



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6TH DAY OF JULY, 2005** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard, Saltzman and Sten, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Harry Auerbach, Chief Deputy City Attorney; and Al Rider Sergeant at Arms.

**Motion to elect Commissioner Adams President of the Council:** Moved by Commissioner Leonard and seconded by Commissioner Sten. (Y-5)

Items No. 728, 729, 730 and 737 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>725</b> Request of Paul Phillips to address Council regarding wheels of justice and blindness (Communication)		<b>PLACED ON FILE</b>
<b>726</b> Request of Freedom Child to address Council regarding issues with the Police (Communication)		<b>PLACED ON FILE</b>
<b>727</b> Request of Absolom Tamar Stiletto to address Council regarding Dr. Martin Luther King, Jr. (Communication)		<b>PLACED ON FILE</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>		
<b>Mayor Tom Potter</b>		
<b>Office of Management and Finance - Risk</b>		
<b>*728</b> Pay claim of Janelle Phillips (Ordinance) (Y-5)		<b>179402</b>
<b>Police Bureau</b>		
<b>*729</b> Apply for a grant from the U.S. Department of Justice, Office of Community Oriented Policing Services under the FY 2005 Interoperable Communications Technology program (Ordinance) (Y-5)		<b>179403</b>

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<b>*730</b>	Amend contract with Li'l Rookies to extend contract and increase compensation for day care services (Ordinance; amend Contract No. 35342)  (Y-5)	<b>179404</b>
<b>Commissioner Sam Adams</b>		
<b>Office of Transportation</b>		
<b>731</b>	Grant revocable permit to Oba Restaurant to close NW Hoyt Street between 12th and 13th Avenues on August 18, 2005 (Ordinance)	<b>PASSED TO SECOND READING JULY 13, 2005 AT 9:30 AM</b>
<b>732</b>	Grant revocable permit to NECN/Historic Mississippi Business Association to close N Mississippi Street between N Fremont and N Skidmore Streets on August 13, 2005 (Second Reading Agenda 715)  (Y-5)	<b>179387</b>
<b>733</b>	Grant revocable permit to 220 Salon to close SW Ankeny Street between 2nd and 3rd Avenues on August 13, 2005 through August 14, 2005 (Second Reading Agenda 716)  (Y-5)	<b>179388</b>
<b>734</b>	Approve Intergovernmental Agreement with the Oregon Department of Transportation to reconstruct the traffic signals on NE Sandy from 16th to 33rd Avenue (Second Reading Agenda 717)  (Y-5)	<b>179389</b>
<b>Commissioner Randy Leonard</b>		
<b>Water Bureau</b>		
<b>*735</b>	Accept assets from the former Powell Valley Road Water District (Ordinance)  (Y-5)	<b>179390</b>
<b>*736</b>	Accept deeds for 10 parcels of property to be transferred from Powell Valley Road Water District to Bureau of Water Works (Ordinance)  (Y-5)	<b>179391</b>
<b>Commissioner Erik Sten</b>		
<b>Bureau of Housing and Community Development</b>		
<b>*737</b>	Amend contract with Carlson Communications by an additional of \$5,000 for a total of \$15,000 for event planning and publicity for the 10-year plan to end homelessness and provide for payment (Ordinance; amend Contract No. 35595)  (Y-5)	<b>179405</b>
<b>Fire and Rescue</b>		

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<b>738</b> Authorize Intergovernmental Agreement with Tualatin Valley Fire & Rescue for occupational health nurse services (Second Reading Agenda 709) (Y-5)	<b>179392</b>
<b>City Auditor Gary Blackmer</b>	
<b>*739</b> Assess property for system development charge contracts (Ordinance; Z0753, T0087, K0077, T0089) (Y-5)	<b>179393</b>
<b>REGULAR AGENDA</b>	
<b>740</b> Accept bid of K & R Plumbing, Co. Inc. for the SW Pendleton Street & SW 45 <sup>th</sup> Avenue Sewer Rehabilitation Project for \$545,288 (Purchasing Report; Bid No. 104094) <b>Motion to accept the Report:</b> Moved by Commissioner Leonard and seconded by Commissioner Saltzman. (Y-5)	<b>ACCEPTED PREPARE CONTRACT</b>
<b>Mayor Tom Potter</b>	
<b>741</b> Reappoint Loren Lutzenhiser, Paulette Rossi and John Tyler to the Portland Utility Review Board (Report) (Y-5)	<b>CONFIRMED</b>
<b>Office of Emergency Management</b>	
<b>*742</b> Accept an Office of Domestic Preparedness FY 2005 Urban Area Security Initiative Grant to plan for terrorism events through training and equipping First Responders (Ordinance) (Y-5)	<b>179394</b>
<b>*743</b> Amend Intergovernmental Agreement with Multnomah County, Oregon to extend the time period for the distribution of equipment, supplies and services procured as a result of Urban Area Security Initiative Grants (Ordinance; amend Contract No. 52304) (Y-5)	<b>179395</b>
<b>*744</b> Amend Intergovernmental Agreement with Washington County, Oregon to extend the time period for the distribution of equipment, supplies and services procured as a result of Urban Area Security Initiative Grants (Ordinance; amend Contract No. 52305) (Y-5)	<b>179396</b>
<b>*745</b> Amend Intergovernmental Agreement with Clackamas County, Oregon to extend the time period for the distribution of equipment, supplies and services procured as a result of Urban Area Security Initiative Grants (Ordinance; amend Contract No. 52306) (Y-5)	<b>179397</b>

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<b>*746</b> Amend Intergovernmental Agreement with Clark County, Washington to extend the time period for the distribution of equipment, supplies and services procured as a result of Urban Area Security Initiative Grants (Ordinance; amend Contract No. 52307)  (Y-5)	<b>179398</b>
<b>Office of Management and Finance – Bureau of General Services</b>  <b>*747</b> Increase the short-term parking rate for City-owned public parking garages, SmartPark, effective no sooner than January 1, 2006 and direct Bureau of General Services to work with validators and other stakeholders to revise the validation program (Ordinance)  (Y-5)	<b>179399</b>
<b>Office of Management and Finance - Purchasing</b>  <b>748</b> Authorize contract with Gateway Companies, Inc. for an annual price agreement for desktop and notebook computer systems (Ordinance)	<b>PASSED TO SECOND READING JULY 13, 2005 AT 9:30 AM</b>
<b>Commissioner Sam Adams</b>  <b>Bureau Environmental Services</b>  <b>*749</b> Authorize contract with Jacobs Associates and provide for payment for supplementary construction management services to the East Side Combined Sewer Overflow tunnel, shafts, pipelines and appurtenant structures, Project No. 5516 (Ordinance)	<b>CONTINUED TO JULY 13, 2005 AT 9:30 AM</b>
<b>*750</b> Accept a grant from the Oregon Watershed Enhancement Board in the amount of \$40,000 to deliver fifty minute assemblies, CDs, teacher curriculum packets and field trips to audiences of K-2 and 3-5th graders in Portland Public Schools, David Douglas Schools, Parkrose School District and Centennial School District (Ordinance)  (Y-5)	<b>179400</b>
<b>*751</b> Accept a grant from the U.S. Environmental Protection Agency in the amount of \$288,000 to explore use of market forces to implement sustainable stormwater management (Ordinance)  (Y-5)	<b>179401</b>

At 10:43 a.m., Council recessed.

**JULY 6, 2005**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON  
WAS HELD THIS **6TH DAY OF JULY, 2005** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard,  
Saltzman and Sten, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees,  
Deputy City Attorney; and Al Rider, Sergeant at Arms.

<b>752</b> <b>TIME CERTAIN: 2:00 PM</b> - Revise City Office of Neighborhood Involvement policies and rules (Ordinance introduced by Mayor Potter; replace Code Chapter 3.96)	<b>Disposition:</b>  <b>PASSED TO SECOND READING JULY 13, 2005 AT 9:30 AM</b>
<b>753</b> Adopt revised Standards for Neighborhood Associations, District Coalitions, Business District Associations and the Office of Neighborhood Involvement (Resolution introduced by Mayor Potter)  <b>Motion to accept amendment to remove the word ‘initiative’ from Section IV 2.a.iii. from Exhibit A and correct Exhibit B in the eighth paragraph to read Exhibit A of the Resolution:</b> Moved by Commissioner Leonard and seconded by Commissioner Adams. (Y-5)	<b>CONTINUED TO JULY 13, 2005 AT 9:30 AM AS AMENDED</b>
<b>REGULAR AGENDA</b>  <b>Mayor Tom Potter</b>  <b>Office of Management and Finance – Bond Counsel</b>  <b>754</b> Authorize revenue bonds to finance acquisition of electric system property (Second Reading Agenda 724)  (Y-5)	<b>179406</b>

At 3:28 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.

**JULY 6, 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.

**JULY 6, 2005            9:30 AM**

**Potter:** Nick, could you come up and talk with us? Nick, who brought you this morning?

\*\*\*\*\*: My mom is lise glancy.

**Potter:** And where does your mom work?

\*\*\*\*\*: At the port of Portland.

**Potter:** That's right. Ok, nick, thank you for being here. And could you go ahead and begin?

**Nick Fernandes:** Ok. I'm nick fernandes, and I live in northeast Portland and go to west sylvan middle school. I'm going to be in seventh grade next year. And as part of student council in the sixth grade year, and it was a good learning experience and helped me think about ways to make my school a better place. I think Portland should try and preserve forest park and other parks. I hope that the big pipe project will keep the willamette river clean. We all need the work to keep the environment healthy. Portland schools need more money so we can have music and physical education. This year it had only half a year of p.e. Having a full-time p.e. teacher would help kids stay in shape and fight obesity. The Portland streetcar is a great system of free transportation. My only complaint is that there are very streetcars. There should be more. And I think Portland's a great city.

**Potter:** Thank you, nick. How come your school only has part-time p.e. teacher?

**Fernandes:** I don't -- I think they don't have the budget to have a full-time p.e. teacher.

**Potter:** And does that mean that fewer children are actually involved with physical education?

**Fernandes:** Yes.

**Potter:** Oh, ok. Any other questions from the council? Thank you very much, nick. You did a good job. Nick said he was nervous, but I think he did a good job. Didn't he? [applause] [gavel pounded] the city council of Portland will come to order. Karla, please call the roll. [roll call taken] [inaudible]

**Potter:** It was a decision made by the council while you were gone, commissioner Leonard. It's broke.

**Adams:** You really are. [laughter]

**Moore:** Is it on? Speak into it. It's not muted.

**Potter:** Ok. Well, the plan worked. [laughter] before we begin the regular agenda, we need to elect the next president of the council. The president of the council sits in that position for six months. Commissioner Leonard just finished that. And I want to thank him for doing such a great job, because in the absence of the mayor the president of the council conducts the council session and acts in lieu of the mayor if they're out of town. So before we start the -- and goes in rotation by the commission number. Each commissioner is assigned a number. And so it's commissioner Adams' turn. I need a motion to elect him president of the council.

