about six inches off the floor from seeing what you accomplished with that group so keep up the good work and this will be back next week for a vote. Thank you. [gavel pounded] ok. Let's move on to 592.

**Item 592.**

**Hales:** A good idea, Commissioner Fritz.

**Fritz:** Thank you, I am pleased to have this item today, and thank you for your patience for waiting, and gateway Discovery Park was named after a robust naming process with the community engagement, and it will serve 800 new households that currently do not have ready access to parks or natural areas. As a reminder, to only two out of five residents in east Portland can walk to a park within a half mile compared with other parts of Portland where five out of, four out of five residents have that access. We recently broke ground on the site, and this contract will help to transform the site, and I am hoping that the entire gateway regional center. There is a slight twist to this presentation, that we are also going to talk a bit more than usual about the operations and the maintenance needs, but first I would like to introduce Christine moody who is going to talk about the contract.

**Christine Moody, Procurement Services:** Thank you, commissioner and mayor and commissioner Fish, Christine moody with procurement services, in October of 2014, the city council authorized the use of a construction manager general contractor solicitation process for the construction of the gateway park project. Through this process of requests for proposals was issued. Among other things, the rfp included preference points for a prime contractor who is certified as a disadvantaged minority women or emerging small business. Included a community benefits plan that focuses on minority women workforce

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and subcontracting and east Portland hiring. Five responses to this rfp were received, and the responses were evaluated by an eight-person selection committee, and which included representatives from Portland parks and Portland development commission and rose community development and two minority evaluators. R&r general contractors was the highest scoring proposal and is a certified dbc and mbc business. Working with the city, R & R general contractors has submitted to a 25% dmwv. And a 25% goal for east Portland residents and businesses on this project. R & r will comply with the city's 20% apprenticeship requirement and pdc's minority women workforce schools. 14% women and 29.5 for people of color. You now have before you the procurement report recommending a contract award for a guaranteed maximum price, of 4,901,284.40. At this point I will turn this over to Eileen Argentina from Portland parks, to discuss the project and the ongoing support needed.

**Eileen Argentina, Portland Parks and Recreation:** Thank you, Christine. Thank you, Commissioner Fritz and good morning mayor and commissioner Fish. George is here also to answer any questions about the project itself. This is an updated copy of the memo that was sent out yesterday along with graphics that we have in lieu of the power point presentation. I am pleased to be -- I am pleased to be here today to talk about the communities in Portland parks and recreation's vision for gateway Discovery Park and plaza, as you take action to authorize the construction. I want to share with you the background and context for our expected operations and maintenance budget for the exciting new space. Gateway Discovery Park and plaza has planned on 3.2 vacant acres at the corner of northeast Halsey Street and 106th avenue. The development of this park will close the gap in a park deficient area so the neighborhoods of Hazelwood and mill park and woodland park, and design of the gateway discovery park and plaza has progressed with outreach in 2015, including five project advisory committee meetings, and two open house community events. And this design process with the community was built upon a master plan passed by the council in 2011. Additionally we work closely with the partners, harper's playground, inc. And Portland development commission to make sure that our design achieves the goals of inclusivity and becoming the development catalyst for which we are striving. We are grateful for their partnership. What we found through our outreach is the tremendous interest exist this is east Portland to provide arts, culture, and wellness related programs, that will draw crowds and build communities. Gateway Discovery Park will be a key opportunity to fulfill that vision. The preliminary estimate for the operations and maintenance resulted in 270,000 being allocated to pp&r's budget as of fiscal 2016-2017, and at that time, the planning around community and recreational programs for the plaza was not included. The programming costs will be included in the Portland parks and recreation requested budget for fiscal year 2017 and 2018, gateway Discovery Park and plaza will need to be staffed and activated in order to be an amenity worthy of being called the living room. The park is intended to serve as a catalyst for commercial development and promote revitalization of the gateway regional center. Pdc owns an adjacent one-acre piece of property slated for redevelopment with the mix of uses that will build on the success of the park and activate the plaza. Pdc is supporting the park's development with 1 million in the urban renewal funds. And envisioned as a community gathering center for the east Portland community the master plan provides programmable plaza for events and higher intensity visitation, comparable to urban plazas such as pioneer courthouse square and director park and grant scare Holladay park, the plaza features the 21,000 assistant county attorney hardscape plaza, accentuated by an art piece along with the unique canopy with kiosks and storage space and restrooms to support regular visitation and program community. Additional features include a water play feature, along, seat walls for performances, and Skate Park and outdoor fitness equipment. The gateway discovery

