



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **9TH DAY OF MARCH, 2005** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Leonard, Saltzman and Sten, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Senior Deputy City Attorney; and Officer Curtis Chinn, Sergeant at Arms.

At 11:00 a.m., Officer Dan Liu replaced Officer Curtis Chinn.

Item No. 171 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS	Disposition:
155 Request of Charles E. Long to address Council regarding taking a second look at tazers (Communication)	PLACED ON FILE
156 Request of John Fredrick Haines to address Council regarding the homeless condition (Communication)	PLACED ON FILE
157 Request of Larry Norton to address Council regarding City Council eliminating the Office of Neighborhood Involvement (Communication)	PLACED ON FILE
TIME CERTAINS	
158 TIME CERTAIN: 9:30 AM – Declare support for workers’ freedom to form unions and urge Congress to pass Employee Free Choice Act (Resolution introduced by Commissioners Adams and Leonard) (Y-4)	36298
CONSENT AGENDA – NO DISCUSSION	
159 Statement of cash and investments January 13, 2005 through February 09, 2005 (Report; Treasurer) (Y-4)	PLACED ON FILE

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<p>160 Accept bid of Triad Mechanical, Inc. for Columbia Blvd. Wastewater Treatment Plant Sodium Hypochlorite Conversion Project for \$2,294,932 (Purchasing Report - Bid No. 103604) (Y-4)</p>	<p align="center">ACCEPTED</p>
<p align="center">Mayor Tom Potter</p> <p align="center">Bureau of Housing and Community Development</p>	
<p>161 Accept an Intergovernmental Agreement with the State of Oregon Employment Department to provide confidential records that include client specific wage and hour information on an as needed basis for the Workforce Development program and provide for payment (Ordinance)</p>	<p align="center">PASSED TO SECOND READING MARCH 16, 2005 AT 9:30 AM</p>
<p>162 Amend contract with Central City Concern/CHIERS Outreach Program to provide services to intoxicated individuals by an additional \$19,000 for a total of \$363,320 and provide for payment (Ordinance; amend Contract No. 35482)</p>	<p align="center">PASSED TO SECOND READING MARCH 16, 2005 AT 9:30 AM</p>
<p>163 Authorize subrecipient agreement with City of Gresham for \$976,205 for the HOME Investment Partnership Program and provide for payment (Ordinance)</p>	<p align="center">PASSED TO SECOND READING MARCH 16, 2005 AT 9:30 AM</p>
<p align="center">Office of Management and Finance – Bureau of Purchases</p>	
<p>*164 Readopt findings, re-approve an alternative contracting process and recreate an exemption to the competitive bidding process for the Marquam Hill Aerial Tram Project General Construction and Tramway Equipment Procurement (Ordinance) (Y-4)</p>	<p align="center">179095</p>
<p>*165 Readopt findings, reauthorize an exemption to the competitive bidding process to the Bureau of Purchases pursuant to ORS 279C City Code 5.34 and provide payment for construction of the Mt. Tabor Interim Security and Deferred Maintenance Project (Ordinance) (Y-4)</p>	<p align="center">179096</p>
<p>*166 Readopt findings, reauthorize an exemption to the competitive bidding process to the Bureau of Purchases pursuant to ORS 279C and City Code 5.34 and provide payment for construction of the Washington Park Interim Security and Deferred Maintenance Project (Ordinance) (Y-4)</p>	<p align="center">179097</p>
<p>*167 Reauthorize an exemption to the competitive bidding process to the Bureau of Purchases for the Bureau of Environmental Services, East Side Combined Sewer Overflow Tunnel, pursuant to ORS 279.015(2)(a) and (b), Project No. 5516 (Ordinance) (Y-4)</p>	<p align="center">179098</p>
<p>*168 Reauthorize class special procurement for federal grant expenditures (Ordinance) (Y-4)</p>	<p align="center">179099</p>

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<p>*169 Reauthorize class special procurement from the competitive bidding requirements for Strategic Sourcing Commodities (Ordinance) (Y-4)</p>	<p align="center">179100</p>
<p>*170 Reauthorize class exemption for the Sheltered Market Program (Ordinance) (Y-4)</p>	<p align="center">179101</p>
<p align="center">Office of Management and Finance – Human Resources</p>	
<p>*171 Create a new Nonrepresented classification of Neighborhood Intervention Specialist and establish a compensation rate for this classification (Ordinance)</p>	<p align="center">CONTINUED TO MARCH 16, 2005 AT 9:30 AM</p>
<p>*172 Create a new Nonrepresented classification of Water Conservation Program Supervisor and establish a compensation rate for this classification (Ordinance) (Y-4)</p>	<p align="center">179102</p>
<p align="center">Office of Management and Finance – Risk Management Division</p>	
<p>*173 Pay claim of Walter E. Minor (Ordinance) (Y-4)</p>	<p align="center">179103</p>
<p align="center">Office of Transportation</p>	
<p>*174 Authorize an Intergovernmental Agreement with the Tri-County Metropolitan Transportation District of Oregon and the City of Lake Oswego for relocation of the Willamette Shore trolley operations terminus to SW Bancroft Street and for Portland Streetcar operations within the Willamette Shore Line Rail Right-of-Way between SW Sheridan Street and SW Gibbs Street (Ordinance) (Y-4)</p>	<p align="center">179104</p>
<p>*175 Grant revocable permit to City of Portland/Portland Streetcar Inc. to close SW River Drive between River Parkway and Montgomery Street on March 12, 2005 (Ordinance) (Y-4)</p>	<p align="center">179105</p>
<p>*176 Grant revocable permit to Jake's Famous Crawfish/McCormick & Schmick to close SW Stark Street between 12th and 13th Avenues on March 16, 2005 through March 18, 2005 (Ordinance) (Y-4)</p>	<p align="center">179106</p>
<p align="center">Parks and Recreation</p>	
<p>*177 Authorize an interfund loan from the Portland Parks Trust Fund to the Golf Operating Fund to be repaid during fiscal year 2004-2005 (Ordinance) (Y-4)</p>	<p align="center">179107</p>
<p>*178 Authorize contract with Boys & Girls Club of Portland Metropolitan Area to provide after school recreational programs at St. Johns Community Center (Ordinance) (Y-4)</p>	<p align="center">179108</p>

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<p>*179 Authorize agreements with Metro and Department of Environmental Quality for acquisition, acceptance and management of 2.3 acres owned by Portland General Electric at NW Yeon on St. Helens Road (Ordinance) (Y-4)</p>	<p>179109</p>
<p>REGULAR AGENDA</p> <p>Mayor Tom Potter</p> <p>City Attorney</p>	
<p>180 Authorize the City Attorney to intervene in Portland General Electric petition to the Public Utility Commission on regulatory treatment of local taxes (Resolution) (Y-4)</p>	<p>36299</p>
<p>Office of Management and Finance – Bond Counsel</p>	
<p>181 Authorize limited tax revenue bonds to provide financial assistance for housing projects (Ordinance)</p>	<p>PASSED TO SECOND READING MARCH 16, 2005 AT 9:30 AM</p>
<p>Office of Management and Finance – Purchasing</p>	
<p>*182 Revise City Purchasing policies and rules (Ordinance; replace Chapter 5.33; add Chapter 5.34) (Y-4)</p>	<p>179110</p>
<p>Office of Transportation</p>	
<p>183 Authorize negotiations for the acquisition of temporary easements and street dedications necessary to complete improvements to Hawthorne Blvd., between SE 20th and SE 55th Avenues and authorize the City Attorney to commence condemnation proceedings, if necessary, and obtain early possession where required (Ordinance)</p>	<p>PASSED TO SECOND READING MARCH 16, 2005 AT 9:30 AM</p>
<p>Parks and Recreation</p>	
<p>*184 Accept \$6,500 grant from the Oregon Department of Forestry Urban and Community Forestry Program for the Portland Urban Forest Canopy Study (Ordinance) (Y-4)</p>	<p>179111</p>
<p>SECOND READING</p>	
<p>185 Donate 20 parking meters and stands to the Portland Downtown Services, Inc. for use in the Real Change not Spare Change campaign (Second Reading Agenda 152) (Y-4)</p>	<p>179112</p>

At 12:00 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **9TH DAY OF MARCH, 2005** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Leonard,
Saltzman and Sten, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn
Beaumont, Senior Deputy City Attorney; and there was no Sergeant at Arms.

<p>186 TIME CERTAIN: 2:00 PM – Appeal of Pleasant Valley Neighborhood Association against Hearings Officer’s decision to approve the application of Riverside Homes, Inc., applicant, and Roy and Wanda Michael and Alfred J. Obrist, property owners, for the Waterleaf 65 lot subdivision with a planned development review, environmental review and adjustment located near the intersection of SE 162nd and Foster Road and 6729 SE 162nd Avenue (Previous Agenda 120; LU 03-174778 LDS PD EN AD)</p>	<p>Disposition:</p> <p>CONTINUED TO MARCH 30, 2005 AT 2:00 PM TIME CERTAIN</p>
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At 2:06 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

March 9, 2005
Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast.

Key: ***** means unidentified speaker.

MARCH 9, 2005 9:30 AM

Potter: We have an issue that we discuss every wednesday at our council meetings. And the question is, that we ask each week, are how are our children. And to answer that question we ask various experts to come in. And it just so happens that all the experts happen to be children. And so this morning we have allie greiling from cleveland high school. Allie, could you please come forward? Allie's been invited in to talk to us. She has some things she would like to tell us. Ali, first tell us a bit about yourself and what you would like us to know.

Allie Greiling: My name is allie. I go to cleveland high school. I'm 15 years old. "a freshman. And I live in the sellwood/westmoreland area, and i'm on the varsity dance team at cleveland, the sundanceers. We're on our way to state. I'm very excited for that. I really like the new paving that they've done in the westmoreland area, because I just think it looks like cool and -- to prevent flooding, and I think it looks like really good on the streets.

Potter: So what do you do with the rest of your life when you graduate from high school?

Greiling: Umm, I would like to get into filmmaking and like producing like movies or interior design, because I like things to be like perfect, or like -- I don't know. I have like a weird like sense in how I look at things, so owe and another thing actually that I thought was -- that was a problem this year is the gym shortage problem. We used to practice -- our dance team used to practice at whammo, but last year the city bought it, and other schools, like grant used to use that gym, too, for practice, but now since the rec and park association pays our schools to use our gyms for their teams, we can't use our gyms for practice. So we had to -- our team had to go all the way out to 82nd and burnside and practice at an elementary school. So I know it's a problem, but I don't know like a solution to it, so I thought I should just bring that up, too.

Potter: Thank you. Let me ask you a question. Do you think grown-ups do a good job of listening to young people?

Greiling: Umm, a little bit, but they kind of -- I think that some people don't -- I think they think that teenagers shouldn't like -- that they don't really have like a right to say anything, because they're like young and they don't like -- they're immature, but a lot do have like good things to say, like -- I don't know. Yeah. Yeah, I think some parents listen to you, but some parents don't, because they just think it's pointless.

Potter: Ok. Thank you for being here today, allie. Thank you. [applause] council will come to order. [gavel pounded] Karla, please call the roll. [roll call taken] [gavel pounded] we'll now hear communications. Karla, please read item 155. Thank you for being here, mr. Long. You have three minutes. State your name for the record.

Item 155.