**Leonard:** So moved.

**Sten:** Second.

**Potter:** As soon as we get our new electrical system working we'll move on with the vote.

**Adams:** It's still under warranty, isn't it?

**Moore:** Trying to get a mike.

**Potter:** Karla, please call the vote.

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

**Potter:** Aye. [gavel pounded] that's the official transfer of power. In many democratic countries it's works really well, and it's works ok here in Portland, so --

**Adams:** Thank you very much.

**Potter:** Ok. Karla, let's hear the communications. Please read item 725.

**Item 725:**

**Potter:** Thank you for being here, mr. Philips. You have three minutes. Please state your name when you testify.

**Paul Phillips:** Yes. I'm paul philips. I'll read this the - that you have before you from david slader, trial lawyers and professional corporation, october 12, 2004. Dear mr. Philips, i'm returning the documents that you left for david slader to review. Please be advised that he's not taking any new clients. He has not reviewed your paperwork and has not been retained by you. Please contact the Oregon bar referral service for the name of a lawyer to assist you in your potential claim. Very truly yours, senior litigation paralegal, david slader. I've been trying to contact attorneys or lawyers, practicing law for the last almost 24 years, and I guess the wheels of justice is either going at a fast rate of speed or it's dead. As i've explained to you before, i'm legally blind. I've provided documentation to it. The document failed to mention that I have five other siblings in my family. 2200 is an international standard of legal blindness, and they're all legally blind. And apparently it's the largest group of known blind people in the united states with six members in the same family. There's some 500,000 blind people, 5400 in the state of Oregon, and it's surprising how many people i've met that's deaf, dumb and blind. And I had to face a court, turning myself in to pendleton police officer, to even get legal blindness for disability. Not because my vision wasn't 2200, it's just that I wasn't able to get from the social security disability determination service a disability for blindness. John banner had a saying, the sergeant on colonel "hogan's here heroes," I see nothing, I hear nothing, I know nothing. Thank you.

**Potter:** Thank you, mr. Philips.

**Phillips:** I was wondering if you'd consider my request from last week where I asked how much the city employees get for health benefits, the cost to the taxpayer.

**Potter:** We haven't done that.

**Phillips:** Thank you.

**Potter:** Thank you. Do you have someone who can help you on the internet? Do you have enough sight to check the internet out? Because you can go to Portland online and get some information there, or at least a name to call to get the information.

**Phillips:** Oh. Who --

**Potter:** What is their information number here in the city? 823- 503-823-4000.

**Phillips:** Thank you.

**Potter:** You bet, sir. Karla.

**Item 726.**

**Potter:** Thank you for being here. Please state your name when you testify and you have three minutes.

**Freedom Child:** I'm freedom child. I live in st. Johns. The last time I appeared before the city council, mayor Potter in his capacity as the police commissioner, was kind enough to extend an apology to me on behalf of the police bureau. At the time I was completely caught off-guard by this gesture, and was perhaps less than gracious in understanding and accepting that apology. But later on in the day, when I had a chance to reflect on that, I was able to comprehend the meaning and magnanimity of that apology, and I would like to say, mayor Potter, how much that meant to me and the inner peace and emotional comfort that brought to my soul. I thank you for that and accept the apology you have offered on behalf of the good men and women officers of the police bureau. However, i'm going to continue to share my experience with the city council, because I want you to

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understand that the two officers who did these things to me left behind a wake of chaos and emotional strife in my life that's consumed large quantities of my life, energy, and limited finances these past nearly two years. While so far they have walked away with yet having to be accountable for their wrongful behavior, their intentional falsification of police reports or their perjured testimony at my criminal trial, so while you may yet have to listen to my story in three-minute increments, that's a far easier ordeal than the one I experienced. So continuing here, two days after I was arrested, my right wrist was still sore and swollen from where the handcuff had been digging into my wrist bone. I went to the emergency room at emanuel hospital to have my wrist examined. I was told I had a wrist contusion and given a wrist splint to wear. My wrist continued to hurt for another week. I did not have medical insurance and had to pay the \$600 hospital bill out of my own pocket over the course of many months during a time when I did not have a job and had very little extra money to shell out for expenses incurred as a result of a senseless police abuse. On september 3, 2003, I attended an arraignment where I was informed the d.a. had reduced the interfering with the police officer charge from a misdemeanor to an infraction. I immediately understood that the only reason the d.a. was acting so magnanimously was to spare the state the expense and resource of having to provide me with a jury trial and a public defender, or having to tie up a state prosecutor. Completely confident of my own innocence and eventual victory, I informed the judge I did not want my charges to be reduced, that if I had done something so egregious that the police found it necessary to arrest me, that I wanted the interfering charge to remain as a misdemeanor and given an opportunity to present my case to a jury of citizens.

**Potter:** Thank you. Karla?

**Item 727.**

**Potter:** Please state your name.

**Absolom Tamar Stiletto:** My name the moses, of the mexican people.

**Potter:** You have three minutes.

**Stiletto:** Now, greetings, good morning. I am the prophet, i'm king david's son. The king james version bible is the purist form bible on earth. Marijuana is the truth and brain of food of knowledge. It's good as selling your soul to satan. The united states of babylon reincarnated and shall be destroyed in a cascade, executed by the world community, as well as the entire caribbean, the afghan/mongolian region, southeast of ukraine russia are the only lands authorized by god to be destroyed. Nuclear is the only chisel to carve out peace for tomorrows for the rest of the world. It's me and any blonde girl of my choice, 16 to 21 years old, as is christ's choice as well. My prophecy is real. We all heard god say that. My prophecy is real. Send my prophet on his way. Portland airport, destination, australia. Repent, for the kingdom of heaven is at hand. In january, me and my girl will be flown to australia out of Portland international. When the plane lifts, los angeles will then be destroyed. When our plane lands, the entire united states of america, the entire caribbean area, the afghan mongolian region, south russia will be destroyed. Portland, Oregon, is the region. An aborigine of a tribe is to be the australian prime minister. I will have a position in the australian government. After we're done witnessing that in australia, we will fly to jerusalem, israel. I will be crucified by the beast. Second witness will fall dead by the lord's power. We will not be afraid for the holy spirit will not allow it. With my dying breath, i'm to beg the jews to believe in christ. I will not feel the nails. The return of christ to earth is 8-9-13. The president of the united states of america has been anointed by god the father, the holy spirit, as a chosen one to lead us to the pearly gates of heaven. America's true man of destiny is to spread the message of christ to the world using my natural resources and my land, america. God gave it to me, this land. And i'll gave it back to canaan's children when the time comes. America's true man of destiny is spreading the message of christ and catalyzing the rapture. America is committed to sacrifice at whatever the price and the sacrifice of these lands as I specified. Gentlemen, what a glorious morning this is. Good day.

**Moore:** That's all for the communications.



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**Potter:** Ok. We'll go to the consent agenda. Do any commissioners want to pull any items from the consent agenda? Does anybody in the audience wish to pull an item from the consent agenda? A citizen has requested four items be pulled from the consent for discussion. We'll hear these after the regular agenda. We'll now vote on the regular agenda.

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

**Potter:** Aye. There are no time certain. We'll move to the regular agenda. Karla, please read item 740.

**Item 740.**

**Jeff Baer:** Good morning, mayor Potter. Members of city council. I'm Jeff Baer the acting director for the bureau of purchases. And before you is a purchasing agent report to approve the award of a contract for the repair of sewer rehabilitation project for southwest pendleton and 45th avenue to k&r plumbing, and with their bid they have 5% participation of minority women and emerging small businesses as part of their subcontracting portion of that. With that, it's a straightforward purchasing report. The ordinance was approved back in May, and this is a follow-up of our process and request approval to award the contract to k&r.

**Potter:** Any questions from council?

**Adams:** Umm, I want to thank you for getting dangerously close to the kind of information that I think is useful for the record in terms of m.w.s.b, but if you could break out whether the utilization is m.w. and/or e.s.b in your transmittal memo I would be grateful.

**Baer:** I will do that for future ones. For this pic 1, there was 3.9% for minority business enterprise, and 1.1%. That's how it totals 55%.

**Potter:** Is there anyone who wishes to testify on this matter? Can I have a motion to accept report?

**Leonard:** So moved.

**Saltzman:** Second.

**Potter:** Karla, please call the roll.

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

**Potter:** Aye. [gavel pounded] Karla, please read item 741.

**Item 741.**

**Potter:** Are the folks here for reappointment? Well, for the council's information, Loren, John and Paulette are current members of Purb. Loren is a professor at P.S.U. John has environmental experience both as a professional and as a volunteer for other habitat and fish groups. And Paulette is a longtime member of our community and represents East Portland. Any questions from the council? Ok. We'll have a vote.

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

**Potter:** Aye. [gavel pounded] Karla, please read item 742. It's an emergency ordinance. The fire bureau will please come forward.

**Item 742.**

**Dave Sprando:** Mr. Mayor, commissioners, I'm Dave Spando the fire chief, Portland fire and rescue. And with me is deputy chief Mike McGuire who I've assigned to the office of emergency management, and Mike is overseeing day-to-day operations. At this point I'm the interim director of Poem at the mayor's direction. We're here to ask for the council's approval on accepting the -- the 2005 grant. On February 23, 2005, council authorized Poem to apply for urban area security initiative program funds on behalf of the Portland region. That includes the city of Portland, counties of Multnomah county, Clackamas, Clark, Washington and Columbia counties. On May 27 of 2005, state of Oregon on behalf of the federal office of domestic preparedness approved 2005 regional grant award of \$10.39 million. That actually follows the 2003 grant, which was \$6.1 million and the 2004 grant of \$8.1 million. Thanks to a cooperative effort from a number of individuals -- and I'll mention some that are here in chambers today -- since we're catching up on some things here, some other folks have offered to be here in case there's questions from the

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council, that includes scott porter, who's director of emergency management for Washington county, dr. Oxman and dr. Ju from public health. Carl simpson, director of boec, who's also involved with resemble interoperable operations. We also have rachel jackie from the poem office involved with the citizen corps, and also sara liggett from poem. I'm going to turn it over to chief mcguire to discuss a little bit how the grant was put together and how the pieces fit.

\*\*\*\*\*: Good morning. I'd just like to add that the grant allows continuation of the 2003 and 2004 efforts to --

**Potter:** Could you state your name for the record, please?

**Michael McGuire:** I'm sorry. Michael mcguire, deputy chief, Portland fire and rescue.

**Potter:** Thank you.

**McGuire:** Again, i'd like to add that the grant allows a continuation of the 2003 and 2004 efforts of our regional partners to train, equip and prepare our community for an event. The five counties, Washington, Multnomah county, clackamas, clark and columbia county represent the various disciplines of law enforcement, fire, water, public works, public health, transportation, and community groups as well as emergency management. And these groups have worked together through the working chairs to ensure that this grant meets the needs of our regional area. And my communications through our regional partners, we both recommend the ossy urban members and poem recommend this ordinance be approved. I'd do my best to answer questions you that you do have. Again, we do have our regional partners here to help address some of those questions.

**Potter:** Questions? Thank you, folks.

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

**Potter:** Could scott porter and dr. Oxman come up?

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

**Potter:** Good morning, scott. Thank you for being here. We want to make sure we continue our relationship with the other jurisdictions in the area. And we're very pleased that you're here to testify on behalf of this.

\*\*\*\*\*: Thank you, mayor.

**Potter:** Would you like to make a statement?

**Scott Porter:** I would just add that my name is scott porter, the emergency management director for Washington county. I'll just echo the comments that were made by the chiefs. Regionally we've been working together for several years now in the management of the urban area security initiative grants, and we've had a good working relationship. We look forward to the changes that are taking place now. And continuing that relationship. We certainly, in our county, and I believe in the region as well, are very supportive of your accepting the ordinance this morning, accepting the fiscal 2005 grant, and allowing us to disperse the money throughout the region to improve our readiness across all disciplines.

**Potter:** Thank you for being here.

**Dr. Gary Oxman:** Dr. Gary Oxman, health officer with Multnomah county. The hat I wear today is as an executive responsible for the multicounty planning effort. We've been working with the city of Portland and all the jurisdictions in the metropolitan area for the past several years, really echoing what scott said, to integrate health preparedness planning into the general emergency management system. And we really see the grant as a continued step in that direction. We're highly supportive of the grant and urge your approval.

**Potter:** Thank you both. Any questions of the folks? Thank you both for being here.

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

**Potter:** Is there anyone signed up to testify on this issue?

**Moore:** No one signed up.

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**Potter:** Is there anybody here who wishes to testify who didn't sign up? Ok. I ask for a motion to -- actually, does council have any further questions? I think we're ready to vote. Could we take a roll call, please.

