



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **27th DAY OF OCTOBER, 2010** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz, Leonard and Saltzman, 5. Commissioner Leonard arrived at 9:34 a.m.

The meeting recessed at 9:51 a.m. and reconvened at 10:13 a.m. Commissioners Leonard and Saltzman arrived at 10:15 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney; and Pat Kelley, Sergeant at Arms.

Items No. 1388 and 1404 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted

	Disposition:
COMMUNICATIONS	
1376 Request of Charles E. Long to address Council regarding the significance of baseball to American culture (Communication)	PLACED ON FILE
1377 Request of Shedrick Jay Wilkins to address Council regarding universal healthcare for all Oregonians and Oregon Legislature Healthy Kids (Communication)	PLACED ON FILE
1378 Request of Willie C. Jones to address Council regarding how the City tows cars and how Blacks are not part of the Portland Art System (Communication)	PLACED ON FILE
1379 Request of Frank Spillers to address Council regarding cell phone antennas being installed next to homes, schools and other sensitive community locations (Communication)	PLACED ON FILE
1380 Request of Alison Gavine to address Council regarding cell phone antennas being installed next to homes, schools and other sensitive community locations (Communication)	PLACED ON FILE
TIMES CERTAIN	

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<p>1381 TIME CERTAIN: 9:30 AM – Amend and extend an Intergovernmental Agreement with the Port of Portland for planning services to prepare a West Hayden Island plan and possible annexation proposal and provide for payment (Ordinance introduced by Mayor Adams; amend Contract No. 30000526) 45 minutes requested</p>	<p>PASSED TO SECOND READING NOVEMBER 3, 2010 AT 9:30 AM</p>
<p>*1382 TIME CERTAIN: 10:15 AM – Ratify a successor Labor Agreement with Portland Fire Fighter’s Association for terms and conditions of employment of represented employees in the bargaining unit (Ordinance introduced by Mayor Adams) 30 minutes requested for items 1382 and 1383 (Y-5)</p>	<p>184195</p>
<p>*1383 Ratify a successor Labor Agreement with the City of Portland Professional Employees Association for terms and conditions of employment of represented employees in the bargaining unit (Ordinance introduced by Mayor Adams) (Y-5)</p>	<p>184196</p>
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Sam Adams</p>	
<p>1384 Reappoint Brendan Barnicle to the Investment Advisory Committee for a term to expire June 30, 2012 (Report) (Y-5)</p>	<p>CONFIRMED</p>
<p>1385 Reappoint David Bugni, Joseph Gehlen, Timothy Rippey and Christopher Thompson to the Structural Engineering Advisory Board for terms to expire August 31, 2011 (Report) (Y-5)</p>	<p>CONFIRMED</p>
<p>Bureau of Planning & Sustainability</p>	
<p>*1386 Amend grant agreement with the U.S. Environmental Protection Agency, Region 10 from the American Recover and Reinvestment Act Funding for the National Clean Diesel Funding Assistance Program (Ordinance; Grant No. 2A-96095001) (Y-5)</p>	<p>184175</p>
<p>1387 Authorize an Intergovernmental Agreement with Portland Public Schools to provide \$70,000 for durable lunch trays (Ordinance)</p>	<p>PASSED TO SECOND READING NOVEMBER 3, 2010 AT 9:30 AM</p>
<p>1388 Update the residential franchise customer cap to reflect forty percent of the customer base (Ordinance; amend Code Section 17.102.130)</p>	<p>CONTINUED TO NOVEMBER 3, 2010 AT 9:30 AM</p>
<p>Bureau of Police</p>	