Charles Long: Thank you. My name is charles long, 420 northeast mason street. Thanks for this opportunity. On february 17 the "new york times" had a major article on tasers, use of stun guns. I'd like to quote briefly from the article this morning. "since 2000 almost 100 people around the country have died after being shot, although medical examiners have rarely cited tasers as the cause of death. Taser international says the deaths often result from drug overdose. On monday the southern christian leadership conference called for a federal study of tasers and a national moratorium on their use, and amnesty international said police officers should use them only as an

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alternative to lethal force, not as is permitted in some jurisdictions for simply failing to comply with an officer's order. There's no question that tasers are being overused at this point, said William F. Schultz, the executive director of Amnesty International U.S.A. A criminal professor at the University of Missouri said a public backlash against tasers was building and unless more safety studies were done the police might face tight restrictions on their use. There's going to be a huge amount of pressure to restrict the use of these devices, the doctor said." The following day an article was published in the "New York Times." Ohio, taser use is suspended. The Lucas County Sheriff's office has suspended the use of taser stun guns after the death of a suspect who had been shot nine times. The suspect died last month after he was shot five times by the police and four times by guards at the jail. The coroner's office has not released the cause of death. The sheriff said Wednesday that the department would not use the taser guns again until more safety studies were conducted. Thank you.

Potter: Thank you, Mr. Long. Karla, please call the next item. Sir, please state your name for the record and you have three minutes.

Item 156.

John Haines: My name is John Haines. Early in my life -- well, I'm a little bit on the nervous side.

Potter: That's ok.

Haines: Because what I say is important. I lived most of my life in the southwest hills, and in my life I feel that I have -- as far as with my employment and my school, I haven't treated as far as a life to what's important to me today. There's different needs that people call people that adapt. One of -- different names that people call people that can't adapt. One of them is retarded. There's a worse name, and it's retard. The situation is that schools need as far as -- to beat themselves, a person who -- like me, as far as with special ed training, could fall through the cracks. And they're saying that the school may come together as far as with people below the age of high school being together with people that are adolescent. There's a lot of problems with my growing up. And I find myself with my transcript with me. What it says -- it says about me, where I lived, up on Council Crest Drive. It says -- one part of it said prolonged illness. And it said that I graduated, but in my life I felt that I could have done things differently I would have wanted to stay back, because I find as far as students today need is for a certain paper, collections of paper as far as -- even connecting as far as to social security, situation with social security, the president wants to do certain things with it, but I don't know about putting it in the area, not getting anything back. I rely on social security. I rely on section 8 and hap. These particular people. These particular people don't always get thank-yous, because people need their books right away.

Potter: Ok. Your time's just about up. Could you go ahead and finish up for us?

Haines: I think what I'm going to do is just open it up to anybody that wants to see some things after here.

Potter: Ok.

Haines: I have a poem that I wrote that's with me. Lies, past child lies, greater or less, not by the number, where's the point. Mixed emotions, tears and flowers, passed looking out classroom glass windows by the hours. Only if water could drown out the voices just by the cupful. Math was not the only class that was -- this was subjected to. I'm emotionally drawn by not a clear-looking back on things that matter. Thank you for the things given which I didn't understand. A sweet token of motherhood and my birth.

Potter: Thank you very much. [applause] you did a very good job, too. Karla, please read the next item.

Item 157.

Larry Norton: Good morning, Mayor and Commissioners.

Potter: You have three minutes, sir. Please state your name for the record.

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Norton: Larry norton. I'm an old town/chinatown resident. I apologize for the shameless attention grabber, because i'm not interested in eliminating o.n.i. I'd like to see it be restructured. O.n.i. has strayed from its leadership. The mission path for o.n.i. was to enhance the quality of Portland's neighborhoods through community participation, to provide opportunities for all Portland neighbors to interact with their city government in an effort to build safe and livable neighborhoods, to facilitate discussion for important important civic decisions. O.n.i. has a great history of leadership. It assisted the police department in making the transition to community policing, like in mayor Potter's time as chief. It used to organize a lot of good forums. If you look at o.n.i.'s organizational chart they've strayed from this path. Basically they provide services to residents, not to neighborhood associations. In my view, if you look at -- including my submissions, there's a page 18 from the public involvement task force. It has a mess of -- you know, good suggestions with o.n.i. Should be doing. I think that director brown ought to be given a mandate to get o.n.i. back on the path. Maybe do an independent outside audit, no o.n.i. personnel. Continue the elders in action. That's a great deal. But I think it ought to reconnect the neighborhoods with the city and reconnect the city with the neighborhoods. A good example is the i.p.r. department. They didn't even -- I don't think they understand that o.n.i. exists, that that's a good place for them to reach outside out to the neighborhoods and let everybody know that they're there. O.n.i. should organize more forums like they used to do. Be proactive internally to the city, again like get the departments out to the community. Reinvigorate leadership in neighborhood associations. Strengthen the financial leadership assistance to neighborhood associations. Assist the neighborhood associations with outreach. You know, get the neighbors back into the neighborhood associations, get the neighbor associations connected back to the city, and vice versa. One of the things about the neighborhood organizations, you got to make sure that the -- in there that the grievance procedures are meaningful, so that when there's a grievance they can be raised up then, not sometime down the future. I appreciate your time.

Potter: Thank you, sir. Next is the consent agenda. There's been a request by james hester of the -- he asked me to pull item 171. We will vote on the -- are there any other items that the commissioners wish to pull from the agenda, the consent agenda? Are there any items anybody here wishes to pull from the consent agenda, exception 171? Ok, do we take a vote?

Moore: Yes.

Moore: Karla, please call the vote.

Leonard: Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] item 171.

Item 171.

*****: Good morning, mayor Potter.

Potter: Good morning.

James Hester, Council Rep, AFSCME 189: Council, james hester, council representative for local 189. I'll be brief this morning. My six, seven years involved with public employer union, I don't think i've had the opportunity to pull anything from the consent agenda, but today I did so because I felt we had a great opportunity to live up to the expectations which I believe the council has supported, and that's to start looking at city government in a more transparent way, and also for labor and management to work together in a collaborative sense. Before you was a -- as part of the consent agenda, was to approve a nonrepresentative position, which we believe should be a representative position. What i'm asking you to do is send that back to the bureau, send it back to h.r. To have discussions with us, to go over the particulars of why they believe it's nonrepresented or should be nonrepresented, and then if they deem so we can come back to council for that vote. So I would ask you to do that today.

Potter: Thank you, sir. Anybody from h.r. here?

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David Rhys, Bureau of Human Resources: I'm david rhys from the human resources, the class comp manager. Joining me is Ed Ruttledge the labor relations director. The neighborhood intervention specialist is the classification that we do not have one that matches it. It is new work for the city. It is something that occurred in o.n.i. Basically when when we have a classification for new work it ends up being nonrepresented. Ed can talk about details about how representation might be obtained for a new classification.

Ed Ruttledge, Bureau of Human Resources: Normally the procedure is that once a new classification is created, it's considered nonrepresented. Obviously the interested labor organizations can then pursue representation through procedures that are available through the collective bargaining act through the employment relations board. Those procedures include requesting voluntary recognition, and you could have one more than one labor organization asking for that, or perhaps the interested labor organizations collecting cards and going through the election process. So normally what happens is it's a two-step process. The classification is created, and then there's a -- a process, an opportunity for interested labor organizations to seek representation for the incumbents in that particular classification.

Rhys: We're going to respond to any questions that council might have.

Leonard: What are the difference in the duties and responsibilities in this position and the reclassified --

Rhys: It's not -- i'm sorry. It's not a reclassification.

Leonard: You have to let me finish my question before you can answer.

Rhys: Sorry.

Leonard: What's the difference between the duties and responsibilities of this position and the crime prevention specialists who are unionized?

Rhys: There are, in o.n.i., some crime prevention administrators, which I believe the commissioner is referring to.

Leonard: It used to be --

Rhys: Correct. I'm just giving you the current name. Those individuals, if you look at the classification description, are more in the area of developing programs, whether they be crime prevention, livability, etc. This position is more of a direct service. It's contacting people directly. It is making a referral. It is dealing specifically with individuals in the community that need these services. They're very different in terms of what they're doing. And were we to determine that this work fit into the crime prevention administrator classification that would be the first thing we would do. In fact, that was the first thing we looked at, does this fit into other classifications that o.n.i. might have. The typical way a person would be hired for this new position, have academic preparation in social work or psychology. So it's more of a social work-type position.

Leonard: That wasn't really what I was asking, because as you know the nature of the work is what determines whether or not one can belong to a collective bargaining unit or not, not whether it's similar to other collective bargaining unit. So I think my point is that I think this is -- this might be an example of a dispute that is not worth having, and it would seem to me if you sat down and talked with afscme representatives, as opposed to using the process you alluded to, which is litigation, sit down and talk about it, see if you can't work it out.

Ruttledge: There's nothing wrong with signature down and talking with afscme, just so that we also understand there could be some other labor organizations that are also interested in representing --

Leonard: That's fine. But I just think we need to try and work -- I mean, you alluded lightly to this other process, well, that's hiring a lawyer, spending tens of thousands of dollars. It seems to make sense to try to sit down and talk about it first.

Rhys: Ok.

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Potter: Any other comments from the commissioners? Does that sound agreeable to you folks? Or this is out of the regular procedure?

Leonard: Or do you not talk to people?

Ruttledge: We do talk to people, commissioner. [laughter] the -- it's a little bit of a change in terms of the -- of how we've done business. The way we've done business in the past, when a new classification is created essentially, the city has not taken a position as to whether it should be represented automatically at that point in time or not. It's a new classification. It's up for conversation at that point in time between all the interested parties.

Potter: And what -- how do you involve the unions in that discussion?

Ruttledge: What would happen -- and by the way, we have -- we have an example that I could refer to right now, a new classification was created. It was listed as nonrepresented, because it's brand-new. One of the labor organizations in the ductu coalition has advised the city that it's interested in representing those -- there's a couple of incumbents in that classification, and right now we're having a conversation with that particular labor organization as to whether we can work out the mechanics of voluntary recognition. One of the things that we had an inquiry about, is there any other labor organization interested, because at that point in time if you have competing labor organizations, you may want to back off and let the election procedures provided by the labor relations board sort that out as opposed to the city interjecting itself into what could be a difference of opinion between differing labor organizations. So we do have the conversation. This other one is an example that we're having that conversation. In fact, I sat down with wayne and one of his staff members just yesterday on that very issue. So the conversation does take place, even after the classification is created.

Saltzman: So can you have this conversation in a week, bring it back?

Ruttledge: Certainly, because I -- you know, james and I see each other on a regular basis. I think I have his phone number built into my cell.

Leonard: I guess i'm hoping that it isn't adversarial, because I think you're glossing over the election process where the city takes an adversarial position typically, opposing unionizing a position. So I don't know in this particular case if that's true or not. I know in general that's been the case, but as opposed to sitting down and positioning, I think what we're trying to have happen here is a new way of get these positions with organized represents and come to an agreement.

Ruttledge: Right. I think that having a conversation, it would be productive. I'd have to say that since i've been here, may of 2003, the city has not taken a position of ever saying vote no union. What we've done is we've taken a neutral position, especially if there's competing labor organizations, because it's not appropriate for us to take a position one way or the on that. That has to be sorted out by the employees.

Leonard: Yeah, I get that.

Potter: Ok. Is it ok if the council to set this over till next week?

*****: Thank you.

Potter: Ok, to the time certain. Karla, please read the first time certain. Commissioner leonard.

Item 158.