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

**Potter:** Aye. [gavel pounded] thank you, folks. Thank you very much. Really appreciate the fire bureau stepping in. Chief, both you and chief mcguire, have done a great job. We appreciate that. Thank you. And thank you to rachel jackie for being such a great support. Thank you. Ok. We will read items 743, 744, 745, and 746. Emergency votes, all intergovernmental grants to distribute the services. Chief, do you want to come up and explain what we're doing here?

**Items 743, 744, 745 and 746.**

**Potter:** Yes, please.

**Dave Sprando, Fire Chief:** Dave Sprando, fire and rescue. These i.g.a.'s essentially allow the grant to be administered to the other counties. Portland is the responsible party for administering the grant overall. This is essentially a method that allows what's been going on through the other grants for us to distribute equipment, accept payment for equipment. It also specifies some -- some requirements of the counties in dealing with the city. So it's essentially an administrative piece that allows Portland to go on what's it's been doing, as far as getting the equipment, getting paid, getting it distributed and so on. There is one item that I will mention. Columbia county, there will be an i.g.a. for columbia county, since they are a -- a partner in the uasi grant. Their particular i.g.a., it was not ready yet from them. So we will be coming back in the future for an i.g.a. specific to columbia county. And chief mcguire is here if you have additional questions.

**Potter:** Any further questions? Thank you, folks.

**\*\*\*\*\*:** You bet.

**Potter:** Now we'll call the vote.

**Item 743.**

**Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sen:** Good work. Aye.

**Potter:** Aye. [gavel pounded]

**Item 744.**

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

**Potter:** Aye. [gavel pounded]

**Item 745.**

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

**Potter:** Aye. [gavel pounded]

**Item 746.**

**Adams:** On the last acceptance, I wanted to chime in and say thank you, chief, and your team, and the team across the region for all your good work in this area. We depend on you. Aye.

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

**Potter:** I would also like to thank the fire bureau, but i'd also like to extend to our regional partners our sincere desire to continue the good work we have been doing, to ensure that our emergency preparedness in the Portland region is as sharp as it can be, and I look forward to working with all of you and ensuring that. Aye. [gavel pounded] would you please read item 747.

**Item 747.**

**Ron Bergman:** Mayor Potter, members of the council, ron bergman, general services director. The item before you is to make a short-term rate increase for smart park. The last rate increase was effective february of 1998. So it's been a number of years since we have had a rate increase. The garage fund has been suffering some financial issues because of the downturn in the economy and just the growth of expenses over time since the last rate increase, and it is time for trying to buy back some of the cuts that have been made in the service level of the garages, particularly in the area of security and janitorial work, there are a number of deferred capital projects that we've had to

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do in order to keep the fund in balance, and we'd like to make those improvements that include elevator upgrades, restriping, lighting improvements, interior painting, graphics, wayfinding, and then we have a number of operational issues that we're working on, the introduction of smart cards, pay on foot technology, what have you. Those are the improvements we've been making. One of the things that's been requested is changes in the validation program. That has proven to be a difficult issue with all of the stakeholders and what we'd like is a little time and direction from you to work with them in terms of finding a resolution to that issue.

**Potter:** Any questions from the council?

**Saltzman:** A couple.

**Potter:** Yes.

**Saltzman:** Could you explain the validation changes that you're making here?

**Bergman:** We're not actually making any validation changes. In the process of discussing the rate increase with the retailers, they had an interest in moving to a rate-based validation rather than a time-based validation.

**Saltzman:** Meaning what?

**Bergman:** Right now you get validated for two hours, wherever you park. They wanted to change it to a rate base that would be, you know, \$2.50 for two hours wherever you park. But there's been a pushback from other stakeholders in that process. Certain building owners that have -- operate the validation program offices and parking operators have concerns about that change. So we need to work through with all the stakeholders, what some common ground might be.

**Saltzman:** And you started out by saying short-term rate increase. This is -- you're talking about an increase in short-term rates, but this increase is not short-term.

**Bergman:** That's correct.

**Saltzman:** This increase is here forever, as far as we know. I guess given that --

**Adams:** Touché.

**Saltzman:** -- one of the problems we're having with our smart park garages is getting cars in there for short-term, I believe, is part of our deficit issue -- not our deficit, but part of our revenue issues from the smart park garages is the lack of short-term parkers. Is that --

**Bergman:** Well, it's just a lack of parkers generally. Where the drop occurred, basically occurred from our all-day parkers in the garages. We weren't getting -- because of the downturn in the employment downtown is really where the issue came from. We managed the capacity of the garages by our all-day rate rather than the short-term or long-term rate. So we fluctuate that time. The short-term rate hasn't had all that much change over the years.

**Saltzman:** Given that our meters have now gone to \$1.25 an hour --

**Bergman:** That's correct.

**Saltzman:** -- would it not get more cars into our garages if we kept our smart park garages at 95 cents an hour?

**Bergman:** Well, we'll actually be able to --

**Saltzman:** Wouldn't that produce a price effect that would encourage people to park in our garages rather than the meters?

**Bergman:** That is something that actually we've never testified very well. The plan here is to have the rate increase be effective in January. Our expectation is we're still at the bottom of the price range for short-term parking at the 95 or at the \$1.25. And we don't expect much disruption in the parking market. People that park on the street typically park there because they're going to find a place within a block of where they want to actually be.

**Saltzman:** We've never tried to test this or quantify it?

**Bergman:** We've not actually tested it.

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**Saltzman:** The behavior. I guess it would be interesting, I think, to see what happens before we actually activate this. Is this ordinance before us actually activating the January 1, 2006 effective date?

**Bergman:** Approximately January 1. We need to work with, again, the retailers and our marketing campaign in terms of the change so that, you know, people are fully informed about it when it actually happens. It will be approximately January 1.

**Saltzman:** I guess just as one person, I'd be interested to know what kind of behavioral patterns we may observe in the six-month interim. I guess, you know, we're not saying don't go ahead and implement it, but it would be interesting to see.

**Bergman:** We can certainly report that to you.

**Potter:** Other questions?

**Adams:** Well, I hope this is the appropriate opportunity. My opponent during my city council race, Nick Fish, raised an issue that I thought was a good one related to the validation, and it had to do with giving bus tickets or transit tickets in lieu of validating. Could you tell us -- and Nordstrom at one time did it, and I think it's been a number of years, though. Can you tell me what your knowledge of that particular item is and if there are opportunities to resurrect it if it indeed did go away?

**Bergman:** Let me just give you a little background on the validation program. The validation program is not just a smart park validation program. It's a downtownwide validation program that was really -- had its genesis out of the old A.P.P. Organization in terms -- so that it covers all of downtown, all parking lots, and any downtown business that wants to participate in it. So they set up a series of rules that set up this two hours free park with a \$25 purchase or transaction. Then the validator stamps the back of the ticket for two hours worth of parking. The retailers have resisted expanding that validation to either onstreet parking or transit. A number of retailers and businesses have done those expansions on their own, not part of the program. It takes a -- kind of a large consensus of groups to kind of master the whole program to make changes. And that's kind of the issue that we're running into now with the request of the retailers to look at this rate base when other folks have interests in keeping the program the way it is. The retailers are concerned about expanding their costs, so if they're now validating for parking in structures they'd see adding transit as an added cost as opposed to a replacement cost. They see adding onstreet parking validation as an added cost rather than a replacement cost. So I think the concern from their area is, again, expanding cost issues. Technically there's no reason it couldn't be done, just finding the resources to be able to do it.

**Adams:** It's something I'd like to pursue. If you could make a note, we'll work on that in the coming months.

**Bergman:** Will do.

**Leonard:** We thought you would be done when you were done with your campaign promises.

**Adams:** I'll try to implement Nick Fish's promises, too.

**Leonard:** I do not have the energy.

**Adams:** That's why I'm here. [laughter] So good to have you back, Commissioner Leonard. Too much rest.

**Potter:** Ok. Any other questions for Ron? Thank you, Ron. This is an emergency vote. Did we have a sign-up sheet on this?

**Moore:** I had one, but I believe he's left. Adrian Martinez.

**Potter:** Ok. Please call the roll.

**Adams:** Well, I just want to thank Commissioner Saltzman for his earlier line of questioning. I'm interested in that as well. The other thing is just to try to stretch the thinking from how do we get more people downtown with as less cost as possible, and so I think this is necessary to go forward for the financial integrity of our parking garage system, but I'd like to have a more holistic

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conversation with downtown retailers about how we get more folks downtown to shop and by that I mean the mode of transportation. So I vote aye.

**Leonard:** I did not vote for the increase in the parking meter fees because I did not think that the case had been made that there was a logical nexus between increasing those rates and what the money went for. In this case, however, I think that new managers that we have at smart park with ron and casey have created a new energy in managing those structures and they've identified, I think, legitimate needs that need to be addressed for them to operate in a very businesslike fashion, a clean fashion and a safe fashion. And I think therefore that they have made the case that this increase is justified and that there is an absolute nexus between that increase and the operation of the garages. Aye.

**Saltzman:** Well, the downtown retail core faces immense competition these days from malls, other stores, emerging neighborhood districts in fact. And while some can argue that merits are demerits, I guess in general it's probably a good thing there's competition for retailer's dollar, but we need to make sure we're doing everything we can to get people to shop downtown. That's why I was having that line of questioning with you. It seems to me -- I understand that you're on a path now to increase the rates to \$1.25 an hour on January 1, 2006. But it seems to me you've got a five-month period, six-month period here where you could be marking the fact that it's going to be cheaper to park in smart park garages now through Christmas, it will be less expensive to park in our garages than on the streets. And it would be interesting, very interesting to see, what kind of an impact that has, both in bringing more shoppers downtown, but also on what is the split between those -- if we do get a dramatic number of more cars in our garages, it would -- I doubt us to revisit the decision we're doing now, but I would certainly like to know. And if there's an opportunity to market that fact, I think we should. Otherwise I can support this, as long as I can make sure. -- we've had new operators in place since I think last August. [inaudible] I want to say I still haven't seen dramatic changes in terms of the environment of our garages from a shopper's perspective. I was expecting some pretty dramatic things. I've not seen those yet. So I want to see cleaner stairwells and some of the other bells and whistles that were talked by the current operators. I think things like providing service to cars, valet service, things like that, all enhance the downtown experience. And I have yet to see any of those features be offered or getting your car washed while you're parked in the stall. These were all things that we talked about at the time when we awarded this contract, and two years later I haven't seen any of those bells and whistles. I hope you'll pass those remarks along. Aye.

**Sten:** Aye.

**Potter:** Aye. [gavel pounded] Karla, please read item 748.

**Item 748.**

**Jeff Baer:** Good morning, Mayor Potter, members of city council. I'm Jeff Baer, the acting director with the bureau of purchases. Before you we have a request to approve a contract with Gateway Computers, and this is part of our strategic sourcing program and initiative that we took on last year where we were really trying to drive down pricing and result in some significant cost savings to the city in a variety of different commodities. Computers, desktop computers and notebooks, was one of the areas where we really wanted to look at that. We have requested part of the contract provision is to reflect the sustainable procurement strategy that we have adopted, which will reduce the amount of packaging, some of the styrofoam. And when we order things that we can reduce that impact on the environment and lessen the amount of cardboard and shipping costs -- shipping and freight issues that result from buying them individually. One of the other issues that we were asking them to do as well as part of the contract is to report back to us on a quarterly basis on the minority women/emerging small business participation as part of the contract. Now, this is a contract directly with Gateway, so we're going to monitor that to see if there are options and different opportunities for MWESB programs. The contract that is part of the ordinance that we will

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take out is an employee purchase program. I just caught this and saw this in here. We will remove that provision for a discount for employees. I don't believe that that is permitted under our current contracting process. So I will make sure that that is removed. With that, let me stop and i'll answer any questions, i'd be glad to address those.

**Potter:** Any questions?

**Saltzman:** I believe one of the seven respondents is a local company, southwest taylor or southwest jefferson. I can't think of their name right now.