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<p>*1389 Accept a grant in the amount of \$80,000 and appropriate \$33,000 for FY 2010-11 from the Oregon Department of Justice Crime Victims' Services Division for the 2010 VOCA Basic Grant to fund Police Bureau Crisis Response Team personnel (Ordinance)</p> <p>(Y-5)</p>	<p>184176</p>
<p>*1390 Authorize an Intergovernmental Agreement with Multnomah County not to exceed \$671,000 for chemical substance abuse treatment services to chronic offenders and for District Attorney and Parole and Probation services for chronic arrestees (Ordinance)</p> <p>(Y-5)</p>	<p>184177</p>
<p>Bureau of Transportation</p>	
<p>1391 Set a hearing date, 9:30 a.m. Wednesday, November 24, 2010 to vacate a portion of SE 21st Ave north of SE Ochoco St (Report; VAC-10066)</p> <p>(Y-5)</p>	<p>ACCEPTED</p>
<p>*1392 Authorize a joint application with the Port of Portland for Federal Railroad Administration grant funding in the amount of \$2,970,000 for the Cathedral Park Railroad Track Realignment Project (Ordinance)</p> <p>(Y-5)</p>	<p>184178</p>
<p>*1393 Authorize application to Metro for a grant in the amount of \$80,000 for the Bicycle Parking in Underserved Communities project (Ordinance)</p> <p>(Y-5)</p>	<p>184179</p>
<p>*1394 Amend contract with AKT, LLP for financial review of City Parking Garages (Ordinance; amend Contract No. 30000194)</p> <p>(Y-5)</p>	<p>184180</p>
<p>*1395 Extend contract with Good Sport Promotion, Inc. for volunteer management and recruitment for Portland Sunday Parkway Program for one year and increase by \$98,750 (Ordinance; amend Contract No. 30001129)</p> <p>(Y-5)</p>	<p>184181</p>
<p>1396 Amend contract with Cale Parking Systems USA, Inc., to increase authority to include pay station wireless service (Second Reading Agenda 1361; amend Contract No. 36734)</p> <p>(Y-5)</p>	<p>184182</p>
<p>Commissioner Randy Leonard Position No. 4</p>	
<p>Bureau of Development Services</p>	
<p>1397 Update the Development Review Advisory Committee membership categories to better reflect relevant groups who participate in and are affected by the development review process (Second Reading Agenda 1363; amend Code Section 3.03.030)</p> <p>(Y-5)</p>	<p>184183</p>
<p>Commissioner Nick Fish Position No. 2</p>	

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Portland Housing Bureau	
<p>*1398 Authorize subrecipient contract with the Housing Authority of Portland for \$356,160 for the Rent Well and Fresh Start Programs and provide for payment (Ordinance) (Y-5)</p>	184184
<p>*1399 Amend subrecipient contract with Human Solutions, Inc. to add \$25,000 in HOME fund for services in support of affordable housing (Ordinance; amend Contract No. 32000433) (Y-5)</p>	184185
<p>*1400 Authorize four subrecipient contracts totaling up to \$1,315,000 for services in support of affordable housing and provide for payment (Ordinance) (Y-5)</p>	184186
<p>*1401 Authorize an Intergovernmental Agreement with Multnomah County for the implementation of Neighborhood Stabilization Program activities (Ordinance) (Y-5)</p>	184187
Portland Parks & Recreation	
<p>*1402 Amend contract with Brant Construction for additional restoration work on the pond at Laurelhurst Park for an additional not to exceed amount of \$500,000 (Ordinance; amend Contract No. 30001538) (Y-5)</p>	184188
Commissioner Dan Saltzman Position No. 3 Bureau of Environmental Services	
<p>1403 Amend contract with David Evans and Associates, Inc. for additional work and compensation for the Argyle and 13th Lake Pump Station Remodel Project No. E08874 (Second Reading Agenda 1367; amend Contract No. 38401) (Y-5)</p>	184189
City Auditor LaVonne Griffin-Valade	
<p>1404 Approve Council Minutes for calendar years 2007, 2008 and 2009 (Report)</p>	REFERRED TO CITY AUDITOR
REGULAR AGENDA	
<p>*1405 Dedicate funds for shelter and services for victims of human trafficking (Ordinance introduced by Mayor Adams and Commissioners Fritz and Saltzman; amend Code Chapter 14B.50) 25 minutes requested (Y-5)</p>	184197
Mayor Sam Adams	