Leonard: Thank you, mayor Potter, very much. This is a debate that's been occurring in the state of Oregon with respect to the rights of nonunionized workers to have an election unfettered by their employer for years. As recently as last june governor kulongoski -- I want to pass out a copy of this to the members of the council -- governor kulongoski wrote a letter urging the congress to pass legislation that protects the rights of workers to organize without being interfered with. And he said, and I just want to quote part of his letter, "by passing the wagner act, the president recognized american workers' fundamental rights of association and their rights to collective bargaining. Over the decades, since the passage of the landmark legislation, the workplace has changed and the ability of workers to organize and successfully negotiate collective bargaining agreements is no

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longer an option for many american workers. As a result, american workers are losing their voice and influence in the complex and evolving discussion of our country's economic policies and economic vibrancy. I believe that a healthy american labor movement is directly tied to a healthy america. I also believe that the passage of the proposed federal employee free choice act returns to american workers the right to freely associate and collectively bargain." nobody, mayor Potter, on this council has worked harder than I have to improve the business climate of Portland, because as i've often said, and i've heard many people say from the labor community, that those of us who believe in family-wage jobs and good benefits for workers connect the dots between a good, healthy business environment and jobs that are available because of those businesses being able to prosper, to provide those jobs. But I often worry, in conversations that I have with my friends in the business community, that they hear the former, not the latter. That they hear me working about trying to improve the business climate, but go deaf when I say that's because it creates good jobs for workers. The rights that governor kulongoski articulated in his letter of workers to organize and to collectively bargain with their employers, I believe should be a basic fundamental right that all americans have. Unfortunately that's not the case. We're focusing on a number of different groups of workers in this resolution, mayor Potter, but I want to just for a moment talk about -- and we have some people that are going to come up and talk, but I want to talk about farm workers, farm workers who -- again, this is not a new issue. This is something that, in the 10 years I was in the legislature, was an issue that a number of us fought for, we visited farm worker camps, that exists within 45 minutes of where we sit. I mean, we could get in a car and 45 minutes from now be experiencing some of the most squalid conditions that exist on the american continent, that workers in Oregon are subjected to. And typically migrant workers and typically migrant workers who are with their families. I visited a number of camps outside of woodburn that were occupied by migrant workers who lived in rooms with their families, where the kids were put in a separate room that was filled with bunk beds, so that there was literally no room to walk but for the bunk beds, with exposed wiring, smoke detectors that didn't work, and a heating system that did not work. And the - - the conditions that those families worked in were such that i'd characterize their condition as indentured servants. I say that not using the word in an inflammatory meaning, but a true meaning. When I sat down and figured how much they made and what they had to pay for rent and electricity, they owed every month. They couldn't leave, because they had to keep working to pay off the ever-increasing debt. It is bordering on a human rights violation, in my opinion, that people are subjected to those kinds of conditions. And typically people that aren't citizens, mayor Potter, and I know you and i, and the whole council, share concerns about people that aren't american citizens being exploited even more with the threat of being deported if they complain. And that's the conditions these folks find themselves in. So this is a -- this is a subject that goes to the core of my belief system. I feel very strongly about it, and it's something that -- that I think, notwithstanding what some may think, not only is the right of a council to debate, but the responsibility of the council to debate, because I will use any forum, any place, anytime to bring attention to the fight of people who can't speak for themselves and are afraid to speak for themselves if I think it can help improve their condition. I think us doing this here today helps do that, helps bring attention to good-hearted Oregonians who are buying the products that are produced in these labor camps without knowing that people are being exploited to produce those products. And again, I say that based on my own personal observations and experiences. So thank you for the opportunity to introduce this. And we do have some panels that are going to come forward. Stacey, do you have them prepared to come?

Potter: I think, Karla, is that different --

Moore: I've got a list.

Potter: Let's go ahead and go through the list that we have for people.

Moore: Ok. We have judy o'connor - -

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Potter: Excuse me.

Saltzman: Can I ask a question first?

Potter: Before we start.

Saltzman: I accept everything commissioner Leonard says and certainly his intent for bringing this forward. But I guess I'm -- there's language in here the second resolve that talks about amending the Oregon public employee collective bargaining act and other state collective bargaining laws that apply to private employers to allow for certification on a showing of signed authorization cards. Isn't the current practice that the certification cards lead to an election by secret ballot?

Leonard: I asked Stacey to be here for a reason so.

Saltzman: So I guess my point would be if we were talking about the federal employer free choice act I think I'm fine with saying we support that we urge the legislature to adopt those same principles with respect to farm workers. This has an [unintelligible] were talking about amending the Oregon public collective bargaining act and other things that apply to private employers were sort of recommending -- that's deviating from what the stated purpose of this resolution is and that's cause some concern as we've all seen. We've gotten some feedback about people not necessarily understanding this part including myself. And so I guess I want to know is that part aimed at something other than farm workers?

Potter: Please state your name for the record.

Stacy Chamberlain, Commissioner Leonard's Office: I'm Stacy Chamberlain I work for commissioner Randy Leonard. That provision of the resolution does address what you've stated accurately. It provides for or -- the Oregon legislature to adopt similar provisions that congress legislation has before them and it would amend both the pecba and other state collective bargaining laws. To allow for certification based on signed authorization cards, first contract mediation and arbitration and stronger penalties for violation of unfair labor practices during that first contract period.

Saltzman: So the federal legislation replaces a secret ballot election with signing signatures on cards?

Chamberlain: Well, there's an issue of whether or not the secret ballot election currently how it works at the national level and both state level with public employees is that the union goes around and collects authorization cards and when they have more than 50% of the employees in the designated unit, as they define it, that gets submitted to the national relations board or the employee relations board for certification to make sure that they have the correct number. Once that happens, then those bodies run an election. The problem is during those elections, there's coercion by employers to the employees, the site of the election is usually on the employer's site, and there's -- there's a lot of testimony you might hear today, about the possibility of coercion going on during that period. What this does, a signed authorization cards, are cards, and it's over 50% of the employees in the unit sign a card saying, yes, they are interested in being in this union. Once that happens, it gets submitted to the national labor relations board, or the pecba -- the erb board excuse me and then they certify to make sure that there's actually more than 50% of those employees in that proposed bargaining unit. And that includes, if they can't find employees, or can't contact employees, those are considered no -- no votes.

Saltzman: But it does replace a vote with counting signatures on the card?

Stacy Chamberlain, Commissioner Leonard's Office: Yes, it would replace a vote. That would be the vote. That would be scrutinized and certified by the employment relations board or the national relations board.

Saltzman: Who does it in the state level?

Chamberlain: It would be the employment relations board. I mean, we didn't get into specifics when we talked about that we left that up to -- I mean, these are principles that commissioner Leonard strongly supports, and wanted to give that support to the legislature and to the governor, or

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anyone else that is trying to support these -- these things going forward. So the specifics on how Oregon wants to go about putting these principles into the law, I mean that's up to the legislature.

Saltzman: Ok, thanks.

Leonard: I wanted to clear up one other thing. In the last 24 hours i've received some communication from members of the community saying they weren't aware that this was occurring today. I'm looking at a february 1, 2005, notification that shows that on this day, at this time, employee free choice act resolution is -- is on the calendar. It's my understanding it's been -- we've had a notification out for three months. We have as a -- as a result of that had a number of people contact our office in the past few months to talk about this. I'm sorry if people weren't aware of that or didn't see that, but it has been publicized.

Chamberlain: I requested a time certain for this resolution to make sure folks would have adequate notice while the process was taking place and the resolution was being worked on. I also notified each of the commissioners' offices and the mayor's office to discuss it, along with other folks. And other interest groups, and was contacted by some representatives from the ad community regarding this.

Potter: Other questions? Thank you.

Chamberlain: Thank you.

Moore: Karla, please call folks up who have signed up to testify.

Potter: You have three minutes. Please state your name for the record.

Judy O'Connor, Secretary/Treasurer, Northwest Labor Council: Good morning. I'm the executive secretary-treasurer of the northwest labor council. I've had the great opportunity of representing and speaking on behalf -- I should say speaking. Somebody else tries to handle some other stuff. But representing 63,000 working employees of organized labor in the greater metropolitan area. And I -- when i'm through, i'm going to present to the mayor, but also individually to all of you commissioners, I have letters from some of the affiliates of the labor council that are asking you to support this resolution. Thank you. The passage of the employee free choice act resolution ensures that when a majority of employees in a workplace decide to form a union they can do so fairly. The struggles that united farm workers are having at three mile canyon dairy and the struggles at the service employees international union local 49 chapters are having are wrong. It is time that elected officials do something in their power to stand up for workers. I received a letter from congressman david wu, and i'm just going to read some of the paragraphs. It was very timely, because it came yesterday. He says, and I quote, "as americans we feel very strongly about our constitutional rights. Among the rights we enshrine in the bill of rights is a right of free association, which enables us to freely assemble and organize. Unfortunately workers throughout history have experienced challenges in organizing and fighting for their rights. To further enhance workers' rights and help protect the interest of america's working families, I will continue supporting the employee free choice act. Please know that I intend on cosponsoring this piece of legislation when representative george miller introduces the employee free choice act for the 109th congress." studies have shown that in one in four employees will be illegally fired during a campaign to form a union. 75% of companies hire a third-party to help them fight union organizing drives. And 78% of managers tell employees to attend one-on-one antiunion meetings with managers. And nine out of 10 companies force employees to attend mandatory antiunion presentations and half of all companies threaten to close down plants if workers vote to form a union. My source the impact of capital mobility on workers' wages and organizing. The city of Portland needs to take aggressive action to ensure that workers in the city of Portland who want a union can attain that benefit without any intimidation or harassment. In the end, support for unions is a matter of human dignity. Workers in the city of Portland have a right to a voice on the job. Given the imbalance of power between employees and management, that right needs the protection of organization. So as a city council, we urge you to pass this resolution as a sign of your continued

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commitment to do everything in your power to ensure workers have an environment in which they're free to choose the union. And I want to say thank you to each one of you, and a special thanks to commissioner randy leonard and stacey for all the work you've done on this and brought this to us. Thanks a lot.

Potter: Thank you. [applause] let me explain to the audience a little rule we have about clapping. You're free to express your opinion, but because clapping slows our process down, we have that you can take your hands and go like that. That's an approval sign. There are no disapproval signs. Just approval signs. So we want to have civil discourse on this issue. We understand that there's strong feelings on both sides. So if you would, please comply with our rules. Thank you very much. Very fast learners.

Matt Swanson: For the record, my name is matt swanson. I'm the organizing coordinator for the Oregon afl-cio. I'll be brief, as we have workers who really illustrate the problem we're talking about today better than I could, but I want to throw out very telling statistic that I just learned. In a study of national labor relations boards records over the past 10 years, it was found that on the average over 22,000 workers will be discriminated against on the job or even fired for trying to exercise their freedom to form a union. That amounts to one every 23 minutes. So in the amount of time we've sat here this morning, we've probably lost about three workers or they've had a message sent that forming a union is really not something they're free to do at the workplace. And that's the reason why we are proposing this type of change. And that's why you also need to take very seriously the testimony you hear today. What you're doing is standing up for something that's universal, the freedom to form a union. We also believe strongly that the discussion on farm worker collective bargaining has happened. It happened last session. The governor convened a work group. We came up with a good process and it's time that we had a law that really respects the freedom that farm workers have to form a union. You should take their testimony seriously. The framework is ready to go. And I think what we've seen is there are those trying to violate that freedom to form a union when we really do have a process that the workers could use to form that. So I appreciate this coming forward. And I also urge you to listen to the stories of these workers, because it illustrates why we have to change the law in a way that I think commissioner Saltzman you talked about secret ballot elections. All that is is a ballot box in a very hostile territory. If you think of principles, you know, there are lots of places that hold elections with ballot boxes and secret boxes, but the intimidation that happens in the environment that you'll hear from these workers is very real. And it's violating a freedom that, as I said, should be universal. So thank you and i'll pass it along to my colleague here.

Potter: Thank you.