**Baer:** C.t.l.?

**Saltzman:** Yeah. C.t.l., c.t.r. maybe? Anyway, I think you know who they are. I have a computer from them in fact, in my home, and i've heard that they've had -- they're a minority-owned business, I believe. They build the computers here. They're blocks away from us, so their service is fast.

You're not dealing with somebody in south dakota to get your service needs met. What happened? Why aren't we -- did we prioritize using a local firm in this case, a minority, locally-owned --

**Baer:** We did not. We were trying to aggregate our volume together to try to drive down the pricing. With that gateway and dell computers and the other firm, which is a local firm, c.t.l.

> we did split that out and are awarding a contract for that. And it's -- we split it down into servers, notebooks, and desktops. So portions of those contracts are to those three suppliers. We are also in the midst of going out to bid --

**Saltzman:** So c.t.l. Is --

**Baer:** They're one of the suppliers. I'm not sure if that's the one you're referring to. I'm not sure exactly where they're located. They're located here in Portland.

**Saltzman:** So they're getting some of this?

**Baer:** C.t.l. is not this contract. It's a different contract.

**Leonard:** What's the difference in price of the c.t.l. computer and this one?

**Baer:** Perhaps maybe I can ask matt lamp, who's here, he can maybe address that specific question. And the -- what we had is we split the contracts out into three separate areas. One was in desktops, one was in servers, and one was in notebook computers. This one, we wanted to have several different suppliers available, and which is one of the reasons why we have with gateway, dell, and also c.t.l.

**Saltzman:** I just want to clarify again. The contract here is for gateway, and it's for desktops and notebooks.

**Matthew Lampe:** That's correct.

**Saltzman:** Will there be other contracts?

**Lampe:** The other contracts are two server contracts that were split. One being basically the rack-mounted servers, which are more data center servers, and the other one being the freestanding servers that we use in more remote locations. When we scored those, there was really a -- sort of a bipolar flip, that if you looked at those two separately as opposed to aggregating them as a single server category, you ended up with both better pricing and the ability to award to a local firm. So we split the server contract into two contracts, one to dell and one to c.t.l.

**Leonard:** The question is, why didn't the whole contract go to the local firm?

**Lampe:** Because the mix of the criteria, which included a variety of scoring on environmental bases, where they were in terms of their ability, their road map ability to stay up and provide sort of current technology and how that was evolving, there were a whole series of criteria. Price was by far the heaviest one, but it was not by any means all of them.

**Leonard:** What was the difference?

**Lampe:** We went through a scoring process, and the scores basically sorted themselves out.

**Leonard:** What was the difference in the pricing?

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**Lampe:** It ranged -- without having the information for the specific, each vendor price, the range -- we saw a range that ranged up to \$200 and some a box difference. When you're buying 1,000 of them a year or more, that's a significant price difference.

**Leonard:** I'd be interested in seeing the actual comparison, because if we're -- we talk about supporting local businesses and emerging small businesses and minority and women contractors and have an opportunity to deal with one of them, I think we need to, wherever possible, give the benefit of the doubt to those firms.

**Baer:** We can provide that information to you.

**Leonard:** I wouldn't be comfortable voting this until we saw that.

**Potter:** This moves to a second reading.

**Leonard:** Oh, ok.

**Saltzman:** I guess the other issue is, correct me if i'm wrong, but it's also the service. Service is included in these contracts, so that the vendor provides support service.

**Lampe:** Right. There's a warrant and some levels of support. There are also issues --

**Saltzman:** That evaluated in the request for proposals?

**Lampe:** Absolutely. There were a number of criteria and reference work that was done on all the vendors, where they were in terms of being able to provide creative solutions in terms of shipping, materials, burn programs, how they dealt with recycling of computer parts that they took back, what they did in their manufacturing processes to reduce sort of difficult materials to dispose of.

**Saltzman:** Right.

**\*\*\*\*\*:** All those sorts of things were part of the evaluation criteria.

**Saltzman:** And I guess i'm focusing in on -- I mean, I think all these environmental attributes are good, and should be evaluated, but I guess what i'm seeing -- and this is what i've heard -- you know, if we're going with somebody -- if we're going with a local vendor -- I mean, they're blocks away. If there's trouble with a box, you know, they'll come get it, or take it, and have it done, where if you're dealing with a gateway or a dell, you know, I don't know what you do. You have to package it up and -- call an 800 number and --

**Lampe:** I can tell you exactly what you do. There are a number of things you do. One is that they'll often provide some inventory boxes that are on the shelf here that are on their inventory as opposed to our so we can do a quick swap and deal with it. They have a certification program so that our staff can be certified, so if we go in and replace a faulty hard drive, which may take seven minutes to swap out, that our staff gets paid -- we get reimbursed for the labor and certified as doing their warranty work for them. So there are a whole variety of things that the manufacturers have dealt with, where they do a lot of work with major corporations and government entities to drive down the total cost of ownership of these boxes. And that was really what we were directed to do. And some of the projected savings have already -- have been taken in our 2005-2006 budget for achieving these. So, I mean, this is a total program that's related to how do you drive down the costs. And it involves a lot of evaluation of a number of factors that come in to play here. We can provide -- we'll provide you that information.

**Sten:** I'd like to see that information before next week.

**Adams:** If you could get back to us with how many firms locally are certified by gateway to do their work on their behalf. I know some do -- some national firms do, some don't. And of those firms, if any of them are minority women certified. And then on the larger issue of local, as chief of staff I can never get the city attorney's office to look at the issue of an l.b.e. Designation, a local business enterprise designation that would acknowledge that some costs for locating in Portland, headquartering in Portland, or in the region, or in the state, are higher versus sioux falls, south dakota, or delaware, where gateway is. So maybe we could have that conversation again. That would provide some incentives for business to locate here.



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**Leonard:** I made that same suggestion, why can't we, when we're asking for bids, take into account the cost of doing business in Portland versus say, you know, south dakota, or michigan or gresham, and -- because it seems like we put our local businesses -- and I appreciate your trying to save money on the one hand. On the other, we do have goals, and that's to keep businesses in Portland. And sometimes it might make sense for us to spend a little more here up front to encourage businesses to stay that then pay taxes to us.

**Adams:** Or even as part of a strategy, where they're given a certain time period to grow to a heft where they can compete on a national or super regional basis. I mean there are options here that can be part of a total price reduction strategy. More competition.

**Lampe:** Well, I mean that is one of the reasons why we looked on the server side, about splitting the contracts, was exactly that basis, where we felt there was a local company who was extremely competitive in one sector of the work, and so rather than awarding one contract for the whole piece we split that.

**Leonard:** Maybe we should have done it a year ago when we talked about the cars, but spend some time helping you develop criteria that I think reflects a broader set of goals that we have, so we're taking into account the doing business in Portland and the benefit of having businesses stay in Portland that pay taxes to us. I'm not sure if that's part of your criteria. But I think that maybe it should be.

**Baer:** I know there was quite a bit of work done last year on the local business initiative, and as part of the resolution, I think it passed in september or october last year, was a preference language that we incorporated into the request for proposals and into our bids, but it's only expressed as a -- as a preference for utilizing local businesses to the maximum extent possible. There are no additional points associated with that.

**Leonard:** What i'm suggesting is, and the mayor has purchasing now, I believe, that's in your portfolio, that maybe we have another discussion about developing that kind of criteria, because this comes up occasionally. It's not fair to you guys to catch you cold here when we're getting ready to vote. On the other hand, I have brought this up before, this very topic. And wondered out loud why we couldn't amend our criteria to be more thoughtful about kind of the synergy of doing business with local companies that pay taxes to us.

**Baer:** And I know the city attorney's office has done quite a bit of legal analysis on that.

**Leonard:** I've heard all that, but I think we can. If there's a will, there's a way.

**Potter:** And I just -- what you said, matt, that was the direction given to you initially, to see what we can do to drive down the costs since we have so many computers in the city. And that this cost savings was removed from the 2005-2006 budget as a result of your proposed effort here.

**\*\*\*\*\*:** Right.

**Potter:** Ok. Any other questions? Thank you, folks. Is there anyone signed up to testify?  
[inaudible]

**Potter:** Does anyone here want to testify who didn't sign up? Ok. This moves on to a second reading. Item number 749.

**Item 749:**

**Paul Gribbon:** I'm the chief engineer for the willamette river c.s.o. tunnel program for the environmental services. This contract is for construction management support, as we manage the east side c.s.o. tunnel project. It will take place over six years. We went through a formal procurement process back in october and november. The scope of services will be to -- for supplemental support. In other words, b.e.s. is managing the construction contract, with you we do have key positions are we need specialized expertise, and that's what this contract is supposed to do. So specifically for a construction manager, specifically for deep shafts and soft ground tunnelling expertise is what we use this contract for. In addition, we also use it in case we need certain experts, claims experts, or we run into a difficult problem where we need access to expertise, we

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have the ability to do that through this contract. There's one subconsultant, they're a certified m.b.e. firm, will have about 42% of the work. We don't expect to use this amount of budget on this. We are about 20% under what we had anticipated on the west side, c.m. support contract, so we anticipate this will go the same way. That's all I have to say. If there are any questions, I would be glad to answer them.

**Adams:** Paul, I haven't had a chance to review this. It must have been left over before I got assigned the bureau. I'd like to set it over until tomorrow to have an opportunity to review it with you in greater detail. As is with all contracts, i'm interested in the mwesb participation, and although it's noted it doesn't say what percentage, and although they appear to show up as a lot of scheduling management it's not broken out. I also have a -- so if we could get some time on our calendars between now and tomorrow at 2:00. And if the mayor would allow us, that would be great. Also have a question. On the boilerplate contracts, harry, I was told by someone, I think within the city, that our boiler contracts for p.t.e.'s allow for 25% overage before they have to come back to the city council. Is that true?

**Harry Auerbach, Office of the City Attorney:** It's not in the contract. It's in the purchasing code. It allows the -- I believe the commissioner to approve amendments to the contract that increase the contract price by no more than 25% without coming back to council.

**Adams:** And there's no window, a floor, or maximum amount value of a contract before that kicks or does not kick?

**Auerbach:** My best recollection is that the purchasing code simply allows for that 25%.

**Potter:** I thought there was an amount. Could check on that?

**Auerbach:** We'll be happy to get an answer for you.

**Saltzman:** When I was commissioner in charge of water and b.e.s. I adopted stricter rules that required in the contracts, I believe, that any change over -- less than 25% had to be approved by the commissioner -- had to be approved by the counsel, less than 25%, even though the purchasing code allows 25%.

**Gribbon:** The ordinance was written around no overage at all without coming back to council.

**Saltzman:** Yes.

**Adams:** This ordinance is?

**Gribbon:** Yes.

**Potter:** In fact, you said you were 20% under?

**Gribbon:** Yes, sir.

**Potter:** And I thought you did mention the mwesb number.

**Gribbon:** Yes. About 42% of the budget would go to e.p.c. consultants, a certified m.e.b. firm.

**Adams:** Where does that number show up?

**Gribbon:** It probably doesn't. It's in the contract.

**Leonard:** They didn't think you'd catch it.

**Adams:** Well, let's talk about it.

**Potter:** Is that ok with the council to withdraw it?

**Saltzman:** Till tomorrow?

**Potter:** Is that ok, harry, just to pull it right now?

**Auerbach:** Yes, you can continue until tomorrow.

**Potter:** Are we meeting tomorrow?

**\*\*\*\*\*:** Yes. You have a 2:00 tomorrow afternoon.

**Potter:** We just had one issue on there, didn't we? Two?

**\*\*\*\*\*:** You have three items on tomorrow's agenda. [inaudible]

**Moore:** We don't have a meeting thursday.

**\*\*\*\*\*:** My mistake. You don't have one tomorrow.

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**Potter:** So we'd hold it over till next week? In terms of the expiration of the contract date, is there any problem with that right now?