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Bureau of Transportation		
1406	Assess benefited properties for street improvements in the NE 87th Ave and Columbia Blvd Local Improvement District (Second Reading Agenda 1369; C-10016) (Y-5)	184190
1407	Assess benefited properties for street and bridge improvements in the NE 92nd Drive Local Improvement District (Second Reading Agenda 1370; C-10020) (Y-5)	184191
Office of Management and Finance – Financial Services		
1408	Authorize revenue bonds for urban renewal areas (Ordinance)	PASSED TO SECOND READING NOVEMBER 3, 2010 AT 9:30 AM
Office of Management and Finance – Human Resources		
1409	Authorize a one-time exception to Human Resources Administrative Rule 6.03 to allow carryover of vacation leave in excess of the two year maximum accrual (Ordinance) 10 minutes requested	PASSED TO SECOND READING NOVEMBER 3, 2010 AT 9:30 AM
Commissioner Randy Leonard Position No. 4 Bureau of Water		
*1410	Authorize a sole source contract with Ecowise Australia Pty Ltd for Pathogen Catchment Budget Model Modification Analysis (Ordinance) 10 minutes requested (Y-5)	184198
Commissioner Dan Saltzman Position No. 3 Bureau of Environmental Services		
1411	Amend contract with CH2M HILL for additional application software development on the wet weather flow primary treatment system at the Columbia Boulevard Wastewater Treatment Plant Project No. E05512 (Second Reading Agenda 1373; amend Contract No. 38083) (Y-5)	184192
1412	Authorize the Bureau of Environmental Services to acquire a certain permanent easement and other real property interests necessary for construction of the East Lents Floodplain Restoration Project No. E08464 through the exercise of the City's Eminent Domain Authority (Second Reading Agenda 1374) (Y-5)	184193

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<p>1413 Authorize additional change order authority to the Director of the Bureau of Environmental Services of his designee for the Portsmouth Force Main Segment 2 construction contract Project No. E09039 (Second Reading Agenda 1375; Contract No. 30000424)</p> <p>(Y-5)</p>	<p>184194</p>
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At 11:44 a.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
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.

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WEDNESDAY, 2:00 PM, OCTOBER 27, 2010

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

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

OCTOBER 27, 2010 9:30 AM

Adams: And that is a festive halloween sweater, I must say. And beautiful. How are you, Karla?

Moore-Love: I'm good.

Adams: It's a beautiful fall day, isn't it?

Moore-Love: It is.

Adams: Can you please call the roll. [roll call]

Adams: A quorum is present and we'll start with communications. Please read the title for item number 1376.

Item 1376.

Moore-Love: Mr. Long called and he has a scheduling conflict and not able to make it.

Adams: Ok. Please read communications item number 1377.

Item 1377.

Adams: Hi. Welcome.

Shedrick J Wilkins: Good morning.

Adams: Glad you're here.

Wilkins: Well, on healthy kids, I found out there's house district 24 raised where the incumbent actually tried to cancel the 1% insurance tax. So I don't know what the situation is with healthy kids, whether we're going to have 95% of children covered for healthcare by january 2011. On another issue, I like the idea of Oregon developing an industry and making what they call the portable mri, what they call battlefield mri, where it's not three feet in diameter, more like six inches. And some of the research is done in colorado. Tektronix used to do a lot of stuff. Medical research on oscilloscopes and other things. And the reason why this concerns me, five years ago, my son was nine, they thought my son had -- the hmo thought he had testicular cancer and they cut out more than half of my son's testicles and there was no cancer. So sometimes I wonder whether people should use surgery to investigate whether there's cancer inside the body. They have another thing called a virtual -- no, what they call a virtual -- it's processed by fractal mathematics where they can spot cancers. And they can stay under there a lot longer than an x-ray machine. And I think it's something that Oregon should get into. If Oregon has a theme about health medicine, alternative forms of medicine and covering our children for healthcare and probably trying to cover adults for healthcare. And i'm very counter culture, I don't necessarily think that having a limited surgical operations like my son had is a good idea and sometimes people, maybe they need to change their lifestyle or maybe stop smoking so much or drinking so much. I mean, the medical industry is not a miracle worker. These things are just a to spot diseases earlier and try to prevent them surgically from spreading which is why the hmo tried to do this with my son, but I question whether the surgical method for finding cancer is the best and maybe there's other ways to do that. So i'd like to talk about medicine maybe in january 2011 and see how healthy kids is going.