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park has been envisioned as a linchpin for the goal as a regional center, and the plaza is expected to be an accessible and attractive and safe community gathering space on a daily basis as well as a venue for programs, events, and activities that reflect the diversity of east Portland. Our experience has shown that maintaining a continuous presence with on-site staff will preempt the negative uses from becoming established, and in addition the staff presence will enhance the community relationship building and opportunities for collaboration. Partners are ready, willing, and able to join us, and with us in creating fun and culturally responsive programs for residents and visitors in east Portland. The investment of the parks sdc's and urban renewal funds is an important and practical and symbolic investment in east Portland, however we know that it takes more than good park design and construction to ensure that the parks become a community and neighborhood asset. Parks must be operated and maintained in a way that promotes the beneficial use, for parks that function as public squares as this one will the most cost effective way to ensure the benefits is to invest in activation. Numerous examples exist in our city and in most cities, and pioneer courthouse square is one of the most visible examples of a public square that delivers active civic engagement and the community building. A block and a half away they demonstrate the same principle. Holiday parks are in the process of being reclaimed for the community thanks to the innovative Holladay park partnership for the third consecutive year is supporting robust programming all summer. However examples such as O'Bryant square and Ankeny plaza demonstrate how challenging it can be to prevent the negative uses from becoming entrenched. The factors that threaten our share of public space make it more important to be proactive from the start. Our goal with the gateway discovery park is to establish the clear and consistent community norms about how this shared public space is to be used. With council's investment gateway Discovery Park will have a fantastic infrastructure that will lend itself to showcasing and supporting the vitality and diversity and strength of east Portland. And pp&r, and pdc and community partners and stakeholders believe there is an active and sustained program at the park year-round, and will be a wise investment in the district and in the community. The urban park model is estimated to require 298,000 annually for programming and includes overhead of 29,000, and the estimate reflects 60,000 in program expenses such as concerts and movies and cultural events and other performances, farm to market events and etc., and 40,000 in materials and supplies and 150,000 in staffing. This is comparable to the director but takes into account the overall site and the expensive providing programs and activities in a location where performers and other organizations are less likely to participate at low costs. What's being proposed reflects the circumstance where we are creating the foundation for important urban development in the coming decades, and in light of that these additional resources will be required so we can claim the space for the community from day one. Pp&r's reorganization resulted in among other things the creation of an arts, culture, and special events department, and the department will bring together Multnomah art center and community music center and free for all and the urban parks programming groups to develop the programs and partnerships in collaboration with the community. Gateway Discovery Park will be an outstanding power of the parks to transform the neighborhoods and contribute to the development of the civic capacity. It will represent the commitment to equity that the council has demonstrated through the investments and resource allocations. And pp&r will be proud to deliver on that vision. Thanks.

**Hales:** Thanks. Questions?

**Fish:** The question, first of all, as the commissioner in charge, that helped to deliver the director of park, and I remember some of the criticism at the time, that we were making those additional investments, I am very pleased to see the bureau embracing that model,

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and in effect saying that what's good for downtown is good for the central part of the county and another urban area, so I appreciate that very much. I am reminded that in the past when we have brought o&m requests, and I will give you an example, when the parks bureau proposed funding for o&m for the expanded community gardens, we did it for the budget process and the independent budget office came back and said it's a good idea but we think that you can do it for less, and we likely negotiated a figure. Do we have the benefit of a third party review of these numbers? On o&m so we know whether this is the right number?

**Argentina:** We don't at this point. But it will come back through the budget process, and it will be part of the request, and --

**Fish:** That will still happen? We'll still have the independent budget office saying good idea but you can do it for a dollar less or whatever?

**Argentina:** Correct.

**Fritz:** And I wanted to lay the groundwork. It's not a surprise when it comes back in the budget process, but just to give you my expectation that this is going to be east Portland's living room building on the success of Director Park.