**\*\*\*\*\*:** No.

**Potter:** Ok. We'll hold this over until next wednesday. Please read item 750.

**Item 750.**

**Potter:** This item was mistakenly put on the regular agenda instead of the consent. Unless there's some concern on the council's part, we'll just take a vote. Go ahead.

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

**Potter:** Aye. [gavel pounded] please read item 751.

**Item 751.**

**Potter:** This too was mistakenly put on the regular agenda. It should have been a regular. Unless there's some discussion, we just move to a vote.

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

**Potter:** Aye. [gavel pounded] we'll now hear the pulled regular items. Please read item 728.

**Item 728.**

**Potter:** Was mike dee the person pulled?

**Moore:** Right. I don't see him right now.

**Potter:** Ok. I'm not sure what the issue was. It was originally put on as a regular item. Please call the vote.

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

**Potter:** Aye. [gavel pounded] it's my understanding that all three of these were pulled.

**Moore:** All four.

**Potter:** Could you go ahead and read the three? Can we vote on them all at once?

**Moore:** No. We have to take individual rolls.

**Potter:** Ok.

**Item 729.**

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

**Potter:** This was to begin the replacement for our 800 megahertz system, and so I think it's a very worthy cause and I support it. Aye. [gavel pounded] please read the next item.

**Item 730.**

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

**Potter:** Aye. [gavel pounded]

**Item 737.**

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

**Potter:** Aye. [gavel pounded] last item for the morning. We are recessed until 2:00 p.m. this afternoon. [gavel pounded]

At 10:43 a.m., Council recessed.

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**2:00 PM**

**Potter:** City council will come to order. Karla, please call the roll. [Roll call]

**Potter:** Please read the first item.

**Item 752 and 753.**

**Potter:** Will staff please come forward?

**Moshe Lenske:** Mr. Mayor, commissioners, we are the co-chairs of this committee. Patty is out of town on vacation today. But I'm really happy to say that on her behalf and on behalf of the great committee that we are both excited and thrilled to have these documents finished, and ready for the council and the city. Every kind and every amount of praise that can be lavished should be lavished on the members of this committee, this great committee. Due to their diligence, intelligence, experience, and commitment and dedication they were faithfully at work here in city hall every other tuesday morning for four years. Every other tuesday morning. You know, last week when I heard that the ladies final at wimbledon had the longest rally that had ever been, and the longest match that had ever been, I thought of the committee. [laughter] you see their names on the documents, and it couldn't have been done of course without brian hoop from o.n.i., our staffer, our convener, our secretary, and we thank him very, very much again and again. Big-time. Ruth spetter, representing the city attorney on the committee, we had advice first from david lane and then from jimmy brown, and of much help also were jolene jensen clausen, amelia gladdie and leah pearlman. There were others too. I wonder if the team would stand and be acknowledged. [applause] I didn't know they came every tuesday. This is wednesday. Now the director of oni, jimmy brown wants to say a few words.

**Jimmy Brown:** Good afternoon, jimmy brown, director of the office of neighborhood involvement. I would also like to go on record thanking all the members of the committee for the time and effort that they put in to these guidelines and standards. Often times we talk about the kind of work that comes out of neighborhoods. We sometimes wonder what impact it has. We wonder if in fact people really are behind the kinds of work that comes through citizens. I tell you that an incredible number of trees were used to put together these documents. We would like to say that brian was at the root of those so to speak. [laughter] but as he said, I actually came into this process as it was obviously very well on its road, but I am impressed with the amount of work, the amount of discussion, there was some very weighty discussion that's went on about these standards, and citizen involvement is alive and well in this city. And I believe that this document shows that it is citizens who wanted to put these standards into place that it wasn't just a city process. Our system, the neighborhood system has been involved now for some 30 years. At the root of it is citizen involvement, at the heart of it is citizen involvement, and at the soul of it is citizen involvement, and I want to thank all those folks who had offered their comments to this process.

**Lenske:** Thank you. We did further outreach in addition to some of the names that I mentioned, and brian is going to fill in the numbers for us.

**Brian Hoop:** Brian hoop with the office of neighborhood involvement. The committee felt it was important for you to recognize the length of public participation in this effort. I think it's a true example of what community governance can look like. So the public comment period this winter was the culmination of four years of outreach, and I think it's important to note that we held three workshops early on, some three, four years ago, to get public input at the beginning of the process. We had over 250 people signed up on their own to be on a stakeholder list who continually got mail and emails to save paper, updates on the project. We did 12 different progress updates, short fact sheets to review what the progress, the key issues we were debating throughout those four years, and those were distributed via email and paper copies to the some 500 or 600 neighborhood leaders we have in our directory of negotiation leaders. We had a workshop at our 2003 neighborhood

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summit where we distributed 300 copies of the current draft language at that point, and a lot of people appreciated at that point recognizing this as serious issues we were talking about, and that really increased the public interest and dialogue with us. And this fall we had over 450 people attended 27 neighborhood meetings that we went to to help answer questions to kind of give an overview of the issues we were discussing, proposing changes to. And also I think it was important to note, we sent out some two, three years ago we sent out 200 letters to -- 200 letters to community organizations of color, immigrant refugee groups to get feedback also on one of the policies that was in the guidelines, communities beyond neighborhood boundaries, and that's something we'll talk about a little bit later. And lastly we had 56 people provided formal written comment in the winter during -- right before we basically spent the winter the committee reviewing those public comments, and basically vetting some of the issues that came up and deciding whether or not to make changes. So most importantly I too also want to thank the 14 community members who participated on this committee for four years. It was, as I said before, it was a true sign of community governance at its best.

**Lenske:** Thanks, brian. Just a few words about the overview. The standards are organized in sections, like neighborhood associations is its own section, coalitions, business associations, but throughout those sections there are themes that run through them, grievance procedures, open meeting requirements are examples, and they're carried throughout the sections, and some of these, because they're important, will be addressed by members, other members of the committee who are great experts on that, those particular subjects. For a minute i'd like to just mention fundamentals and a little history. In addition to the obvious value to governments of citizen participation, citizen participation became and still is a requirement, requirement number one on the Oregon land use legislation of the 1970's still exists. It's required by federal housing programs as well as transfer planning. They both make citizen participation necessary. And in the beginning part of the Portland response about citizen participation was indeed instituting neighborhood associations. That was part of the mechanism they used. In this bible, called the rebirth of urban democracy, it's a 1993 book, Portland was chosen one of five examples of citizen participation out of 900 that they started with. And one of the basic principles for us, p.d.x., is that Portland found it worthwhile to assist and support neighborhood associations asking primarily minimally that they be open, that they be fair, but they were free to act, they were autonomous, no strings attached about what they decided to do on their own with city support, no strings attached. The documents that we give you today, a new code and the standards that implement it and the two match together, they maintain the self determination and the autonomy of neighborhood associations. We haven't made fundamental changes. Our goal was clarification, firming vague issues, that sort of thing. Would that we could have been short and simple, 47 pages. But it turned out instead to be clear and legal. That's -- we looked for clarity so that people could understand the system and we looked to put responsibility where it should be. Something we made every effort also to allow variety rather than one size fits all, and we covered some new situations that hadn't been in the previous documents that made it a little longer for us, both in time and in trees. For our time, these are the best documents we could produce. They're the building block, the foundation, the solid starting point for the mayor's new dialogue about the future. Remembering, of course, the ford foundation study about the origin of solutions to significant municipal problems. 50% of them came from the government. And the other 50% came from the citizens. Now i'd like to call on Leonard guard of southwest neighbors. Wait, I skipped one. We'll do that in a minute. Hang on. Ok, brian. Brian has some other matters. Sorry.

**Hoop:** So the committee wanted you to be aware of several issues of future concern that will probably be coming up in the bureau innovation project, the dialogue about the future of the neighborhood system and public involvement efforts. So regarding responsibilities of city agencies, there's a section in the city code that very brief in 3.96 that spoke about responsibility of city

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agencies since 1974 are to involve neighborhood associations and any kind of issues dealing with neighborhood livability topics. It also spoke of -- speaks of requiring 30-day minimum notice before final action is taken, and I recall when we first started engaging some of the city staff about a year and a half, two years ago in this issue, it was quite surprising to see how many staff people are not even aware that language was in the code requiring a 30-day minimum notice before final action would be taken. And many of the committee members were very concerned, they actually thought there needed to be more advanced time, like 45 days for a comment. But it became clear to the committee that there need to be more involvement of city staff and bureaus that had an equal involvement in what their responsibilities should be. At the same time, the previous council had asked the office of neighborhood involvement to initiate the public involvement task force to look at what should be the relationship between neighborhood groups, the role of city agencies to do public involvement outreach work, and that group is kind of morphing into the bureau and innovation project, so that discussion will be ongoing. I was agreed between this committee and staff last year that that project should continue that dialogue to make sure there's equal balance of voices from city bureau staff and from citizens. To come up with a much broader kind of minimum standards for public involvement. A second piece I mentioned communities beyond neighborhood boundaries, there's been increasing effort in how do we ensure more diverse participation in the neighborhood system, and civic issues with the city. The community beyond neighborhood boundary policy has been in our guidelines since 1997, and in essence it was a policy that basically offered racial minority groups to seek acknowledgment by the office of neighborhood involvement to be put on our contact list similar to business associations and neighborhood associations if they wanted to receive notices from city bureaus. As of this time, no organization had sought that acknowledgment, and as I mentioned to you, I sent out letters to some 200 groups, called about 20 or 30 different organizations to have conversations with some of their leadership. And that conversation led to even further ongoing relationships with the immigrant ref jew community organization, the asian-american organization of Oregon and the latino network, who have shown increasing interest in what's their relationship, partnerships with the city. And what we've heard back is that just getting notices was insufficient. They were really interested in a much more meaningful relationship with city government, and ultimately we -- the committee felt it was most important within our means to look internally at the neighborhood system and what we came up with were very clear action steps that the office of neighborhood involvement and the district coalition should take to help provide more leadership training, more technical assistance to the neighborhood groups to build their capacity to build relationships with diverse organizations throughout the city. And so I feel like that's a good step in the right direction to show our commitment to involving more diverse constituency groups throughout the city, but ultimately I suspect the bureau of innovation project, the dialogue round the future of the neighborhood system will also be looking at the issue of how should we expand public participation and what should the relationship be with other community-based organizations beyond neighborhood associations. And lastly, an ongoing issue that the committee struggled with and I think there will be definitely more conversation about is the relationship of business associations with the city of Portland. Business associations have been listed alongside neighborhood associations since the early 1990's, it's my understanding mayor katz at that time challenged city bureaus to have a stronger relationship with business voices, and so since early 1990's we've listed business association presidents and contact info alongside neighborhood groups, and it wasn't until 1997 in the last update of the guidelines that we -- that at that time rules were developed for business associations -- business associations basically calling upon them to follow the same rules of engagement as neighborhood associations, like having open membership, not charging dues, having grievance procedures, having -- following open meetings, public records expectations. And a challenge has been that up till this point in time business associations have not received any financial support from the city for like direct support,

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like neighborhood associations get through the district coalitions. So the question has been in the dialogue with business association leaders is, should they be expected to follow the same rules if they're not receiving the same level of support. So that's something I think that's going to have to be looked at in the future of, if there is going to be more financial support, for example, commissioner Adams led an initiative to provide a more money for marketing for business associations, and I suspect there's more support for having a stronger relationship with business associations, and I think the question will be ongoing of should business associations still be expected to follow the same rules of engagement as neighborhood groups.