Adams: Thank you, sir, very much for your testimony.

Fritz: I'd like to comment that children can sign up for healthcare and i'll highlight the link on my blog and we do want to get 95% of the kids signed up for healthcare.

Wilkins: [inaudible]

Adams: Karla, please read the title for 1378.

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Item 1378.

Adams: Mr. Jones. Ok, can you please read the title for item 1379.

Item 1379.

Moore-Love: He and alison have canceled. They're working with commissioner Fritz's office.

Adams: Ok. Please read the title for item number 1380.

Item 1380.

Adams: Ok. That gets us to the consent agenda. Item number 1388 will be heard in next week's -- as an agenda item. And 1404 is referred back to the auditor's office. Would you like to read those titles?

Adams: Ok. And is there anyone else that wishes to pull any item from the consent agenda? Karla, please call the vote on the consent agenda.

Leonard: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

Adams: Aye consent agenda's approved. That gets us to an ordinance, non-emergency ordinance time certain 9:30. Please read the title for 1381.

Item 1381.

Adams: This is an update between the city of Portland and the port to continue the work on the west hayden island project. We first approved this iga in may 2009. Kicking off phase one of this project. Since then, the council passed a resolution directing the bureau of planning and sustainability to begin phase two and develop a legislative proposal for annexation of the west hayden island to the city. The intent of this council action is to protect at least 500 acres as open space and identify no more than 300 acres of future deepwater marine terminal development. This iga paves the way for that work. In the coming weeks we'll be announcing the membership of the advisory committee that will guide phase two of this work and scheduling regular council work sessions to keep the council informed the further study and analysis we've asked for. Is eric here? Come on up.

Eric Engstrom, Bureau of Planning and Sustainability: Good morning, my name is eric engstrom representing the bureau of planning and sustainability. This is a follow-up item from actions you've already taken. We updated the same iga to get us over the fiscal year and in july, you considered a resolution which outlined our next steps and work plan for the coming year. This intergovernmental agreement amendment carries the -- amends the previous iga to incorporate the additional work necessary to accomplish the instructions you gave us in the resolution in july. There are a couple new elements to that work plan. New advisory committee, as the mayor mentioned, a number of work sessions with the city council as well as the port commission will be scheduled. There are a number of additional studies that you requested through that resolution listed on the back of that colored diagram. That's an outline of our specific consultant studies we're working on. We will be developing a concept plan under the parameters the mayor outlined. Community involvement, I want to mention our plans for that. In addition not advisory committee we'll be moving forward with community involvement summit meeting where we'll have a panel discussion about the specific methods we can use to keep people informed and involved as we go forward and probably scheduled in the november time frame. We will -- the total amount of the iga changed by \$169,000, but the port increased the funding and the total funding for both years to \$931,000. I did have one housekeeping amendment that was requested. And i've -- I understand from the port of Portland that this is amenable to them. On page 3, at the top of the page, the first paragraph, the last sentence says draft plans should be presented to the public, and the request was to change that to will be. And so both parties are amenable to that and we can do that -- amenable to that.

Adams: We'll consider that as scrivener's amendment. Go ahead.

Engstrom: That concludes my presentation. If you have questions --

Adams: Questions from council? All right --

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Saltzman: The timeline for completing?

Engstrom: We hope to come back with a final package for your consideration by the end of 2011. So about a year from now or a little over a year from now.

Adams: Any other discussions with Eric? Anyone signed up?

Moore-Love: Yes, we have one person. Mary Ann Schwab.

Adams: Please come forward. You win the award for best holiday sweater.

MaryAnn Schwab: Well, in this room, the public sometimes gets treated and the deep pockets get tricked. Trick-or-treat.

Adams: I think I understand that. [laughter]

Fish: We can see it on a replay tonight, mayor.