Erick Nicholson, Regional Director, United Farm Workers: My name is eric nicholson, regional director of the united farm workers of america, afl-cio. I want to thank the mayor and the office of councilman leonard. I've worked with farmers in the pacific northwest, in Oregon and Washington, for the past 15 years. Today we'll hear stories of one struggle out in eastern Oregon. In the media today, there are questions, what does this have to do with Portland? Why is the city council getting involved in I think as we're looking at our breakfast, or go to eat lunch today, your answer is sitting in front of you on your plate. That food is not grown here in Portland, not raised here in Portland. It's coming from other areas. Cheese is coming from boardman. Your vegetables are coming from the willamette valley. And as the councilman leonard spoke to often pretty abysmal conditions. The reason we're in this situation, I think it's also very important to remember is because in the 1930's the agricultural lobby intentionally excluded farm workers from the provision of the national labor relations act. We were excluded at their request, at their lobbying, at their insistence. So how ironic it is we are now 70 years later where industry is trying to, you know, in state legislature, pass a bill -- or pass bills that are hugely unfair. We're very proud to stand with the rest of organized labor and call for the passage of this resolution that will give all workers, farm

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workers, public employees, private workers and janitors, that we'll hear from today, the right to really have a union when they've so desired. Thank you.

Potter: Thank you all. Only three at a time.

Moore: Six are going to stand behind them.

Potter: Ok, that's fine.

*******:** Good morning.

Potter: You folks have three minutes each. Please first give us your name for the record.

Rev. Steve Witte, Oregon Farm Worker Ministries: Ok. I'm reverend steven witte. I'm the executive director of Oregon farm worker ministry. First of all, I want to applaud the city council for taking this step. Anytime we can consume fresh fruits or vegetables or anything in our meal plate, more than likely that fruit or vegetable, dairy product, has been touched by the hands of a farm worker. And I think that as we look at the situation, that agriculture is such an important part of this state, and certainly as consumers there's more and more interest being seen in how that food is produced, the conditions under which -- environmental conditions, and social conditions, which that food comes to our tables. And certainly we need to honor those -- those consumers, because in doing so we're telling that we can have a moral and just system of producing food, that we can have moral and just cost that produce it for us. So as we look at this employee free choice act, I think it's crucial that we -- that we continue to see the injustice that's being wrought upon our brothers or sisters, whether they're citizens or whether they aspire to become citizens. So I think that what we do here should make a loud statement to our brothers and sisters in the legislature in salem, and in Washington, d.c., that this is important, that this matters, that this is a consumer item, as well as a moral item that needs to be addressed in our cities. And so I congratulate the city council. I applaud you for taking this step and seeing the reality of what's occurring on our doorsteps here in Portland, and I thank you you for giving us the time to express these opinions this morning. Thank you.

Potter: Thank you.

(Erick Nicholson interpreted for the Spanish-speaking testifiers)

Arutro Sepulveda (Spanish): Two years ago we started organizing to have the right of the union founded by cesar chavez to represent us. About a year and a half ago the dairy management prohibited me from eating lunch with my coworkers, from using the bathrooms, from drinking water with my coworkers. If I did any of those things, they would fire me, but here I am today, still fighting to have a union, supporting my coworkers, and we're here to ask for your support. The supervisors continue to follow the orders of the dairy ownership to try to fire us, to intimidate us, to get us out of the dairy. Perhaps, mr. Mayor, you might ask yourself, if conditions are so bad at this dairy, why don't we go look somewhere else for work. Because we have a responsibility to stay there to fight for better conditions for our family, for the children, for future generations that may be employed there. Thank you so much.

Potter: Gracias, senior.

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

Edgar Panuco (Spanish): Good morning. My name is edgar panuco. I used to work at the columbia river dairy. In december, I asked for permission to go to mexico on an emergency, but they denied me that permission because i'm a union member. And there's coworkers who aren't members of the union that asked for similar position and were granted and were allowed to leave. Gracias.

Potter: Gracias, senior.

Reginaldo Rodrigues (Spanish): My name is rodriguez latorre. I work at columbia river dairy. Four months ago I was injured while I was working. I was smashed by a number of cows. They took me to an emergency, to the hospital, and i've been off work since then. And in spite of this the company has continued to call me at home telling me I need to come back to work. I tell them, you

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need to talk to my doctor who's informed me I should not work. I'm currently incapacitated. I live - his foot was smashed by cows. I can't work. It looks like i'll have an operation at the end of this month. So this is what they do. They pressure us to go back to work, when we're injured, when we're sick, that we continue working. And so now i'm fighting with the insurance, because the doctor says I need to get the operation, but it looks like the insurance is still not willing to authorize the surgery, so i'm having to fight that battle. Thank you.

Potter: Gracias.

Able Verduzco (Spanish): Hi. I live in boardman, Oregon. I work for columbia river dairy. And six months ago -- six or seven months ago I got kicked by a cow. They sent me to the company's doctor. And they took x-rays, and they said I didn't have nothing. So I went back to work, but my hand kept hurting till now. And 15 days ago I went to the -- to a specialist in hermiston, and he told me -- he told me we'll have to take some x-rays. As soon as he took the x-rays, he saw them. He said, this bone's dead. So I lost my hand. And now my supervisors telling me if I don't get well in one week, he's going to fire me. And I got my family to support, my mom, my little brothers. I'm the only thing they got. So as you guys' council, you know, please try to support us.

Potter: Gracias, senior.

Verduzco (Spanish): I want to add for the record, for the last two years, we've offered to, with the dairy, to engage in a process to allow workers to establish, that indeed a majority want representation. The dairy said there's not a majority, and hasn't allowed a process for workers to show unobstructed that they want a union to represent them. Arturo, who they tried to humiliate, workers getting injured, pressured to go back to work, and they're counting on workers' fear that they won't have a hand in the law to turn to to try to redress these grievances. That's why it's so important that the city council today make a strong message in supporting this resolution. Thank you.

Potter: Thank you both. Please state your name for the record and you have three minutes each.

Maribel Paniagua (Spanish, interpreted by Maggie Long): My name is mirabella esposito. I'm employed as a janitor by servicemasters, swan island. I've worked there for nine months. I work for \$7.70 per hour, which means I make about \$27 a day. I've tried to find other work, but have not been able to. I earn these wages cleaning beautiful multimillion dollar office buildings full of law offices, insurance companies, and even agencies with the city of Portland. I understand that these buildings are worth a lot of money and the people that own them are very rich. In fact, the head of the company that owns my building, melvin mark, gives millions of dollars each year to museums and other charities, but my coworkers and I have to work two or three jobs just to survive.

Although I understand that some people have more money than others, I find it frustrating that while melvin mark is giving away money to several good charities, that several that keep his buildings clean are struggling just to feed our kids. As you can imagine, I have trouble supporting my family on my wages. My coworkers and I started to join together to form a union in order to work more hours with better pay and benefits. Soon after we started, my coworkers, who work at the rose garden, have told they could be fired for talking about the union. They've had to go to meetings in a supervisor's office where they were told that they could be fired for talking about or joining the union. Some of my pro union coworkers at the rose garden have not been called into work. In one case the supervisor told the company that a worker quit and then subsequently that worker was fired because they were a vocal -- excuse me -- that worker was fired because that worker was a vocal union supporter. The company has also changed our working conditions in an effort to affect our organizing campaign.

Potter: You folks are overdue, so could you please wrap it up?

Long: Yes. We're almost done.

Potter: Ok. Thank you.

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Paniagua: Recently it seems that even melvin mark has had a role in trying to intimidate us out of forming a union. One of their people made a new rule to make sure that some of us couldn't talk to building tenants who were supporting our campaign. Some of whom are city employees. The government is investigating to see if melvin mark is guilty of breaking the law. If they are found guilty, it would appear that they were not telling the truth about not having responsibility for the terrible wages and working conditions that service master gives us. I wish they would help us to support our families instead of trying to influence and scare me and my coworkers, because i'm openly supportive of the union, i'm very worried about being fired. It is the only job I have, and I have to support my family and pay rent. I'm worried if I lose my job, I won't be able to find another. We hope that rich and powerful building owners, like melvin mark, would understand that we're trying to form a union for our family and community, and they should respect that. I urge you to not only support this resolution, but also to publicly stand with workers like me by making phone calls and writing letters to employers who try to prevent workers from organizing. Thank you.

Potter: Thank you. Let me remind the folks coming up to speak, that you do have to speak within your three-minute limit. We have many people here who wish to testify. It's the only fair way we can do that. Thank you.

Leonard: Mayor, labor commissioner dan gardener got called to salem because his budget is up, and he has given us a letter. If you don't mind, i'd like to read it. "dear mayor Potter and honorable members of the council, thank you very much for holding this hearing. I want to urge your support today for resolution 158. If passed, this would send a strong signal to the city of Portland. I support this resolution because Oregon workers need significant changes to national labor laws to protect their freedoms. Currently employer/employee interference is limiting the ability of workers to form a union. I support using the framework -- the framework of the employee free choice act, collective bargaining law for every worker to form a union. It's essential that whatever laws are created make allowances for resolving disputes." I won't read the rest. Thank you.

Potter: Thank you. Thank you for being here. Could you please state your name and you have three minutes each.

Jeanette Bethune: Good morning. My name is jeanette buffoon, a teacher at early head start and family center in Portland. In november of 2003 my coworkers and I began talking about forming a union. By february 2004 2/3 of the staff had signed cards toward our election. Even though there was fear of retaliation from management. We filed with the nlrp for our union election in february. Then everything really ground to a halt as the employer argued that somehow over half of its staff were supervisors, including all teachers. That triggered a hearing at the nlrp. How different things would have been in our struggle had we had a true right to organize. \$45,000 or more were spent by the employer in legal fees to go to the nlrp hearing that lasted an unprecedented 12 days over a two-month period of time. Early head start was told at midpoint that they were not making their case, yet they continued. A month after the hearing ended in early may, we had the results. The employees and the union won on every point. Money from federal, state, and county had been spent on the hearing, and not on the low-income children and families it had been intended for. The management team also spent hundreds of hours preparing and going to the hearing, time which should have been used in the service of children and their families. Another huge loss for our program was in the valued, well-trained staff that left during this ordeal, as they could in longer deal with the pressure of the drawn-out battle for the right to organize. Our jobs at early head start have their own stressors, as you deal with so many families in poverty. Finally we voted for our union on june 9, 2004, and won with a better than 2-1 margin. Needless to say this drawn-out battle has not helped us in getting our first contract. Imagine the pressure from the official day of fall 2003 when we began to now, spring of 2005, as we find ourselves at the bargaining table to get the first contract. No one has been well served by this. And I believe it can be prevented in the future. It is time for all workers to have a true right to organize through the employees free choice act. I would

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like to thank jobs for justice and commissioner randy leonard for their support in 2004, including the city councilmembers who sent a letter towards then director about not using public funds for an antiunion campaign, although she continued anyway. Your support made a great deal to so many of the staff. Now your support can make a difference to the workers across Portland and across the state of Oregon. Thank you.

Potter: Thank you.