**Leonard Gard:** I'm Leonard gard, on half at southwest neighborhoods. And a member of the committee. And i'm here to talk for a moment about open meetings and public records and retention of records. The current guidelines call on the neighborhood associations and coalitions to follow the state open meetings law. The committee discussed that in detail, and we eventually concluded that we should write our own open meetings rules. The state law was written not with neighborhood associations in mind, and the state law has some burdensome provisions for the neighborhoods. It has some core requirements spread around in the code, they're not unable, and we decided to draft our own rules and formed a subcommittee for that purpose. The guiding principles were to keep these rules simple for the neighborhoods, to have rules that are workable for the neighborhoods in the way that neighborhoods operate, and finally to give the neighborhoods flexibility. We did follow the spirit of the state law and to some extent used it as a model. Of course meetings will be open to the public decision making has to be done at those meetings and we require democracy, majority vote rules with one vote per member. We have provisions on notice, voting minutes, and as I mentioned, retention and inspection of records. Also I want to point out that the coalition I work for, southwest neighborhoods, supports these changes. Thank you.

**Mark Sieber:** Good afternoon, mark sieber, director of neighbors west-northwest. I want to address the grievance part of the regulations. Those begin on page 30, they're there are a number of references, but the bulk of that is on page 30 if anyone is looking at that. While there's a great deal of detail throughout this whole document, all of our work was based on broad organizational and ethical principles that led to quite a lot of philosophical discussion before we settled down to -- on each topic to doing the details, and that was in no case more true than in looking at grievances. In the existing guidelines, the grievance section is fairly incomplete. It doesn't have a trail for appeals, and it also lacked clarity on what the process would be for folks who came with a problem. There was a subcommittee created to look at this, and we initially -- in the initial draft we've looked at this section and discussed grievance processes from both the private sector, academic sector and the public sector. Because they all had somewhat different approaches and different philosophies, and we integrated some of that, of each one into this. But basically cleaving to the idea that we wanted to respect the open process of the public neighborhood association process. The main points in this section include encouragement for parties to meet together or to seek mediation before a grievance is ever filed. We specifically defined grievance, what a grievance is, and briefly that is going to be either a violation of the neighborhood's own bylaws, or a violation of the standards themselves. So it immediately dismisses the possibility of personal activity, personal animus being brought inappropriately into the system. We also set up specific steps for filing and resolving a grievance, including time lines, written decisions, and appeals, so it's all trackable, open process, and so people know what to do to go through the process. We defer to the existing neighborhood bylaw and grievance processes for the first level, so anything that can be worked out within the neighborhood structure itself at the lowest level is what is most encouraged. Appeals of decisions to on itself are limited to the violations of the standards. In other words, local problems stay local. And after some debate we decided to have the o.n.i. director be the final authority, because these are city regulations. This is not a top-down directive, but we didn't want these to go on forever, and we thought it was appropriate that once it had gone through a chain of appeals and that it had gone to a

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fair amount of thought, that there would actually have to be a final decision within a reasonable time line. In writing these we've tried very hard to balance due process with transparent public process, and we hope we provided a clear road map for working through the concerns that concern both the participant and the neighborhood association leadership.

\*\*\*\*\*: Thanks, mark.

**Sieber:** The coalition supported these roles. In fact, our chair, patricia gardner is the cochair of this committee as well. So we've will a lot of conversation about that as well. Thanks.

**Lenske::** I'm going to ask you if you will a small matter of two little items need to be corrected on your documents. I can talk you through them if you want to do it. It's on page 14, I apologize, but that's the way the printing does. It's number 2 and there's three little marks after it and there's a word called initiative ballots. The initiative word was mysteriously not taken out. It shouldn't be there. A ballot is a ballot measure is a ballot measure, initiative doesn't figure there. It shouldn't there be. Number two, and three little ones there.

**Saltzman:** It should not be in there?

**Lenske:** Just cross it out. The other one doesn't require -- I want to point out where it is, but you don't have to change anything. On page 44, the letter is 11a. That item is about taking minutes and it has to do with attendance, taking -- having attendants in the meetings. That somehow got omitted in our final document. We learned about it at the last minute and the cochairs put it in, the committee hasn't discussed the matter, but they know it's there. And we're mea culpa, but you have it. It's ok. It's not a big deal. There could be a discussion about that. I want to add one little bit about the relationship between neighborhood associations and district coalitions, and -- we talk about the relationship between government and neighborhood associations in terms of government policy, and government projects. But there's another side, another level of neighborhood associations, which we can consider a little bit differently and should never forget. The neighborhood is the right size, just the right size where small town face-to-face democracy can work. And it has effect when it's working, it has effect on folks. When there's an interaction between neighbors with the expectation that there will be future interactions with the same neighbors, people gain confidence, and they gain a sense of place. And they're better for it. So the little addendum that I want to put on that is that whatever it is, the block party a. Clean-up, a pet show, a picnic, a tree planting, they're all -- they all do something else as well, they're all indeed a big step toward crime prevention. And community policing. And believe me, a neighborhood potluck is a wonderful taste of diversity, if that's what we're looking for. Like now for -- I do want to say that neighborhoods are inclusive of citizens and businesses, the businesses need the customers, and the customers need the service, and we had a representative of the alliance of Portland neighborhood associations, nancy, at all our meetings, almost all of them, and she's going to talk a little bit about business associations. We followed her lead and what she reported from the business associations in this document.

\*\*\*\*\*: Good afternoon. I'm here today to speak to the inclusion --

**Potter:** Could you state your name?

**Nancy Chapin:** Nancy chapin. I'm here today to speak to the inclusion of the business district associations, b.d.a.'s in the o.n.i. guidelines. As a member of the working guidelines review committee for the past four years, how time flies I thought it was three when I wrote this. I guess this is a good statement about a group of people working together. We were -- I was representing business associations and the alliance of Portland neighbor business south koreas. I've heard almost all the reasons why b.d.a. Shouldn't or should be included in the guidelines, and I can certainly understand some of the concerns that some of the b.d.a. leaders have. I, however, see business district association inclusion as a matter of organizational integrity, and a strong statement of expectations. I believe including the b.d.a.'s in the guidelines says that we expect the neighborhood associations to invite and include both the neighbors and the business community to their meetings



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and deliberations, to keep good records, and to maintain high organizational standards. And we expect the neighborhood aspect of the organized business community to do the same. Both neighborhood associations and business district associations care about and know the importance of active, vital, diverse employment producing businesses in the neighborhood. And of fostering trust and open communication. I believe the organized business district community can use these guidelines to work with their neighbors and their neighborhoods to bring back and/or maintain the life, the hope, and the belief in Portland as the best little city in the world. In which to live, work, shop, play, and do business. I'll be happy to answer any questions you may have.

**Lenske:** On that fine note we're ready to answer questions if there are questions.

**Adams:** I have a few. There's no mention of the status -- there's no mention of the status of workers, people who work in a neighborhood association or in a neighborhood business district association but don't live there. You do mention people who own businesses, but not the individuals who might work for those businesses. Was there a discussion in the group regarding this? I think we have, I don't know, last count I think we had 40,000 or more people who work in the city of Portland, but don't live here, don't own a business here. Any discussion on that issue?

**Lenske:** We had not -- a long discussion of that matter, but often that is -- remember, the guidelines, the standards we hope will be as least prescriptive as possible. The situation of that you mentioned, commissioner Adams, is that is often taken care of in the neighborhood association bylaws, because sometimes big factories have an allocation, maybe one vote in the neighborhood association for a management, one vote for labor, and something like that and it depends sort of on the makeup and what the thing is otherwise, you know, a big organization could just take over the thing in a minute and that would be the end of it. But I think it's that generally -- generally it is covered.

**Adams:** A neighborhood or a neighborhood business district can choose to allow workers to be members if they wanted to.

**Lenske:** I defer to the person who knows the most about neighborhood business districts.

**Adams:** There's a catch-all second sentence on the membership clause that says other individual organizations may be members as further set forth in each neighborhood association bylaws. I just wanted to make sure for the record that if a neighborhood or neighborhood business district wanted to include workers who work within the boundaries, that they could. So I recall --

**Hoop:** We actually did discuss the issue. In fact there were several comments that came from, specifically I think people's food co-op in southeast Portland, they were interested in whether or not multiple people, members, coowners of the co-op could all be equal members in the neighborhood association, and I recall our interpretation of the way we -- I believe we actually expanded the definition of members that in effect would allow a business association or business, I'm sorry, a business could like have one representative that could be the owner, it could be the -- or it could be one of the workers there. But the issue did come up, and not necessarily in the last couple years, but I think there has been historical precedent of contentious land use issues or policy issues where neighborhood associations have had meetings and a large number of one company's employees will show up and easily outvote the other members, and that was a long historical concern of quite a few neighborhood association.

**Adams:** Local control is good in my book. I just want to clarify for the record that's what's in here. The second clarifying question was on the size, it's section sectiona, 1a-d, the business district association shall have at least 75 businesses within its geographic boundaries. And I know of a few that don't have 75 businesses. I know of two --

**Chapin:** That are pushing that for sure. And we do include -- this is not that they have to be members, literally having -- this is just the potential of 75 businesses, whether they are in shops or in -- or home-based business. And I know there's one new association that is that feels it will meet that goal with the number of home-based businesses that it has in its boundaries.

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**Adams:** The other clarifying question, on the community-based groups that are not geographically based, they're not -- are they or are they not subject to open meetings expectations?

**Hoop:** I may not have been clear before. We actually took the concept of communities beyond neighborhood boundaries out of this proposal in large part because of feedback I heard was that it was an infect wall policy that no organizations had sought that acknowledgment, and that what was more -- one of the key important steps was that internally the neighborhood system, the coalition needed to do more to help build the leadership skills of neighborhood associations to be in a better position to build alliances and coalition and work with other community-based groups, other diverse community-based groups. That said, I think there was a strong interest and an ongoing discussion that I expect to come up in the ongoing discussion about the future of the neighborhood system and the bureau innovation project that I believe there's a lot of interest in identifying how should we expand the definition beyond neighborhood associations and business associations, and I don't think the makeup of this committee was sufficient to address that issue. So I have every expectation in the new due log there will be much more diverse participation and hopefully a year from now we'll have some new ideas how to expand civic participation.

**Chapin:** I have a great example that's happening right now. 82nd avenue is working on the avenue of roses project, and we have had representatives from -- almost every population of merchants that is on 82nd, asian, indian, russian, hispanic, it's very, very exciting. And we -- just by having a project that everybody is -- feels will help 82nd avenue and so -- and then the funds, one of the associations actually applied for funds to do a business directory and some of those funds are to go for interpretation and translation in order to include the various businesses in their community. So there's some exciting things happening in that area and I think we all want to continue working on it.

**Potter:** Brian, I have a question for you. Do all of the district coalition offices, have they all endorsed this?

**Hoop:** That's a good question. I think representatives are here from each of the coalition, so perhaps they could identify that.

**Potter:** The three though, southwest inc., north-northwest and central northeast neighbors, all three of those have supported this?

**Hoop:** All we heard so far was -- the director of central northeast neighbors is saying yes. Willy, do you know if the northeast coalition discussed this?

\*\*\*\*\*: [inaudible]

**Hoop:** What willie brown said was that they had a member from their board on the committee, and he expects to take a position on it.

**Potter:** And the others?

**Lenske:** Southeast has approved it.

**Hoop:** Two members from southeast uplift are here. I don't know if you're planning on speaking or not. They're signed up to speak.

**Potter:** And then --

**Hoop:** There's north Portland and east Portland,.

\*\*\*\*\*: North has no objections.

**Adams:** That's as good as it gets in north Portland.

**Hoop:** I'm afraid that's going to have to suffice.

**Potter:** And in east?

\*\*\*\*\*: I don't think it was ever mentioned in that way. They also were talking about particulars. Then again, [inaudible]

**Hoop:** I can say raymond was very committed to constantly reporting back. I know he did talk about these issues on a regular basis with their meeting of presidents and other neighborhood

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associations in east Portland, and was bringing back some of their concerns and objections and issues they supported throughout. So --

**Potter:** Has a copy of this proposal been presented to swirl for their response?

**Hoop:** We sent Pamela settlegood, president of swirl at the time, made a lot of comments during the public comment period. We went and presented the issues back in october and november at one of their meetings, had a discussion about it. And we sent out the entire package of documents to all the neighborhood associations back in the third week of may, 35 days in advance of this hearing. We did receive one letter that you all received from anne friday who is speaking on behalf of -- who spoke in support of some of the positions pamela had presented from southwest hills residential league.