**Fish:** As long as I continue not to have general funds and supportive bureaus I will be an enthusiastic supporter. One other question, though, because the -- and thank you for having backup documents because it's helpful to see it, and I remember the process that led to the master planning for this, and it's a beautiful park. And it needs to be a signature park. The question that I have for you, and I don't want you to get -- I'm not asking you this to get sideways with pdc but we are asking the fund to cover the cost of this additional o&m but the Portland development commission has a parcel, which is to be developed, and they are going to -- whoever occupies that space is going to be a beneficiary of this park. Should we be asking pdc to put any money on the table for o&m?

**Hales:** Their money would have to be general fund because you cannot spend a tax increment on that, so it would be robbing peter to pay Paul, its general fundraising.

**Fritz:** We have a work session coming up, for the council later this month on that very question as far as the partnership between pdc, and the housing bureau.

**Fish:** I get your point but in the past we have, understanding the color of money we've been creative about some money coming out of one pocket and going to another and capitalizing certain things. This is one that I feel like pdc should be part of the conversation.

**Fritz:** Absolutely.

**Hales:** But if it were allocated o&m money it will be general fund.

**Fish:** It will come back for the police money.

**Hales:** Further questions or comments.

**Fritz:** Did you have others?

**Fish:** No, I remember the criticisms when we did a similar model with Director Park. I think that in retrospect, the additional money ensured that we programmed an active urban space and made it welcoming for everybody, and I think that it was part of the success story. And I think what's good for -- what's good for director park given its geography is also good for gateway and the people of gateway deserve to have just as successful and activated public space, so I support the concept, and I look forward to seeing what the budget office thinks about the numbers which I would never accuse the director Abbate of inflating any numbers on o&m because I used to do the inflating when I was the commissioner, never let him do it but certainly.

**Hales:** Thank you both. Does anyone want to speak on this item? Is there a motion to accept the report?

**Fish:** So moved.

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**Fritz:** Second.

**Hales:** Roll call please.

**Fish:** Thank you for your good work and Eileen you have consistently been one of the wonderful people at the parks bureau, and it's nice to have you come before us and present. Thank you. Aye.

**Fritz:** Thank you for your indulgence into the early afternoon and having this important discussion. It is, I think, especially important when we are planning a space that will need programming to be very clear up front that that is the intent and that we'll be having further discussions in the budget. Thank you to Mike Abbate and Eileen Argentina as well as Christine Moody for the contract work as well as for the Planning work that the contract was held as a model by members of the minority community. Last week when we were discussing the wider community benefits agreements and plans and so I am very proud of Portland Park's work on this. Aye.

**Hales:** I am very pleased that you have called the question or pushed the question of what should we spend to properly program the public space, I challenged Mike Abbate a while ago on the subject of we have a parks bureau and transportation bureau and who is the bureau of public spaces and he said, pick me, or words to that effect. But somebody in city government needs to be responsible for civic spaces and not just green spaces. And I am perfectly content to have that be the parks bureau. I appreciate the fact that you are stepping up on this. We need to say who, and I am glad that we are. Aye.

**Fish:** Since Christine is here, can we do 576?

**Hales:** 576, which is one of the items that we can act on from our consent calendar this morning month. 576, please.

**Item 576.**

**Fish:** This agreement that's before us follows the unanimous council approval on May 4 for the Portland water bureau to use the, "cooperative procurement method," end quote with costs not to exceed 825,000. This item would authorize the agreement with Orego software. It builds on a program with streamline collaboration and increased project transparency and I will turn it over to Christine Moody.

**Hales:** Please, I am standing up because I have a cramp in my leg but don't take it personally.

**Moody:** Thank you. Christine Moody, procurement services, and the water bureau's engineering services group manages 50 to 70 construction projects every year, and each construction project requires project management and budget and resource management. The current software applications are not meeting the bureau's business or technology needs. The goal of the project management software system project is to consolidate the current business process management into a single hosted configurable software environment. As allowed for in the city code 5.33 the city may participate in a cooperative procurement after posting a public notice of the intent to use the cooperative contract. A notice was posted on May 9, 2016, and no response was received. You have before you a procurement report recommending that the authorization of a cooperative contract with Orego software technologies were not to exceed the amount of 825,000.

**Hales:** Ok. Questions? Our engineer has a report, as well.

**Teresa Elliot, Portland Water Bureau:** Actually I was just going to answer the questions.

**Fish:** Who are you?

**Elliot:** Teresa Elliott, Portland water bureau chief engineer.

**Hales:** Questions? Thank you both. Anyone want to speak on this item? Is there a motion to draft the report?

**Fish:** So move.

**Fritz:** Second.

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**Fish:** Thank you both, aye.