Charlie Finger: Mayor and city councillors, my name is charlie finger. I've worked in mccall oil since 1997. We handle ship fuel, diesel and asphalt oil. Most of this oil is heated with high-pressure steam to hundreds of degrees. There are 11 employees that work to keep this operation going 24/7, 365 days a year. We finally agreed that we needed to do something about unsafe working conditions, arbitrary and capricious policymaking and abusive treatment. We decided we needed to be a union. 100% of the production crew signed pledge cards and petitioned the company that we wanted to be recognized as a bargaining unit with the ilwu marine division, the yeoman/boatman's union. Despite the fact that we all handed in pledge cards, the company hired a prominent legal firm and rejected us to be recognized as a union, forcing us to go through the process with the national labor relations board. This afforded the company the time to start an antiunion campaign. Antiunion literature was sent to our homes, meetings were held with the owner and the president so they could plead their case against the union, using large distortions of the truth. In addition we were given raises. The safety program was reestablished, and steps were taken to curb the abusive treatment. To its credit, the company could have chosen to use harsh tactics to dissuade us from becoming a union. That being said, the existence of the employee free choice act would have prevented us from being subjected to any tactics that prevent us from securing what we needed, to be a union. Yesterday we had our own action. We won by a vote of 100%. As strong as the vote was, we know it still isn't over. Until we have a contract, we do not have recognition as a bargaining unit we need. We urge you to call on this employer who does business in the city of Portland to be fair, bargain in good faith, and in a timely manner. Thank you.

Potter: Thank you.

Finger: I would also like to hand this from our new union, if you would accept it.

Potter: Sure.

Finger: Ok.

Potter: Could you give it to Karla, please?

Ben Nelson: Good morning, mayor, commissioners. My name is ben nelson. Organizer with labors international union and a member of labor union 43. I've been organizing in Oregon for about five years. Most recently with the building trades. And i'm here today speaking on behalf of four workers in 2004 who were fired for their organizing activities. I applaud you for your support of this, this resolution. Stiffer penalties for employers breaking labor law is critical. In one campaign we had last year we had two folks fired for simply wearing union t-shirts on the job without any kind of dress code or anything like that. They were just targeting union supporters and immediately let go. In another case, folks were fired after a day and a half on the job because they were seen talking with a union organizer outside the job before they went to work. And this has just an unbelievable chilling effect on the rest of the folks who work there. We're working with a lot of immigrant laborers. You heard from some other folks in that same camp. They have a lot of fears. One of those, losing their job. When they see their coworkers fired illegally, their union activity has an unbelievable chilling effect on the rest of those folks to stand up and fight for a better life for themselves. So again, I applaud you for this and I thank you for your time today.

Potter: Thank you.

Potter: State your name for the record. You each have three minutes.

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Jerry Morton: Hi there. My name is jerry morton. I'm a heavy equipment mechanic. I used to work at western power and equipment over on columbia boulevard. Basically I was fired for representing fellow employees who asked me to make contact with the union representative to come and speak with us about having an election. When I contacted the union rep, he called for a meeting of anybody that was interested. We had 100 people show up. And on that same night 100 people signed cards to call for an election. Within two days I was called into the company office, which normally would have been christmastime, time for bonuses and time for raises, time for reviews. Basically I was told that I was no longer a valued employee, that all of a sudden after years and years of being a mechanic, he was now apprentice rate, and that -- oh, let's see, how did that go? Well, basically they told me that I wasn't -- I wasn't worth my weight anymore. And then within about a week I was called into the office again. They said that they had to let me go as a result of my performance. Now, i've been a mechanic most of my life. I'm still a mechanic. I work in the heavy equipment industry. It's a dangerous business. And that place was basically a sweat shop. People needed representation. They wanted representation. And when we got the representation that we hoped we would get the company roadblocked us, just like the people before, they brought in big attorneys, and as a result of firing of me, they thought they were going to intimidate everybody else, and they did. From that point on the whole process went downhill. At the time that they pulled off the election, it wasn't anything like it started out. The bottom line is that if you don't -- if you don't give the workers their due and let them have the election when they want the election, then basically you got a bunch of fat cats with a lot of money that are going to economically and emotionally put their thumb on them and squeeze their wife, squeeze their kids, squeeze their paycheck and get them to vote no or get them to not vote at all. We started out with 100%. That's what happened to us. I lost my job. So i'd appreciate it if you folks would take a look at the fact that that really goes on, just like everybody before me said, and give us a little protection from our neighbors, or have our neighbors give us protection and stand together. Unions stand together. We need the whole community to stand together, the churches the politicians, and we're counting on you. Thanks.

Potter: Thank you.

Jim Anderson: Thank you, mayor Potter. Commissioners, my name is jim anderson. I'm the lead organizer for the local 701, covering the whole jurisdiction of Oregon and five 1/2 counties in southwest Washington. Jerry was a little bit nervous. It wasn't 100 people, it was 100%. There was 13 people in the union. But to put it in a nutshell, to keep within three minutes, him and I lived this. This was my campaign. And, you know, their whole thing was jerry was the one that came in front, he got the meeting, so I could meet the guys. It was 100%. They wanted the union. They were treated bad by their supervisors. And there was numerous unfair labor practices. When you file if an election, you have 42 days after a hearing date to actually have the election. Unless there's unfair labor practices filed, you either have to address the unfair labor practices or you have the election. Once you start addressing the unfair labor practices, it keeps going on and on. We're talking a six-month period. I'll close with jerry, when he got fired. Luckily we needed mechanics at that time. This presents mechanic that they called went to swan island and was a journeyman mechanic. Things got slow, then he went somewhere else as a journey person and worked out very well. We're lucky to have jerry, because what jerry is doing now, he's one of our mechanics and trainers at our apprenticeship school. And it's amazing how someone with no talent, got terminated, and this guy, once he game a union member, went to the union shops and he's excelled. So I just wanted to bring this to light. I know we don't have a lot of time, but this was a ruthless campaign and they spent a lot of money to try and keep the guys from organizing. I thank you for your time.

Potter: Thank you.

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Mary King: Thank you for allowing me to share your time this morning. I'm Mary King. I'm chair of the economics department at Portland State. I'm a professor of labor economics and I'm a member of the workers rights board here in Portland. I want to take a few minutes today to focus on the benefits of -- for our local community of collective bargaining. At P.S.U. I'm participating in an institutional effort on sustainability. A key indicator of social sustainability is child poverty rates. Poverty rates completely, but child poverty rates in particular. This country has by far the worst rates of child poverty in the industrialized world and Oregon is not exempt. We're right there. Our worst child poverty rates are in rural areas, among Latinos, but the city does not look good. Now we have a level of poverty that is neither socially sustainable, nor morally defensible. Over 100 years ago when people in Britain were dealing with sweat shop employers they used a term called parasitic employers. They meant firms that didn't pay the full social cost of labor. When they don't, other people do, family members do, the members of the community do. What they meant was that wages were too low. If employers don't provide healthcare benefits, people go to the emergency room, we pay for it. If wages are too low to pay for people's childcare, kids are unsupervised, some proportion of those kids don't do well in school, get into trouble, go to jail, and we pay for it. We're all better off when people can afford to live decently, when they can raise their kids in decent circumstances, and have the purchasing power to support local businesses. Your point right there. The clear record of economic analysis on collective bargaining is that, one, it raises wages at the bottom. Two, it reduces inequality between the bottom, middle, and top of the scale. Three, it reduces differences by race and sex. Four, it pushes employers to provide more benefits proportionally as part of compensation. Five, it raises productivity at the workplace, and is related to better outcomes like at hospitals where we care. Six, it creates pressure on nonunion employers to raise wages and provide better benefits and working conditions in order to compete to get the employees that they want. Certainly these are all things we want in our community. We want living wages with benefits and mechanisms to air grievances. We want less discrimination by race and sex. And we're all better off if nonunion employers are pressured to meet a higher standard at their workplaces. We should all be supporting collective bargaining for the kind of community that we want to live in here in Portland. Thank you very much.

Potter: Thank you all.

John Schwiebert: My name is John Schwiebert I'm a pastor at Mennanoy Peace Community United Methodist Church and a member of Jobs with Justice workers rights board. Along with leaders of the major faith traditions I stand with working people as they organize collectively to improve their lives. I would like to feel that I'm representing these other leaders as well as I appear before you to support this resolution. The national conference of Catholic bishops has declared that, quote, no one made an either right to organize without attacking human dignity itself. We firmly oppose organized efforts to break existing unions or prevent workers from organizing. The Episcopal Church nationally says, quote -- we reaffirmed the right and desirability of workers in the U.S. to organize and form unions. My own denomination, the Methodist Church, is clear, we support the right of collective -- the right of public and private employees and employers to organize collective bargaining into unions and groups of their own choose can. I personally, member of -- members of my congregation, other church lead verse gotten ourselves involved in local labor situations in defense of the rights of workers. The number of us here today were among the 100-plus persons who gathered two weeks ago for the third annual faith labor breakfast. We are renewing the traditional shared vision of the common good that is the historic legacy of church people and trade unionists. And we're pleased to be here today to support employee free choice act, which would give back to workers the right to collectively bargain. We support this resolution and we thank you for taking this action.

Fred Sautter, Oregon Symphony: Good morning, Mayor and Commissioners. Fred Sautter. A union contract offers us a living wage and draws the finest talents. Because of this our orchestra is

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a cultural treasure for the state of Oregon. Financial support comes from donations and ticket sales.

Donors number in the hundreds, while ticket consumer number in the thousands. Filling the hall of 2700 seats requires a large number in the community to have a substantial discretionary income.

Unions keep wakes for the average person, whether union or not, at a level which grants this discretionary income. It is easy to logic that the treasurer of the Oregon symphony would be challenged if it were not for unions in our work force. Businesses, in bringing their upper level work force to Oregon, consistently promote the Oregon symphony as one of the benefits to their workers. It is easy to see a system which benefits one benefits all. It is also simple to understand that unions in the mix contribute to this benefit. I encourage you to support the employee free choice act. Thank you.

*****: Thank you.

Margaret Butler: Hi. My name is margaret butler, i'm the director of Portland jobs with justice. A coalition of 78 unions and community groups working together in a campaign for workers' rights, specifically the right to organize and bargain, the right to employment security, and the right to a decent standard of living. We put people into action to support workers' rights and we engage community leaders in our workers' rights board projects. Thank you to everything you've done so far to stand up for workers. I'm a Portlander and a 5th generation Oregonian. I've spent the last 25 years of my life working on workers' rights issues. When I was 20 I got a job at the public library downtown. A month after I started, my coworkers started organizing a union. I got involved because it made sense to me that workers should have some say in what happens to them at work. Our employer opposed our efforts, and that did not make sense to me. We won, and that experience of collective action shaped my life. When I was an organizer in the early 1990's, every campaign I worked on the employer broke the law. And there were no real penalties. So workers routinely had their rights denied. And when the workers won, it was against the odds. The election process does not work. It does not provide a free choice for workers. I spent the last 13 years along with a lot of other people, building jobs with justice into an organization that can be a real assistance to workers. Can let them know they are not alone when they stand up for justice. I see our role as building a web of relationships through our communities so broad and so deep, that when workers face injustice, there's always support. And enough support so that they can stand firm. Collective bargaining rights for farm workers don't exist and the system is broken for the rest of us. Our workers' rights board has weighed in on the need for the employee free choice act and for the need for collective bargaining for farm workers. The willingness of faith leaders and academics, community leaders and politicians to get involved makes a huge difference. As you pass this resolution, you too are letting workers know that they are not alone, that you know the system is broken and needs to be fixed. So thank you so much.

Potter: Thank you. Thank you all.

Moore: That's all who signed up.

Potter: Is there anybody here that wishes to testify on this matter? We haven't heard anybody from either the businesses or the business community. Anybody? Ok. Let's open this up to council discussion. Commissioner Leonard, did you want to add anything?

Leonard: No. Just that I would hope everybody could support this.

Potter: Other commissioners? Anything? Ok. Karla, call the vote, please.