**Saltzman:** Who is anne?

**Hoop:** A member -- she identified herself as a member, and I was c.c.'d and it was sent I believe to mayor Potter and c.c.'d to the other commissioners sometime back in early june.

**Potter:** It strikes me that perhaps to have o.n.i. Send a letter to all of the coalition district coalition offices and to swirl to ask them if they support this document. This is a document for our entire city, and I think we need to have something for future reference to show that there was support and consensus on this document. So if you could do that, I would appreciate that.

**Hoop:** Will do.

**Potter:** Thank you, folks. Is that all of the official presentations? Do we then go to the sign-up list?

**Moore:** I have the sign-up sheet for 753, but I haven't read that into the record yet. That's the resolution. Shall I read that into the record?

**Potter:** Why don't you.

**Potter:** The first is a nonemergency ordinance and it will move to a second reading, but this one will be a resolution and we'll vote today.

**Moore:** Or you can move them together next week. Did you have a preference, brian?

**Potter:** Can we do that?

**\*\*\*\*\*:** Yes.

**Potter:** Let's go ahead and hear them as if they were one in the same. For purposes of public response.

**Moore:** Ok. Come up three at a time.

**Potter:** Thank you, folks, for being here. You each have three minutes. And please state your name when you testify.

**Bud Kramer:** Bud kramer, I am president of the downtown neighborhood association. What you have before you I believe is an excellent document, and I certainly recommend approval of it, but with one caveat. And that is the -- on page 20, section four, item e, 1a says, a minimum of six adjacent neighborhood associations must determine that there are substantial positive reasons for creating a new district coalition. First of all, there are no longer six independent neighborhood associations in Portland. There are only five. And they are noncontiguous, so they wouldn't -- they could not form a coalition. The only way a current neighborhood can be in a coalition is if they join a current coalition. I have approached both the southwest and northwest neighborhoods, whether they would be acceptable -- whether they would accept us. And they have indicate add very positive response. However, I have talked to the downtown old town chinatown neighborhood, and I really believe that a joining of the -- of all organization with old town chinatown makes much more sense than joining with one of the other current coalitions. Their interests for the most part are in residential neighborhoods. Our neighborhoods, which are contiguous, are interested in commercial development and vertical living for the most part. And I think the idea of accepting this without having the opportunity for the two of us to join together would be a mistake. And I would urge you if there is no other way to put a very simple amendment on item 1a and say accept that and

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put at the end of that, "except for old town-chinatown and the downtown neighborhood association i've read this document, and primarily the reason for all of this is they do not want -- other neighborhoods to split up. I'll stop now because of the time.

**Adams:** Just to make sure I understand your argument, your argument is because of the unique nature of old town-chinatown, downtown, and which is the third one?

**Kramer:** There wasn't a third one.

**Adams:** The unique nature of vertical neighborhoods, that those two should be able to form a coalition.

**Kramer:** Yes.

**Adams:** And is it your expectation that they would be staffed with a separate coalition office and all the other traditional --

**Kramer:** That is a separate issue.

**Adams:** What is your thinking --

**Kramer:** First of all, that we work -- we could work together as a coalition and if the city at some time saw that we were successful, the city could then determine whether or not there was -- there would be any financial support for those two.

**Potter:** You said there were five that were still independent.

**Kramer:** Yes.

**Potter:** Where are the other three?

**Kramer:** Lloyd center --

**Adams:** It's a combined neighborhood.

**Kramer:** Healy heights, and southwest hills.

**Saltzman:** What would you think of the Lloyd district also being included in that --

**Kramer:** We would certainly look at it, but in terms of synergy, I still think that the two that are downtown that make up the core of this community make more sense than going across the river and joining with them.

**Adams:** Thank you.

**Potter:** Yes?

**Michael C. Marino:** Michael marino. I just got off seven years serving on one of these neighborhood associations. One of the very first things I thought we needed in the northwest district association was a secret ballot. This one this, finally gives us just that. People, when we try to get new people to come to our -- the annual meeting, sign up, they don't want to do that because they have to sign their ballot. Their signed ballots can go on file, can be examined and inspected by anybody. It makes it hard to expand the neighborhood association when people have to commit to that sort of public exposure. It's not traditional. Not in this country, that we -- the people have to sign their ballots. We have a secret ballot for most offices. A lot of the other changes that are in the document are ones that I find either I agree with or I think, well, I guess I got to learn to live with people. The people with whom i've been working have been -- with a current edition, they're not going to use it, it's volume -- they're volunteers. It's too long, they need something that's short, simple, because otherwise they're not going to read and if they're not going to do it. This is I think a little bit shorter, simpler, more direct, if you can give them short, simple directions, volunteers will often go for that. Otherwise I hope that the document is voted for by -- the other changes voted for by the city council.

**Larry Norton:** I'm here to represent the old town-chinatown association. I'm a board member. Two comments. One, I would like -- i'd like mayor Potter's discussions about the letters, but I wonder if he would also include the independent neighborhood associations along with the district coalitions. We're sort of the orphans out there, when you talk about coalitions, nobody talks about us. In sort of in line with the Portland business alliance, we too want a neighborhood with businesses and people in that stuff, we support that and want to go forward with that. In that regard

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we're pretty independent in chinatown, and -- but we were called -- our attention was called to this about the sixth neighborhood associations to form a coalition. That excludes us forever. And I don't think that's essentially fair. And there's only five of us anyway, so that's not going to work. Chinatown has a very unique neighborhood. We're more closely in line with downtown than we would be with any other neighborhood. We don't have a lot of residents, we don't have the neighborhood potlucks and stuff. But the two neighborhood associations, the old town-chinatown and downtown are starting to work cooperatively. We're talking about it and we want to work together. The other thing I wanted to point out is on page 22, it's 4e2, and it's sort of -- it's sort of drafted such that it excludes the independents from becoming affiliated. If you look at the language. I -- the head notes statement says process for newly recognized or unaffiliated, but when you read the text in a, it doesn't mention the unaffiliated. So people like the -- most of us, the ones that exist out there, like lloyds and downtown and chinatown, couldn't do it under this section. So that's just a clarification. We would hope would you support some way of amendment or something to make sure that we're not precluded from forming a coalition, we're just getting started and we don't need to be excluded. Thank you.

**Adams:** The last part you're saving there might have answered my question. The reason you're unaffiliated is second degree because you're, in terms of a neighborhood association, you're new?

**Norton:** No, we're not -- I -- we're far from new. We're different. We have -- it's more of a mixture of business and neighborhood in one organization. And if you're familiar, i'm sure you are, there's very few residents there yet, and the neighborhood is just being sort of created. So we're new in a sense that we don't have many residents, and those are sort of new, but the organization as I understand has been around for several years. It's not new in that sense.

**Adams:** I thought hit been around a number of years, maybe I thought I hit been reconstituted or was renewed. So your case is the same as bud's, it's a different kind of neighborhood.

**Norton:** That's correct. I think we think we're a little more unique than the rest of them.

**Adams:** That's what I meant to say. Thank you.

**Norton:** We're special.

**Potter:** Thank you.

**Linda Nettekoven:** Linda nettekoven, vice chair of the hosford-abernethy association and cochair of the southeast uplift neighborhood coalition. I want to say simply that we'd like to see you support these standards and the accompanying code document that goes with them. We wanted to take this opportunity to thank the committee and the staff for all their hard work in bringing these documents forward. The ability to take these many higher order philosophical discussion and translate them to the details that you need for this set of standards we think is remarkable and we very much appreciate it. Thank you.

**Jerry Powell:** Jerry powell, a member at large of the committee, the guidelines review committee. It's the second time i've been a review -- on the committee, I was on the first committee that wrote the original guidelines that defined how neighborhoods would engage with the city and with each other. The idea of putting together coalitions was something that came about in the very early days of neighborhoods because neighborhoods were finding it very difficult time standing alone. They couldn't attract staff, they didn't have the money to do that. Coalition were put together to be an administrative convenience, not to make super neighborhoods. Bear that in mind, because I think it becomes a huge misconception. The coalition is not who you go to when you want to talk to the neighborhoods, you go to the neighborhoods. When you are in a neighborhood and you want to address the city, you go as a neighborhood. That's the place that defines you, the interest that defines you. If you want to go as a coalition, then for pete's sake, become a super neighborhood. The coalition is not the appropriate way to do it. I was president of neighbors west-northwest in the mid 1980's. I think I was there just after jolene clausen. We had approximately six neighborhoods. One of my tasks as coalition chair, coalition president, was to expand that representation to bring in

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other neighborhoods to get participation. There's a minimum number of participants in which the organization isn't sustainable. People stopped coming, simple as that. If you have three neighborhoods, four neighborhoods, if you have six is a bare minimum, the lack of participation kills the thing. You have staff sitting around trying to figure out who am I going to help. Oh, who they help is the loud voice. In a small coalition, that's what you get, is the single loud voice in the group. You don't hear the rest of them because they don't participate. It's not a law, but that certainly is the experience in Portland. You can look around to the coalition and what has been their history, and you can see it when the participation drops off, all after sudden you get the single strident voice that pops out of the woodwork. Sometimes it kills the coalition, sometimes it goes on. That's my major point. I'd ask for questions.

**Saltzman:** What did you mean by "super neighborhood"?

**Powell:** You can look around Portland and see neighborhoods that are themselves virtually coalitions of neighborhoods. It had probably been unfair to point fingers. I could use my own neighborhood --

**Saltzman:** I guess in the context of this discussion that's been going on for the last few people, were you saying that downtown and old town chinatown could merge as one super neighborhood? Is that what you were saying?

**Powell:** I think that's kind of what they are asking. If the question is whether their interests are similar, whether they want to have a single voice with council, then they're talking about being -- merging their interests as a neighborhood, not being a coalition, which is basically an administrative device that's there to make sure that the individual neighborhoods can get hurt.

**Potter:** What was your definition of district coalition? I think I heard it as something different than what's here in writing.

**Powell:** A district coalition is a group of neighborhoods that associate themselves for the purpose of attracting administrative help for the purpose of the distribution of city monies, since monies go by neighborhood, but they are actually collected by -- in the offices of neighborhood coalitions, because that's where the staff is. The agreement between the neighborhoods in a coalition is basically to cooperate in the use of staff and the acquisition of space to meet in the housekeeping of what you see from this perspective as the presence of the neighborhoods. From the other side, from the perspective of the neighborhoods, what we see is a bunch of people that identify with place. It's sort of -- it requires looking from both sides of the glass wall to kind of understand this animal.

**Nettekoven:** May I speak?

**Potter:** Yes, please.

**Nettekoven:** I think that just as neighbors have slightly different cultures and personalities because of who lives in them and who participates, that the coalition -- slightly different personalities. And I would say that southeast I think views itself as something slightly different than simply an administrative unit. I think the neighborhoods come together because history has shown them they can come up with better solutions to problems when they look across neighborhood boundaries, and they can learn from each other and leverage resource and do sort of other things like that, and the administrative structure is kind of the excuse or the way for them to find each other, but I think once the finding happens, that there's a lot more that goes on within our coalition in that regard.

**Potter:** Thank you.

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

**Potter:** Anybody that did not sign up that wishes to testify on this?

**Alison Stoll:** Mayor Potter and honorable commissioners, i'm the director of central northeast neighbors, alison stoll. I came a little late so I didn't get to sign up. As linda said, first of all, we really think the -- thank the committee and all the people that did I would say hundreds of volunteer hours to put this together, because I think that's one thing that we definitely should be aware of that there are lots and lots of volunteers who aren't staff members who do a lot of work for the city, and

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for our future. And so just wanted to thank all those folks again for their work. And I too wanted to say that each coalition is a little different, because I wanted to point out that we are a small coalition, we have seven active neighborhood associations, and I feel like we do a lot more than just administrative work. We bring people together to solve problems and to empower them to solve their own problems, to get to know neighbors better, we do a lot of celebrations and things. We've worked on a lot of huge issues, such as the port of Portland and airport expansion and noise, and we've worked on density housing, skinny houses, you all know all the things that we worked together on. I think that guidelines and standards are really important for neighborhoods, I think a lot of work and thought went into these, and our coalition is supportive of this. So thank you. Is there any discussion from the council?