**Fritz:** Thank you, aye.

**Hales:** Aye. Ok let's go back to the regular calendar then. And move to 593, we can take testimony if there is any and let's read the item.

**Item 593.**

**Hales:** Commissioner Fish.

**Fish:** Eric Johansen.

**Eric Johansen, Office of Management and finance:** Thank you, mayor and commissioners. Eric Johansen, debt manager in the bureau of revenue and financial services, and this ordinance authorizes amendments to the city's first and second lean bond declarations for our sewer and revenue bond program. The bond declarations are bonds for that legal document that contains the city's legal covenants and other promises that we make to the bondholders and provides the holders with their rights. As a result of evolving market practices and changing accounting standards in the last several years we have come to realize that our declarations have grown a bit stale. Beginning a few years ago now, the bes, debt management staff And the outside bond attorneys, began the process of obtaining consent from our existing bondholders to make a number of modifications to our bond declarations. After issues the sewer revenue bonds last fall, the 2015, we have now enough consent to make the changes that we've been looking to make. The changes are outlined in the detail in the council packet in particular they have to do with the debt service reserves and the timing of determining compliance with the rate covenants, and as well as clarifying the operating of expenses to exclude the certain non-cash items. We think that these amendments will have positive long-term benefits to rate payers, and by reducing the amounts that we borrow for the debt service reserve funds and minimizing the overall bureau revenue requirements. So with that I will be happy to take any questions.

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

**Fritz:** I don't have any questions but a comment that I am so grateful that we have experienced managers like you who know the ins and outs and pay great diligence and thank you.

**Johansen:** Thank you.

**Hales:** We are fortunate and that's why we have a aaa bond rating.

**Johansen:** Absolutely.

**Hales:** Thank you very much.

**Hales:** Do you want to speak on this item? It's carried over to next week because the emergency ordinance, So it will be on that. Thank you. And while we're talking about debt let's do 594.

**Item 594.**

**Hales:** Not a trifling sum.

**Johansen:** Eric Johansen. Financial services. It does authorize the issuance of about 34.5 million in tax anticipation notes to fund the annual cash flow deficit if the fire and police disability and retirement fund. As you may recall from past years, the city issues tax anticipation notes to fund the expenses of the fund prior to the receipt of the property taxes in late November or early December. Because they cannot legally carry over the fund balances to pay those early fiscal year expenses, it's necessary to issue the tax anticipation notes to avoid a cash flow deficit. And we expect that we're going to sell the notes in mid-July, and they will be repaid on June, on or about June 30 of 2017.

**Hales:** Questions. Erik, thank you very much, this also will be carried over to next week. 595.

**Item 595.**

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**Hales:** Roll call please.

**Fish:** Colleague, I am going to make brief comments that apply to both 595 and 596, and we have all had a chance to comment in greater detail about the proposed rates, but I want to again do some thank yous. First to the citizens utility Board of Oregon for their ongoing partnership with Portland's public utilities and each year they identified further cost savings that allow us to reduce the rates. And second to the new Portland utility board, for their thoughtful consideration of both bureau's budgets, and we know that in their second year of full operation we expect to get even more comments and more in-depth commentary from them in the next budget cycle. I want to thank the budget analyst, brain, Claudia, and Alyssa. I want to thank the mikes, mike sewer and Mike Jordan at the directors of the two utilities and their dedicated teams at the water bureau and the bureau of environmental services. And for the third year in a row we have been able to keep the utility rate increases combined under 5%. This year under 4.5%. Roughly \$4 a month for the typical customer. This reflex our collective ongoing commitment to providing good value to our rate payers and to investing in basic services like replacing old pipes and preparing for the big one. I am proud that our public utilities continue to invest in maintaining our system while exercise, exercising discipline with rate payer dollars. Aye.

**Fritz:** Commissioner Fish, thank you for your fiscal responsibility and your commitment to openness, transparency and accountability in guiding the two utility Bureaus these past 3.5 years. Aye.

**Hales:** Thank you very much. Aye. [gavel pounded]

**Hales:** Ok. 596.

**Hales:** No, 596.

**Parsons:** Water bureau.

**Item 596.**

**Hales:** Roll call please.

**Fish:** Aye. **Fritz:** Aye. **Hales:** Aye. [gavel pounded]

**Hales:** 597.

**Item 597.**

**Hales:** As I discussed with commissioner Fish I want to set this over for a week so we can answer more questions. Thank you. Aye. [gavel pounded] 598.