Leonard: I am one of the many privileges I have of serving here is being able to bring issues like this forward that I care deeply about. And you know, they are controversial issues to be sure when we're talking about the rights of workers to organize, but they are really fundamentally important for our society as the professor from p.s.u. I think articulated better than I could the not just social value of treating people fairly, but it actually makes good business sense. If you actually pay people money that they can then go out and buy goods and services in the community, that's good for business. And why some of my friends in the business community don't always connect that is

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lost on me. Because I think it just makes sense to be able to have community with people who have the ability to raise their families in dignity, put their kids in school, put food on the table, be able to do the things that all families do. And we want them to be able to do. And certainly with respect to the farm workers, this is a fundamentally basic fairness issue. And I would urge anybody who has any questions about that to contact judy o'conner, because I know they have regular -- we have regular trips to the farm workers camps to see what they're like. It's an all-terrain experience, believe me, to see children, men, and women living in the conditions they do for the pay they do. So I am pleased -- pleased to be able to bring this today and I am pleased at the testimony that was here today, and very happy to be able to vote aye.

Saltzman: I think -- I thank commissioner leonard for bringing this resolution to our attention. There has been some back chatter in the last several days about lack of proper notice, are we hurting our rural relationships in salem by this Portland city council taking a stand on this? And I think commissioner leonard rightly pointed out, he has put this on our agenda back on february 1, so it really shouldn't come as a surprise to those who feel blind sighted. We haven't heard anybody here today representing any other perspectives on this, so it takes care of that. As for our relations in salem, I think we'll just have to grin and bear it, I guess. I think the fundamental point is -- I strongly support workers' rights to organize. I support the national labor relations act, and I think that -- and farm workers, the rationale for excluding farm workers in the 1930's has long since passed us by and there is no reason why they should not be included under the national labor relations act. From the testimony today and what i'm hearing, it does sound like something short of a secret ballot to organize such as a majority of people signing cards, there might be a quicker way to get there, and a fairer way. And a more even-handed way. So i'm pleased to support this resolution and hope congress will pass this act and Oregon legislature will enact mirroring legislation to that. Aye.

Sten: I also want to thank commissioner leonard for bringing this forward. I particularly want to thank the workers who testified today as well as their supporters. That was a courageous act, and it didn't go unnoticed. I think that there's a role that anybody public -- any public body can play, and type of it is -- part of it is having these types of hearings. This is on television. Commissioner Saltzman asked honest and clear questions going into this and got them answered. And that's the role of this. This country, on the backs at times and standing side by side at times became what it is today thanks to immigrant labor. And I think there was a moment where thanks to labor and the work of our citizens and people who became our citizens, including every single person in this room's relatives who came here at one time, not so distantly in my family's situation, we became the greatest economy and in the forefront of having a decent way of life. And sadly, we are no longer the world's greatest economy. We are a debtor nation and we've slipped far behind many of the things that are important, I think. I frankly think the fact our economy is slipping is tied to the fact that the partnership between labor and capital has frayed, and I think that it's not a coincidence, it's causal. So this is a very, very important topic, and I think it's a misread, although by some honestly and perhaps some deliberately, if anybody believes this to be an antirural argument, and antibusiness argument, because it is not coming from me, this is something that we need to address head-on. And it's ok for people to disagree, and I may disagree passionately with them about what the right response is. It's not ok to keep hiding this issue behind the idea that we shouldn't talk about it, and that there's something wrong with the urban area talking about issues that happened in the rural areas, and likewise, things that happened in the urban areas that affect rural areas should be as equally debated and hopefully with a collaborative desire as we have here. I do want to add one thing that I think is critical, and I hope all of you will join myself and commissioner Saltzman who started a food policy council, and the rest of the group up here who are interested in this. I think one of the issues that we can be very much more aggressive about is how we use our local purchasing power. We all eat as far as I can tell, and how and where we eat and spend that money

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has a big impact. If you were go to a new seasons market any time in the next couple weeks you'll see people are flocking to those place that's give us local choices. And the more we can support local farmers, especially farmers who are doing the right thing with workers, the more we can collectively bring their costs down in terms of economies of scale, expect higher wages, so I think one of the things that's very important for the urban area to do is work on ways to support Oregon farmers by buying locally. And i'm actually in the process of working with the school district in the foreseeability future, who will have to rebuild their central kitchen. And I think the whole idea of how to get locally grown healthy, fresh produce that these workers make possible with the sweat of their brow and in this terrible situation, this young man's hand, how do we get that to be a product that actually nurtures our children instead of the other poorer choices that are available to us? I think that should go part and parcel and be a companion effort. We should demand fair conditions, fair opportunities, without the right to organize this country is headed down the tubes, so we should demand that and we should likewise set up systems that we regard -- reward and bring in money to those farmers locally that our economy depends on who are working with us. So I think there's a way to do this that's a win, and we can back up our talk with our money. And I think that's the message that ought to go to the rural areas. We're not looking to put anybody out of business, we're looking to help business and buy those products, support those workers, and make our local economy work. Frankly, that's the history of success this country has for reasons that I can't begin to fathom turned its back on, so maybe this is a day where we can start turning our eyes forward to what has worked so clearly in the past, which is working locally to do the right thing on both sides of the equation. It's a distinct honor of mine to be in a position to vote aye and support your work.

Potter: I spent many years working down the street at the justice center, and on the side of the building at the justice center, I have to paraphrase phrase, is injustice happens when good people do nothing. And I think as a country we'll be judged about how we treat each other and I think that the reason I raise the issue about children every week is because I think that they're a good indication of how we treat each other, because they are perhaps the most helpless group in our society. But there are many other groups too. And they're not helpless because they're week -- weak, they're helpless because people haven't given them the opportunity to succeed. And I think it's incumbent upon everybody, I don't see this as a rural-urban thing. I don't see it as business versus labor. It's about really how we treat each other. And so if we're going to promulgate justice as a concept in this country, we also have to live the words. And that means we take actions, and it may not always be popular with everybody, and the great thing about a deck only -- democracy is we can agree to disagree. In this particular instance, and I know that commissioner adams isn't here, but he is also a cosponsor of this particular legislation, it's a unified council that makes a pronouncement on this issue, and we want the community to know, not just the state, but our community that we support the right of people to organize and to live productive lives and to live in an environment that is free from fear and intimidation. I vote aye. [gavel pounded] [applause]

Potter: You got to break that rule just once. Thank you.

Leonard: Thank you.

Potter: Please read item 180.

Item 180.

Potter: Staff?

Sten: Do you want me to take this one, mayor?

Potter: Are you it?

*******:** I guess i'm it. I could have sat over there but I wasn't sure if the mike was on.

Sten: These are not unrelated items.

Ben Walters, Sr. Deputy City Attorney: Yes. My name is ben walters, i'm with the city attorney's office. This is -- this resolution is no to authorize the city attorney's office to file, to intervene in this request by p.g.e. for the p.u.c. to approve its practice of itemizing taxes on

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customer billings on the basis of calculation as a standalone entity and then once those funds are received, then recalculating its tax obligations on the basis of being a consolidated company with its parent entity, and as news reports have indicated, this has led to a significant disconnect between the amount of taxes actually collected and the amount of taxes actually paid, so this is an important issue, and it's something that the city should weigh in on in terms of policy.

Leonard: Ben, are you just politely saying they should pay the taxes they take from the ratepayers?

Walters: That would be another way of phrasing it.

Potter: Any questions? Thank you, ben.

Sten: I'm up to speed on this one.

Potter: Karla, is there anyone signed up to testify?

Moore: Did anybody want to --

Potter: Anybody here to testify on this issue? Ok. Discussion from the council. No discussion?

Sten: I was going to vote.

Potter: I'm a p.g.e. ratepayer, and I have to say that it bothers me that when I look on my bill and I see that i'm paying a tax to the state of Oregon and yet none of that money ends up in the coffers to help pay for our educational system, that bothers me. And I think that this is a fair and reasonable way to resolve this, is to request the p.u.c. to change their position on this issue so that when we have folks collecting money from citizens that says it's to go to taxes, it should just go to taxes. It's a very straightforward thing. So with that, Karla, could you please call the roll.

Leonard: I see that this is introduced by you, mayor Potter, but I can't believe commissioner Sten hasn't had something to do with this. You're absolutely right, mayor, it is really outrageous that ratepayers have been hit for taxes and their rates that enron more correctly as opposed to p.g.e., then keeps and doesn't pay in taxes. And as I understand it, other states do have different formulas that i'm sure commissioner Sten is going to articulate better than I can, that require just this kind of thing not occur in their rate structure. So I appreciate very much the work of you, mayor Potter, and commissioner Sten in bringing this forward. Aye.

Saltzman: Aye.

Sten: I won't take a lot of time, but over the last seven years since enron bought p.g.e., ratepayers have paid \$720 million in taxes that have not gone to any of the taxing jurisdictions. That's the state, the federal, the local, and frankly, I think you can make a somewhat ok argument that why this has happened. We have a regulatory structure that was set up to regulate a locally owned utility. The people who wrote that regulatory strategy did not realize at some point a meganational company would buy it, and offset those taxes against their consolidated tax returns. But there's no excuse that this has gone on for seven years, and there's -- and it will be an absolute failure of our democratic process if this is not addressed this time around. It's very clear what happens, particularly when we're looking at another outside buyer who's not dishonest, but is looking in part to take those taxes as part of their plan. Their plan is explicit and the documents they file with the p.u.c. That one of the motivations to buy the utility is to keep the taxes in the short term. It's a different scheme, it's not the same one, it's not a consolidated tax return, but what they call double leverage, and I won't bore the crowd with this right now. But essentially now we have a buyer coming in and basically saying, i'm going to do that too. So if the p.u.c. does not address this, I think it is a major failure and as in all of these things there are arguments that say this is too complicated, and i'm glad the city council is today getting on record saying it is not complicated at all. It's a regulated monopoly that has nothing to do with saying that free market companies can't consolidate and shouldn't consolidate their tax returns. It's saying if you're getting a monopoly from the state of Oregon and drawing revenue out of that, if you charge taxes as part of that revenue, they have to go to the taxing jurisdiction or back to the ratepayers. And that these are regulated rates and there's no argument that the regulated rates should be tied into consolidated tax return. Enron is the

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egregious example, but frankly since these taxes are not public record, I have the sad suspicion that this is a common practice with all of our utilities, and that are owned by outside interests, and it's not against the outside interest, it just should be similar and many understood if you buy as an outside -- an outside group if you buy a state regulated utility, you're not going to keep the taxes that you charge the ratepayers. Obviously that's enough on that. Aye.

Potter: When I met the other day with the folks from p.g.e., they -- and to be fair to them, they said two things. One is that what they're doing is within the law. And I have no doubt that that's the truth. The second thing they said, and it piggybacks on what commissioner Sten said, all utilities do this. As a parent when one of my children would come and say the reason they did something is because all the other kids did it, that really wasn't good enough in my book. And it's not good enough now either. So I think this is a fair request to the p.u.c. I hope the citizens of Portland understand that what we're doing is trying to protect their interest and to make sure that we are also going to be protecting the state, because this money should be going to pay for the programs that we cannot fund currently in Oregon. With that, aye. [gavel pounded] Karla, please read item 181.

Item 181.