**Saltzman:** I assume a large amount of deliberation went into the issue of coalition formation, so I guess I'd like to hear somebody representing that point of view for why these provisions about a minimum of six neighborhoods adjacent to and all that, if somebody can provide that history behind this aspect of the guidelines.

**Hoop:** Brian Hoop, office of neighborhood involvement. So this is a discussion that has been ongoing. I know I've been to both the old town-chinatown and the downtown neighborhood association meetings probably a year ago once or twice to ask for their feedback and gave them a heads up. They made formal comment and I know the committee did discuss this winter whether or not to allow smaller coalitions. The committee members felt fairly strongly that it was important to set a minimum size, I think some other concerns were -- might set a precedent allowing other groups of two neighborhood associations to split off from existing coalitions. I think there was a lot of concern about financial resources, neighborhood system hasn't received a lot of increased financial support in a long time, so there was concern over where would any additional resource come from to provide for staff or office or stuff like that. And I potentially maybe there's not a problem with allowing them to organize a coalition on their own, I think it's just the question, does that automatically mean they get financial support? I don't know, it's something that I felt like we can't decide, make that -- o.n.i. Or the committee didn't have that authority to make a decision about whether additional staff positions could be funded.

**Saltzman:** The formation of a coalition is not a guarantee of funding. That's one of the --

**Hoop:** Fine. Thanks.

**Leonard:** To be fair, if we were to this year create a coalition that wasn't funded, I promise somebody will say next year is it fair for our coalition not to be funded, and there are, so --

**Hoop:** The last point I would make is historically it might be important to recognize that the city did use to fund I think roughly about \$25,000 or maybe \$50,000 to what was then the alliance for Portland progress to help provide some staff support and technical assistance to the two downtown - the downtown neighborhood association and old town-chinatown group, and due to I forget now in the mid 1950's, measure 47, measure 50, the property tax cutting measures, my understanding that was used in the budget cutting in the mid 1990's, that was used as a reason to cut out that financial support. So I think much of the leadership of those two groups now is not around. I pointed that out to some of them, but there was a precedent for them receiving some financial support, but they were never officially recognized as a coalition, it was just the business -- the alliance for Portland progress gave them some staff report.

**Leonard:** It would certainly seem to me that communities downtown had some unique challenges that would suggest that they could use some staff help, particularly with the drug dealing and some of the specific, not necessarily specific, but concentrated kinds of crimes that seem to happen in old town, chinatown, downtown.

**Hoop:** They do receive a dedicated staff position in the neighborhood involvements crime prevention program.

**Leonard:** Not a district coalition leader as we would have.

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**Hoop:** No staff support. The staff support from the coalition is primarily there for technical assistance, leadership development, board orientation to help administer the coalition board meetings, stuff like that. Maintain databases. We don't have that kind of support. They do have me, however.

**Leonard:** But everybody has you.

**Saltzman:** That counts for a lot.

**Hoop:** I do provide some minimum assistance as far as they do receive \$1,050 a year for their newsletters as all neighborhood groups are budgeted, or allocated, so whenever they have costs incurred, they submit receipts or invoices to me, and I have gone to some of their meetings and done board orientations in the past and come to their meetings on and off when they needed special help. But with staff cuts at o.n.i., it's become increasingly difficult to provide even that level of staff support.

**Adams:** In the future hopefully we would have a streetcar that would knit together all those communities, old town-chinatown, southeast -- I agree with the line of questioning in that they have somewhat unique challenges or challenges that are not unique but the frequency of which might be unique. And for the future as the city changes, so might be the need to sort of look at the core of the central city differently in terms of how o.n.i. Divides up neighborhood coalitions. It would be probably premature to make a decision like that today, but just sort of looking off into the future it might keep that in mind.

**Hoop:** The city or o.n.i. Do not determine neighborhood association boundaries or affiliations.

**Adams:** I'm talking about coalitions.

**Hoop:** Even there the coalitions self identified on their own over the 1970's and 1980's, and even into the 1990's, so the neighborhood groups on their own as far as I understand, i'm seeing shaking heads, identified, we want to be recognized as a coalition, as a vehicle to receive support from the city. So again, we could determine down the road that there is a unique circumstance for the downtown groups. And I have pointed out to them, maybe they should -- as you heard, one of them comment maybe there should be a coalition with lloydton, chinatown, buckman neighborhood association, the pearl, they've been encouraged, they can have those conversations, and i'm really impressed that bud and howard winer from old town-chinatown are at least starting that conversation.

**Potter:** It seemed like this is also part after larger issue in that how do you get more people engaged in the civic process? And we have neighborhoods that have intentionally not affiliated, groups of people, renters, some minority groups that are underrepresented, so one of our goals for the visions of the next year is to begin to engage that larger audience, and begin to redefine in effect what constitutes civic engagement in the city of Portland. And how that engagement is recognized in support -- and supported by the city. So I think that some of these things will come out over the next 12 months, but I don't know that we're going to have all the answers today to it.

**Hoop:** I believe the office of neighborhood involvement and most of the coalition leaderships are excited and ready for that conversation, and I don't necessarily think we had a champion or strong interest from the city council to tackle those bigger issues. I think it was beyond the scope of the authority of the existing guidelines committee.

**Potter:** Other suggestions?

**Linly Rees, Office of the City Attorney:** Mayor Potter? There was one specific amendment mentioned, I know you're moving the resolution to next week, but it might be better to take care of the amends this week before we forget about them. I'll identify that one and then one small one I noted. The amendment requested by the cochair was to amendment exhibit a to the resolution, which is 753. On page 14 to remove the word "initiative." and I would also note on the resolution the first reference is an exhibit b, which doesn't exist, it should be changed to exhibit a. If someone would move those.



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**Leonard:** I move both those items.

**Sten:** Second.

**Potter:** Call the vote.

**Adams:** This is the only thing we're voting on today, right? So I just want to take the opportunity to thank everyone who's been a part of this process. Moshe was a teenager when the process began. Seriously, there's a lot of great work that's gone into this. I know how difficult it can be. I think that you have struck a balance between the self determining structure and tradition of neighborhood associations and neighborhood business district associations which I want to help support that independent nature at the same time having some minimum standards. I like how the grievance process and the open meetings and the improved clarity of rolls and responsibilities has come out through this document. I think it's easier to understand, it's difficult to put out because of the nature of what you're trying to accomplish, but I think it's easier to understand what was there before. And the biggest thank you in addition to brian and the team at o.n.i. Is to moshe and patricia who you have the patience of job, I really commend you for it. Happy to vote aye for this amendment.

**Leonard:** I too appreciate the work of moshe and patricia, I worked with both of them on a variety of projects. Moshe invited me over to his house halfway through my time as commissioner in charge of o.n.i. And for some reason felt compared to offer me the book he showed here on -- what's the title of the book? "rebirth of urban democracy," and he encouraged me to read it.

[laughter]

**Adams:** Well, have you?

**Leonard:** Yes, I did. Laugh of I appreciated it. He made me lunch and was very kind about it, and said oh, by the way, take this with you and read it. [laughter] and -- but seriously, our neighborhoods' coalitions are as they should be very powerful, the least, the most recent example has been to help some of us focus on some of the issues across the river at the bridgehead, which I can tell that you on our own given our own limited amount of time would have been very difficult to focus on had we not had the assistance of southeast. In bringing some of those issues to our attention here. So the coalition and the neighborhoods do fabulous work, and we benefit greatly as a community because of that, and do very, very important things as a council based on what we get from our neighborhoods and coalition. Aye.

**Saltzman:** I also want to thank all the many people who served on this committee. I believe I started this committee when I was commissioner in charge. Quite frankly --

**Adams:** Is that the late 1970's?

**Saltzman:** I had forgotten this was still going on.

**Leonard:** Do you want to borrow my book?

**Saltzman:** I use today walk by the lovejoy room and see everybody in there and say, wow, this thing is sometime going on. I hope you had enough time, was four years enough? [laughter] anyway, I think it's a good product. Especially to get all that deliberation and great debates, I think as linda said, you had great debates about some very philosophical issues, but you got it down into simple pros and -- I think any future neighborhood chair should have no problem in understanding this language. I know you tackled some many thorny issues, many of which we're still reading about in the papers as we speak. This is great work. Thanks to all of you, all the citizen and all the office of neighborhood involvement staff who helped to produce these guidelines. I too vote aye for the amendment.

**Sten:** Thanks everyone. I really admire the detail and the big picture passion that you brought to this. It's a fine piece of work. I think it's been said. I'm happy to support it and I think it frames quite nicely a couple of the conversations that are still ongoing. I think those build from this, not -- not left unanswered in this piece of work. I think it will work very well with the next stage. But I just -- it's amazing, you have really done -- you hang in there on all these details, which are critical

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to actually accomplishing what I think each of you wants to do, which is built a better neighborhood, and thereby a better city. Thank you, and i'll be brief and vote aye.

**Potter:** As the new commissioner of office of neighborhood involvement, my commitment is to work with our community to really strengthen our neighborhoods, because when I think of civic engagement in Portland, I think of neighborhoods. The businesses there, the neighborhood associations, and quite frankly, when we go around the country, that's always one of the things that is mentioned, is civic engagement in Portland, Oregon. So I think the neighborhoods have much to be proud of, and the fact that we have differences is ok. And I think that through those differences perhaps we can build an even better system down the road that really does capture a much larger percentage of our population and engages them in the act of civic governance. So i'm very proud of this committee that did this, I think it's a tremendous piece of work, and I truly look forward to working with you to build a better Portland, to build communities where the capacity of the community is only limited by their own interest. There's the tools there to help them really become as strong as they want and engage as they want. And that to me is what civic governance is about. So i'm very pleased to vote aye on this amendment and show my support for it. [gavel pounded] these two items now, we're going to move the ordinance and the resolution together to a second reading. And so we then have one other item on the regular agenda. But thank you all again. Could you Karla please read item 754?

**Item 754:**

**Potter:** This is a second reading and a vote-only. Please call the roll.

**Adams:** Again, just to reiterate, I think that the city of Portland is pursuing a potential purchase of at p.g.e. In trusts for the region, and I like the fact we're offering competition for the future ownership of p.g.e. I appreciate the hard work that's been done by commissioner Sten and mayor Potter. Aye.

**Leonard:** I am happy that i'm here in this position today to be able to support this. There is no single effort I think that we can do to protect the ratepayers of this community than the action that we take here today, and I look forward to a good resolution. Aye.

**Saltzman:** Aye.

**Sten:** I just wanted to reiterate what I said last week. This is a mechanical step that needs to be taken to authorize us to sell bonds if we actually were to sell bonds, meaning we had an agreement with enron that would take a whole other step, we would have a purchase agreement that would be shared and line item detail excruciatingly evaluated throughout the region as well as the community, and we're working to be an acquisition agent is we can set up a regional unit. I spent yesterday meeting with financial officers and I continue to be convinced by analysis that the beginning savings on this will be about \$140 million a year to the region, and growing from there. So that's -- that compounds over time. But again, this is simply mechanical step to allow us to sell the bonds we want to have everything in position should we get to the right place. This does not obligate us to sell the bonds, and in fact we could not sell the bounds without several more votes of the council, so I want to make that clear because there's been a little confusion out there, and perhaps a little smoke being blown into the arena on purpose on that point. So let me just blow it back away. Aye.

**Potter:** Aye. [gavel pounded] that's last item for the day. We're adjourned until next week.

At 3:28 p.m., Council adjourned.