**Item 598.**

**Hales:** Second reading.

**Fish:** Not to exceed 3.75 million.

**Parsons:** There you go.

**Hales:** 3.75 million, right, second reading and roll call please.

**Fish:** Aye. **Fritz:** Aye. **Hales:** Aye. [gavel pounded] 599.

**Item 599.**

**Hales:** Roll call please.

**Fish:** Aye.

**Fritz:** Thank you to our major partner, Nike and to the Portland bureau of transportation and commissioner novick and his staff, aye.

**Hales:** Here, aye. [gavel pounded] 600.

**Item 600.**

**Hales:** Commissioner Fritz.

**Fritz:** Thank you Jen Cairo, the city forester will present on behalf of Portland parks and recreation.

**Jen Cairo, Portland Parks and Recreation:** Thank you, Commissioner Fritz and mayor and commissioner Fish. For the record, I am Jen Cairo, the city forester with Portland parks and recreation, and I am here to propose to you to update the tree permit fee

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schedule for fiscal year 2016 and 2017 requesting counselor's approval for that. Portland parks and recreation services are primarily supported through general funds, however we practice cost recovery for some services, and collect certain fees under a fee schedule for certain permits. Fees are used to fund the tree inspections and plan reviews and permit issuance and land use reviews and code enforcement and customer assistance and other tree regulation related functions. Portland parks and recreation charges fees to partially compensate for the cost of the services it provides. Parks and rec does not charge the fees for some services, for example, tree planting and tree pruning permits, and in order to encourage these activities and reduce the potential barriers to the voluntary compliance with regulations. Other infrastructure and regulatory bureaus charge fees for their services and comparable processes, such as the water bureau, and the bureau of environmental services and Portland bureau of transportation. And Portland parks and recreation has been proactive in informing and seeking input from customers regarding the need and rationale for the proposed fee changes. The bureau has met with the stakeholder groups including the urban forestry commission and the development review advisory committee. We are proposing to increase permit fees to recover more of the costs of delivering the services, and no new fees are proposed. Certain permit fees are unchanged. And select others are appropriated for removal from the tree permit fee schedule because they are charged by other entities. You have in front of you a handout with gold and green on it, a spreadsheet. Entitled urban forestry, or I am sorry tree permit research. For example, one of the yellow highlighted fields is the violation appeal to code hearings officer fee. This is proposed for removal from the tree permit fee schedule and because this is charged by the code hearings officer and does not really belong in the schedule. Those items indicated in white on the spreadsheet are unchanged for example, the fee in lieu of tree planting and establishment, which remains at 300 per inch for the coming fiscal year. Those items in green are proposed for increase. Examples include the tree removal permit application which is proposed to go from \$25 per process to \$35. You can see in the spreadsheet that there is an actual cost column, and in that column for this item tree removal permit application and non-development, that the permit process if we Charge full cost recovery would be nearly 350 given the staff time invested in these. And not only would moving it one time to full corps recovery be a big increase, but we believe that charging so much for is a standalone permit process such as in this case would be a significant barrier to compliance and so we plan to keep the rates for such permit processes low. Even though they are not recovering the full expenditures for the service. Our funding gap at the proposed new fee levels is nearly 300,000. We anticipate always, for that particular permit, the tree removal permit application, we have -- but we are going to absorb that and plan to do so in the future, because of what I just described about that is being an onerously high cost to charge if it were the full cost recovery, and in other cases though, in the Greenfield's we're charging, we're proposing a modest increase to improve the cost recovery without jumping to the individual permit costs up significantly all at one time. And an example of that is the public works permit, which is in the development section of the spreadsheet, and where we proposed to collect more than half of the actual service cost. If we were to do full cost recovery on that permit fee it would be significantly more at one time than it is currently. So I am happy to answer any questions that you have about that. And would ask that the council approve the fiscal year 2016-2017 tree permit fee schedule as proposed on June 8.

**Hales:** It's late but I want to -- help me out with a scenario here. So the restoration fee for tree removal for a city street fee, street tree, 300 an inch, right? So what's a scenario in which we would charge that fee?