Sten: If I could just introduce this, eric johansen is going to come up, and margaret bax, I want to thank for shepherding this through. She has a short panel of our sponsors who are going to build housing were this money. I think this is a very important and I think to some extent historic decision by the city council, and I just want to take a couple of minutes on a busy day to point it out. Last year the city council, and this was really a legacy that mayor katz left us, made a very tough decision in a tough budget year to put together a bonding mechanism by which we could essentially borrow money to built some affordable housing that's needed right now, because we did not have the cash we once had to build it. So there's a \$750,000 annual line item in the city's budget that will go to pay the debt service until it's paid off on \$11 million words of very low-income housing that we will build immediately. And to the people in this room, it's probably obvious, but for the viewers out there and the citizens, one of the major reasons that we have such an obvious increase in people on the streets that you see everywhere you go is a lack of affordable housing. So this will build several hundred units of very affordable housing for zero to 30% median income. Zero to 30% is city speak. It means people who have no income or very low income, so it tends to be people who are disabled, perhaps getting a disability check, or living on a very, very, very low pension, or a very, very, very low wage. Generally a part-time washer if it's a worker. For me this is the city council saying no matter what we're going to try and take care of our obligations. Without this investment by the city council, and I warn to thank my colleagues specifically, commissioner Saltzman and leonard who were part of this tough decision, it would be really sort of unreasonable for me to have brought back the homeless plan we supported. To say we're going to do a homeless plan but we don't have any money to do housing really doesn't work. In this case I think this allows us to say to the federal government, to the county, to other partners that this is so important and so baseline from mainly a human level, but also from at the other things we want to do, this has tied into everything we need to get done, that we're going to do what it takes to keep the housing production moving, and we're going to find a way -- we're a large enough city that even in the worse of times we're not going to forget this priority. So I also want to thank -- there's a lot of advocates, I see michael anderson and others who pushed hard to make this happen. Let me invite eric up to explain the mechanism and our sponsors. We're going to get this money out fast. These units are going to be built and you're going to hear that in just a second, very soon. They're underway. You've seen some of them, it's the old ramada inn by the coliseum, and other projects. So why don't you come up, and i'll stop, but this is a very exciting day for me, and I do think it's very important to recognize mayor katz's role in this. She said this is going to happen before I leave, and it did.

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Eric Johansen, Debt Manager, Office of Management and Finance: Just thought I would talk about the technical aspects of the bonds so you can get to the more interesting stuff, which is the projects. The bonds are being authorized under the state revenue bond act as well as by city ranks. Today's ordinance is the second step in a two-step process to authorize the bonds under the state act.

Upon the effective date of the ordinance, the city will be authorized to issue the bonds without further action of the council. The security of the bonds and the actual source of repayment is the -- is a general fund appropriation of \$750,000 per year for 20 years. We will issue bonds up to an amount that can be supported by that \$750,000 per year. Right now we expect that amount is about \$9.5 million roughly. Rates go up between now and the bond sale we'll be issuing less bonds, if rates go down we'll be able to issue more. Unfortunately rates are moving at the moment in the wrong direction, so we're anxious to get out there as quickly as we can and get the bonds sold.

Currently the schedule is to sell bonds probably stimulate April or early May and closing approximately two weeks after that. So we're hoping by mid May we'll be in a position to have monies available for the recipients of the funds. With that I'd be happy to answer any questions.

Sten: I want to clarify, there's a \$11 million appropriation last year, about \$1.5 million was cash and the rest is from the bond. Maybe 10 if we get a good interest rate. Margaret.

Margaret Bax, Commissioner Sten's Office: Margaret Bax. I don't really have too much more to say. I want to give an opportunity for the project sponsors who we've invited to come in today to tell you quickly who they're going to be serving and when those units are going to come online. Just as a summary, we're expecting to get about 389 units total out of this resource, and about half of those, what we're considering permanent supportive housing, which are very low-income units for folks that need the additional services that -- in what we call -- the services will wrap around those very low-income people to stabilize them in their housing, but most importantly stabilize them in their jobs and their opportunities to move on successfully through the rest of their life. So with that, it's a mix of new units and rehab units. We want to be able to get some online immediately, and I think you'll hear about that in just a second. Thanks again.

Sten: Margaret's done a terrific job. This was not an easy deal to put together, even though the council said put it together. Did you want to walk through the projects?

Bax: I'd like to just introduce them. I'll list them and they can come up and Eric and I will go back unless there's any questions. Central City Concern, Tracy Manning is here to talk about the Rose Quarter housing. Margaret van Vliet from the Housing Authority at Burnside Commons, Nick Sauvie of family housing project in Lents, Terry Silvas, and Doreen Binder from transition projects.

Sten: Come up in whatever order you like.

Nick Sauvie, Director, Rose Community Development: I'm the director of Rose Community Development, and Southeast Portland, and I want to thank the council for making this commitment for affordable housing. The project we're going to be building is called Leander Court at Southeast 122nd and Holgate. It will have 37 units of family housing and included on site is going to be on site child care, which helps take care of the kids as well as provides employment opportunity for those providers. Another part of the project as five of the units are reserved for women ex-offenders that are coming out of transitional housing and reuniting with their housing -- with their families, and that's a major issue we're trying to be proactive on, and our neighborhood. So this is going to be a very positive thing for the Lents urban renewal district, and to succeed these families and kids need a place to call home.

Potter: Thank you.

Traci Manning, Central City Concern: Tracy Manning, the housing developer for Central City Concern. We are redeveloping the Ramada Inn, which is no longer in operation, it's adjacent to the Rose Quarter arena. We are redeveloping it into 176 units of housing for people who are very low-income. Half of them will be studios and those are targeted at people who are making service wage jobs in the Lloyd district. It will help adjust the jobs and housing balance in the Lloyd district. The

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other half of the units are for people who are ready and able and willing to work but have some barriers to that, and so they'll be receiving supportive services that will keep them stabilized in their housing that will get them ready to reenter the work force, and then once they do start getting into the work force, we'll keep them stabilized in their jobs as well. Really excited about being able to do this project, and want to thank you. This is a great reason to be sitting in this seat. A couple other things I want to highlight. The planned homelessness was a partnership with Multnomah county, and Multnomah county is also a funder of this project. They have limited capital funds, but they have chosen to put \$200,000 in strategic investment program funds into this project, which they approved a couple of weeks ago. The Portland development commission made a very significant participation in this project. They spent \$5 million of tax increment financing to acquire it last year, and that has enabled this last piece of financing to get us started. We'll be under construction this fall, and would be done hopefully in fall of '06. Thank you.

Margaret VanVliet, Housing Authority of Portland: Mayor Potter, commissioners, I'm with the housing authority of Portland. On behalf of our board of commissioners and our executive director, we're very pleased for the tint to be here today and to participate in this effort towards ending homelessness. Our civic redevelopment project also known as Burnside Commons, will add 45 permanent supportive housing units within a larger project that includes 95 other general affordable rental housing units, homeownership through a condominium building next door and a retail component. We'll begin construction in May of this year, and the rental units will be online in April of 2007. H.a.p. has owned this property at 18th and Southwest Burnside for a number of years, and as we contemplated our options for dealing with the property that had clearly outlived its useful life, it became clear to us retaining some public ownership of this particular site in the central city would be critical. And both -- the inventory support of housing needed to be a key part of this project. You probably know that as the housing authority serving all of Multnomah county, we have a great deal of experience in housing difficult to house people. Like my colleagues this morning, we know what kinds of partnerships with service agencies are required to support people to be successful. This is not easy to do. But we do believe we've got the right financial and building structure and established relationships with service providers to make this work. I want to take a moment and thank the city staff that -- for their work on this bond. Everybody has really worked very hard to craft a program that works for our real estate transactions and also for the people we want living there. H.a.p.'s project has posed some special challenges. But I think we've tackled them and I want to particularly thank Eric Johanssen and the team at O.M.F. and Margaret Backs and Commissioner Sten's office for their efforts to make this happen. Thank you.

Doreen Binder, Transitions Projects: Doreen Binder, the executive director of transition projects. First, welcome. This is my first meeting where you were here, Mayor. Welcome to our world here. This is a great opportunity for us. We at Transition Projects, we work with -- as always of us do, but with the most difficult population. People coming off the streets, coming to the community service center, and asking for I.D.'s and everything else, and trying to get into shelter, get into housing. We have an opportunity where you can -- we're working with people to do housing first as they come in the front door. For those who are the more difficult ones, they're most likely having to go through a shelter for whatever period of time. They're able to stay up to four months, but we're trying to make every attempt, and again, through this plan, to shorten that length of time in which they'll be in shelter. But this last piece to our program is a great opportunity to work with people who have been on the streets for a long time to get them into housing who have tremendous barriers, unable to go anywhere else. So whether or not they're going through the shelter system or they're just coming to the front door and getting housing first at that level, I mean this, is again a great opportunity. We're going to be able to build 20 units of permanent housing for people who aren't able to go anywhere else. So we've in effect become their last reference. And when they're ready to move on, because it will be supportive housing, whether they're there for six months or a

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year, year and a half, it will be what their need is and when they're ready to move on to upwardly mobile hopefully, they'll be able to use usa as a reference. And I think this is a great opportunity. I'd like to take the opportunity to thank erik for doing. This we've worked together for a long time, and I remember the meetings at rob's house years ago when we first started talking about 10-year plans and homelessness, and I was very cynical. And hopefully you'll prove me wrong and we'll be able to do this. But thank you for this opportunity, and we should be approximately the same time line as most others, we're waiting for the money to be released and hopefully the project should be done by the fall of '06. Thank you.

Potter: Thank you.

Terry Silvis, Catholic Charities: Good morning. My name is terry silvas, i'm the director of housing for care and housing initiatives, a housing development arm of catholic charities. We've been working to serve the poor and marginalized since 1933 in Oregon. About 2000 we started developing housing and have units up and down the willamette valley, but are focusing our efforts here in Multnomah county, which is our home, our offices are across the river in southeast Portland. So hollingsworth house, my little project, is the smallest of our projects, but I think it's the first in the gate. We should acquire that in may or june of this year. I have to thank you for the timeliness of the funding, because I was approached just before you announced that there would be some funding for permanent supportable housing by an owner, a 16 units at 12th and pine called hollingsworth house. He liked the work we did and he said, i'm going to sell this, it's going to someone, do you want first disabilities. And I thought, oh. But he wants to sell within a short time frame, how do I pull public money to get to do this. And the next week you announced there was money. So it was fortuitous. Hollingsworth house has 16 units, studio and one-bedrooms. Currently at somewhat market rates, but the people that live there are very, very poor, so they are rent burdened. As soon as we purchase the house we'll be able to reduce the rent burdens of the current residents and as they grow and succeed and move from the units, we'll be able to focus our efforts on recruiting people who are currently homeless or at risk of homelessness did give them an affordable, safe place to live with wraparound resident services. I echo my colleagues' sentiments and I thank you for your time.

Potter: Is there anybody else on the list?

Moore: Michael anderson?

Michael Anderson, Community Development Network: Hello, mayor, and members of the council. I'm michael anderson from the community development network. And part of the affordable housing coalition. It's very exciting to be here today on the final stages of a bond that we all worked hard on, the community getting behind, and helping the council and then the council taking the leadership to find revenue during a very tough year. It's quite a pleasure to have a city council such as you. The morning's testimony early, protecting the rights of workers, protecting the rights of taxpayers, and now protecting the rights of the economically less fortunate to access housing are all tremendous things to which as a city we're all in gratitude to you. As we celebrate, I think we also must be very mindful that the intention of this program was as a step, as a gap measure. While we look for the longer term funding resource that's we all know we need to meet our affordable housing need. Again, the city is already a leader in this. The city's contributions to the statewide housing alliance have been very significant and I feel a great sense of optimism about the work that we've seen in salem. Just last week we had a hearing here with the revenue committee which they held a hearing on affordable housing, which that in itself is something that shows a change that I think that again, the city has a role in taking part in and supporting the housing alliance. So as we celebrate today's accomplishment, I ask us all to continue to look forward, when affordable housing now approached the city council, we said that if we could find a package of \$30 million to patch the time between our current state and when we get the long-term funding source, that we thought that would be an excellent initial step. Of course in the budget climate, very

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challenge can. We found \$11 million. That's tremendous. We're going to be challenged to find more revenue sources, be it at the state -- we know the city is suffering from some federal cuts that will put a \$1.2 million hole in the current budget going towards housing. We need to figure out how to address that. But I know with the leadership on this council, with the new leadership coming with you, mayor Potter, as well as commissioner Adams, that the city of Portland will be able to rest assured that we will find solutions to this challenge, and we will meet the needs of all our citizens. Thank you very much and congratulations.

Potter: Thank you.

Moore: That's all who signed up.

Potter: Any discussion? Karla, please call the vote.

Leonard: You --

Moore: This is a nonemergency ordinance.

Potter: Yes. It moves to a second reading.

Leonard: I had such a great speech.

Potter: We've got another couple hours before the next meeting begins. [laughter]

Leonard: I'm beginning to understand your sense of humor, mayor Potter. I'll shut up.

Saltzman: I think it's great work and commissioner Sten, the tireless advocates who appear before us, and in our offices on this matter, and this is great. It's \$11 million, it's going to be some good real affordable housing and it's going to be pretty quick. So I'm glad we were able to find this in our last budget process and bond this amount. Good work.

Leonard: I have never been known to turn down an invitation to make some remarks. Thank you, commissioner Sten, for doing that. But Michael, I appreciated you tying those dots together, because I had made a note here thinking I was going to have the opportunity to do that.

Commissioner Salem -- Saltzman and I were out last night on a hearing on the parks budget, so I drove in today somewhat in a cloud and what some people would think would make me maybe not speak so much because I'm -- my mind is a little bit clouded from lack of sleep, but I'm really -- I feel like I've just come off a one-month vacation after this morning. The council taking the vote that it did on the workers' rights, and the p.g.e. position, and as you pointed out, and this, to create affordable housing, really says a lot about the work of this city council. It is really a privilege to be here and work with these gentlemen who care so deeply about the community and put their money where their mouth is. So I really appreciate the work of commissioner Sten and I -- when I was in the legislature I had a tangential relationship with the housing community. It was somewhat removed. Since being here I've had the opportunity to work closely with rose development, and I couldn't be more impressed with the work they do. And of course housing authority and the work they do. But particularly central city concern, an organization I've known for many, many years, going back to being a young firefighter working with -- becoming more acquainted after that, professionally, I might add. And so I often refer to the central city concern which makes Richard Harris blush, as the Mother Teresa of social service agencies because they truly serve the most -- the hardest luck of folks in the community. I'm probably going on longer than I should, but that's are things I was thinking as I was sitting here and I appreciate all the work that's been done.

Potter: And I want to thank you folks who came in today. You're the heroes, and we appreciate the work you do. I think our job is to help you find the resources to do your job to help the community. And I look forward to next week when we can get this passed. Do you want to finish off?

Sten: I just want to thank the council. I agree with mayor Potter, you're the heroes doing this. I want to share one small thing, under mayor Potter's leadership this council is trying to work much more collaboratively, so we've selected several projects that once the budget is over, which we will happen eventually, we are going to -- the five of us meet on a regular basis in public and attempt to see what could happen if the five of us took on a project together and divvied things up. One of

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those things is the city side of the 10-year homeless plan. I think this is really a remarkable decision on the mayor's part to make that our priority, and I said a while back that this was going to be tough work, and I really did want to be held accountable for saying if we're going to write a homeless plan we're going to try to make it happen. And I do believe we could end homelessness if the whole community came together. And what's happened in the last two, three months is the whole council wants to be held accountable on this, so I'm very excited. I think we can do something on it, and people need an opportunity and you can't have that opportunity without a stable home. So several hundred families, individuals who will get this because of your work and it's a pleasurable able to support this.

Potter: This moves to a second reading. Please read item 182.

Item 182.

Potter: Staff, could you please come up?

Jeff Baer: This is exciting in the world of procurement. Thank you, mayor Potter and members of city council. My name is Jeff Baer, I'm the acting director for the bureau of purchases, and I'll keep this brief because I know you've had a lot to consider this morning. Just to provide some very high level background, in 2003 the legislature passed house bill 2341, and they enacted a new public contracting code with an operative date of March of 2005. And with the ordinance that you have before you today, this adopts new procurement rules and regulations in order to conform to the state of Oregon's any public contracting code and before I go a little farther on with this, I do just want to say a special thank you for the work and effort from Sue and also Jim Van Dyke, without their help this would be an even more monumental task to get this through, and with that I just want to present this opportunity to adopt these new rules that will provide us and repeal the current city code 5.33, then also to readopt in the new 5.33, which will follow the -- which relates to the purchase of goods and services, and not professional type services, and also adopts city code 5.34, which relates to public improvements. And these were all put together in consultation with the city attorney's office and also with other local governments, and they really implement the changes that were approved by the 2003 legislative session. So with that, I will stop there and address any questions you might have pertaining to these -- any questioning you might have on the new procurement rules.

Saltzman: Does this allow us to do the strategic sourcing?

Baer: It does. It will continue to allow us to do the strategic sourcing program, which was a program we approved last year, which looks at very specific commodities to allow us to get best value for those procurements, yes.

Saltzman: Are there any changes to sole source procurements?

Baer: The sole source procurements we have adopted in this rule a requirement that we publish a notice of intent to purchase from a sole source if it's intended to be in excess of \$50,000 so that we would publicize publicly on the bureau of purchases purchase's website our intent to buy a sole source product.

Saltzman: That would be -- you would publish your intent to buy the product and from whom?

Baer: Yes.

Saltzman: And then what happens if somebody sees that notice and says, I can provide that same thing?

Baer: They can protest our intent to award, then we would review them to make sure they really truly could buy that -- offer that same product.

Saltzman: If they could at a lesser price, you would --

Baer: We would consider that at that time. Because then it might not meet the requirements of being a sole source.

Saltzman: You would then -- so if enough people stepped forward and said, we could do this, provide this same good at the same or lesser price you would turn it into --

Baer: A competitive process.

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Saltzman: A competitive bid, ok.

Potter: Any other questions? I just wanted to ask you quickly, is this -- does this simplify the process? I'm concerned about how our citizens will be able to work within these new policies and rules.

Baer: It does -- it splits it off into two separate codes into 5.33 and 5.34, so I think it will simplify to understand what the rules are in regard to the purchase of just general goods and commodities so that it's very clear and understandable that that process relates to how we procure that. And also separates the public improvement and construction contracts into a separate code, so I think in that light it does make it clearer, more understandable.

Potter: Ok. Other questions? Thank you. Karla, is there anyone signed up to testify?

Moore: No one's signed up.

Potter: Council ready to take a vote?

Leonard: Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: I just want to thank all the folks in the city who worked on this. It's a very difficult project, and it doesn't get quite the attention some of the other things do, but it helps our city run better and I appreciate it. Thank you. Aye. [gavel pounded] item 183.

Potter: Staff?

Item 183.

Steve Planchon, Manager, Right of Way Acquisitions: Good morning. My name is Steve, I'm the manager of the right of way acquisitions group at pdot. With me I have Jean, who is the project manager of this project, and also in the audience Dee Walker, with our group, who will be working as the lead on the acquisition effort. And we're here today, this is what we consider to be within our group a procedural matter with the full understanding that the property owner sometimes considers it otherwise. The word "condemnation" is not a happy or friendly word. In this particular project, I should back up. The procedural process is required, this is a federally funded project. It's passing through pdot. It's a project that the community desires, and has worked with pdot to design and move forward with and supports fully. We're required by regulatory process, to put the ordinance in place before we get into the final negotiations if, for instance, somebody doesn't agree with the project and does not want to have their interest acquired for the temporary easement or the full easement, or, which is most likely to be the case in this project, if we can't find somebody, if we can't locate a property owner and the project manager and the construction manager needs to put in the forms to pour the cement to match the property owner's sidewalk to the city sidewalk or the property owner's improvements to the city's improvements, we need to do that, and the best interest of the property owner and the public, and that allows us to do it through condemnation, and then the money goes to the property owner. That's most likely going to be the only time it's used here, if it's used. The likelihood it's going to be used is very small. Anything else?

Saltzman: If you don't know who the property owner is, how do you get the money to them?

Planchon: It's not that we don't know who the property owner is, it's that we can't locate the property owner. We have all the records on the property, who the owners are, what their mailing address is. But it could be that they're on vacation for three months, can't find them.

Ben Walters, Sr. Deputy City Attorney: If I understand, the lawsuit would be commenced and then the monies would be deposited in the court. And then the court would actually hold on to those funds and eventually if no one ever claimed them, they would be reverted to the state. This is not a problem we run into often, but it does happen.

Saltzman: This is for sidewalk -- I didn't mean to interrupt. Go ahead.

*******:** We're very informal here. The areas, I think it would be helpful for you to have a sense of the scale of the areas we're talking about. Essentially as Steve described, it's so we can build the sidewalk improvements essentially curb extension and new curb ramps at corners, and it's more -- the reason to need these is to in some cases we have to access someone's property in order to set up

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our form work so the sidewalk, when we walk away, our goal is to have it look as good or better than it did when we first showed up. So the areas of these are all relatively small strips of land. This isn't an ordinance about taking someone's building or eliminating someone's access. It's really more construction-related or in the cases of the few dedications that we have, they're areas that are already fewer -- if you were to be out there today they look like sidewalk and function like sidewalk, we just want to make sure we have the right amount of run as we've designed some new curb ramps to meet a.d.a. standards that all of that area that's needed for that curb ramp is now dedicated to the public right of way. If that happens answer that for you.

Saltzman: Have the property owners already been note identified of this?

*******:** Yeah. Yes, last week notices went out for the easements for the temporary construction easements. And we've been hearing from just a few folks back. They have 40 days to respond to our request, and we'll hear -- be hearing back from those folks in that time for the street dedications there's about six or seven, and those we expect to go out in the mail next week. And they'll have the same time frame to respond to our initial request with a 40-daytime line. After that, and then it's our intent this ordinance would be in effect once that 40-day period has passed, and then this will allow us to go into negotiations as steve has said, it's really not our intent to use this cool. We don't want to have to use it, but it's a safeguard for us so that we can move the project forward if we need to and get the project built and done on time.

Potter: Any other questions? Thank you.

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

Potter: And thank you for the good job you do. We appreciate it. Karla?

Moore: Nobody signed up.

Potter: Ready to take a vote?

Moore: This is nonemergency.

Potter: Oh, first reading. That's right. Ok. Karla, please read item 184.

Item 184.

Potter: Anybody staff -- ok. Are we familiar with this particular project well enough to vote on it without any staff -- it's accepting money. That's always a good thing.

Sten: I'm willing to gamble.

Leonard: I'm for taking money.

Potter: Please call the roll. This is an emergency vote.

Leonard: Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] number 185. Second reading.

Item 185.

Potter: This is a second reading. Please call the roll.

Leonard: Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] just wanted to thank this young man here that sat through our entire presentation of the council this morning, both of you guys. And I really enjoyed the poem you wrote for us. Thank you very much.

*******:** Via couple more things i'd like to show you.

Potter: Just as soon as we close the council.

*******:** All right.

Potter: This is our last item for the morning. We'll recess until 2:00 p.m. This afternoon. [gavel pounded]

At 12:00 p.m., Council recessed.

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Potter: Council will come to order. Call the roll.

[Roll]

Potter: Karla, please read the item

Item 186.

Potter: We are going to hold this over until March 30th. Did you have anything to add? Part of it is based on the fact that our folks are still meeting with the groups out there. This was the agreement that we would wait until March 30th. This is the last item for today so we are adjourned until next week.

Kathryn Beaumont, Sr. Deputy City Attorney: Continued to March 30th at 2:00 pm time certain.

At 2:06 p.m., Council adjourned.