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**Cairo:** That is when a violation has been committed that damages the tree, in most cases it will be pruning situation where a pruning permit was not obtained and incorrect pruning is done.

**Hales:** I see the damaged tree but this is for removal.

**Cairo:** You are looking at --

**Hales:** The tree removal.

**Cairo:** The restoration fee, that's the fee that it would cost for us to get the tree back in, the value of that.

**Hales:** This is where a homeowner has illegally or improperly removed the street tree?

**Cairo:** That's correct.

**Hales:** So if they legally and properly removed it because it was diseased or something we would not charge the fee, right?

**Cairo:** They would have the violation review fee, which is up above in the same section.

**Hales:** There is -- there is not a violation. I have a 40-inch maple in front of my house. If it developed rot down the middle and had to be removed the city wouldn't charge me 12,000 for that.

**Cairo:** No, no. You would get the tree removal permit at \$25 or \$30, and that would be the only cost to you through the permit process.

**Hales:** These are only fees -- These are high per inch charges are in violation situations.

**Cairo:** In that section under enforcement fees and penalties, correct.

**Hales:** Ok, just wanted to clarify that.

**Fish:** [Microphone not on]

**Hales:** We could take testimony and carry it over.

**Cairo:** I think that's other than this, not related to the fees.

**Fritz:** We're holding off on bringing back the report to council on the annual report about the tree code and the proposal for another project. Pending development services and the bureau of planning and sustainability and the agreement on what should be in it.

**Fish:** My hope is because I know the other issues that we're in dialogue about, are very important to parks and to bes and I am hoping by next week we can work out all the issues so we can move forward.

**Cairo:** I think that we'll have them worked out today.

**Hales:** Appreciate it very much.

**Cairo:** Thank you very much.

**Hales:** Anyone want to speak on this item? If not, then it's going to be carried over for a vote next week, and 601.

**Item 601.**

**Hales:** Second reading and roll call please.

**Fish:** I am sorry Dan is not with us today because I seem to recall every year we have had this report he's said this is his favorite report, and one of his favorite rituals. Very pleased to have a chance to vote on this, and thank you, Commissioner Fritz, and the tree stewards for bringing this forward. Aye.

**Fritz:** Thank you to Jen, our amazing urban forester, and the urban forestry commission who worked hard on this, it is unfortunate that the power point wasn't working last week so the public -- couldn't see these trees and encourage folks who have a tree that they would like to designate as a heritage tree to contact parks. Aye.

**Hales:** Aye a few items left on the consent calendar, and the following items are continued to next week because they are emergency ordinances and we cannot act on them today. That says item 575 and 577 and 578 and 579 and 580 and 583 and 584, without objection, those items are all continued to next week, and the remaining items we have to act on are 574.

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**Fritz:** Does that get carried over?

**Hales:** Good question and I think you are right. Yes.

**Fritz:** Can we take testimony on that one? It's a simple one.

**Hales:** Yeah, let's deal with the rest of these first. So let's do 574.

**Item 574.**

**Hales:** Does anyone want to speak on this? Motion to adopt the report.

**Fish:** So moved.

**Fritz:** Second.

**Hales:** Roll call.

**Fish:** Aye.

**Fritz:** Thanks to Mr. Rodriguez for his service. Aye.

**Hales:** Aye. [gavel pounded] 581.

**Item 581.**

**Hales:** Roll call.

**Fish:** Aye. **Fritz:** Aye. **Hales:** Aye. [gavel pounded]

**Item 582.**

**Hales:** Second meeting and roll call.

**Fish:** Aye.

**Fritz:** Commissioner Fish I appreciate this was done collaboratively and I appreciate the homeowners who worked with bes on this. Aye.

**Hales:** Aye. [gavel pounded] and then where's the –

**Item 602.**

**Parsons:** Because there are 4/5 and there are not four on the counselor today this will continue to next week.

**Fish:** We can have a hearing on it.

**Hales:** Take testimony if there is any, right?

**Walters:** I suppose that you could ask somebody to come up but I don't see any in the audience at this time.

**Fritz:** We have to have a 4/5.

**Fish:** [inaudible].

**Walters:** Technically you need four members.

**Hales:** All right. We'll just continue it to next week then. All right. [gavel pounded] we are adjourned.

**Fritz:** All right.

**Hales:** Thank you for your endurance.

**At 1:13 p.m. council adjourned**