Schwab: I'll take my mask off. Good morning, gentlemen, and Amanda, thank you very much for the opportunity to speak on this important issue, West Hayden Island. As a community activist, you know lots of emails come my way and I do know, in fact, that the Sierra Club, the Audubon Society and the Native American Indians are very concerned about the use of those 300 acres for the terminals. And in respect to the resolution you passed in July, 2010, spending 100 and now \$69,000 to finish it is surprising to me especially knowing that the port of Portland spent \$931,000 already and at some point in time, I hope these highly paid port of Portland consultants will take time to listen to Jim Howell's report on the need for passenger light rail across the CRC and light rail for freight to get out there. Talking with Jim, he doesn't think there's enough length of space to even access it with a railroad. And to move your freight. And speaking of the CRC, another comment he made, we've spent \$350 million on studies on this bridge and yet the Hoover Dam bridge only cost \$240 million. I would like everyone to sharpen their pencils sharp and so that the accountability is here and we know our dollars are spent wisely. Thank you.

Adams: Thank you, MaryAnn, appreciate your testimony. Karla, can -- oh, unless there's additional discussion, then this will move to -- I'm waiting, is there any additional discussion?

Fritz: Yes, basically because everybody is here and I appreciate the good work that's gone into this, particularly, Mayor Adams, your leadership and Eric and in the planning bureau, have done good work and the office of healthy working rivers and the port has been helpful and thank you so much for the engagement and indeed, funding most of the cost. Although it's noticed that the office of healthy working rivers is not receiving funding from this, we're responsible in the intergovernmental agreement for evaluating the public benefit of the various proposals and so I'm very excited about the office of healthy working rivers' engagement in this process. To summarize where we're at. After the end of phase one, after a year of hard work, the community working group wasn't able to make a recommendation based on the information given and that was the reason, we, the council, gave specific directions and recommendations for the phase two. Nothing in this agreement is intended to commit the City to initiative changes to the zoning code or predetermine the outcome of any annexation proceedings or legislative land use proceedings. There's a lot of work still to be done and community engagement and I appreciate the emphasis on the community outreach and it needs to be a true engagement with citizens to effect the decisions made and I believe it will be. So I know that it's going to be an open and objective dialogue and the information to meet the intent for phase two will have draft documents and information presented to the public in a comprehensive objective and neutral manner and just noting that selection of a facilitator who embodies the principle will be critical. And pleased to see this work plan is responsive to the council's direction and again, thank you to all concerned.

Adams: I want to thank staff and especially Amy Ruiz on my staff and Eric Engstrom and the entire team. This issue has been dodged by previous city councils for -- what? -- over 35 years? And we're on a trajectory to make a -- a trajectory one way or the other about West Hayden Island's future and it's about time. Happy it move this on to a second reading next week. Oh -- I'm out of practice. [gavel pounded]

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Moore-Love: It's a 10:15 time certain.

Adams: Let's move 20 -- let not. Do you want to do 1405 or wait?

Saltzman: Yeah.

Adams: You want to wait.

Leonard: I think you can do 1383 time certain.

Adams: Oh, you're right. Please read the title for emergency ordinance item 1383.

Moore-Love: 1383?

Adams: 1383.

Moore-Love: That's part of the 10:15 time certain.

Adams: Oh, read the title and call the vote for 1406.

Item 1406 roll.

Leonard: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

Adams: Aye 1406 is approved. Can you please read the title and call the vote for 1407.

Item 1407 roll.

Leonard: Aye.

Fritz: Thanks to Andrew Aebi and the testimony we received. This is on the assessment for the work that's been done and it's appropriate to support it. Aye.

Fish: Aye. **Saltzman:** Aye.

Adams: Aye 1407 is approved. Can you please read the title and call the vote for 1411.

Item 1411 roll.

Leonard: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

Adams: Aye can you please read the title and call the vote for second reading, item number 1412.

Item 1412 roll.

Leonard: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

Adams: Aye. 1412 is approved. Can you please read the title and call the vote for 1413.

Item 1413 roll.

Leonard: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

Adams: Aye. 1413 is approved. Looking for -- can you please read the title first reading of 1409.

Item 1409.

Adams: Maybe I was premature. Is there anyone from h.r. Here to discuss this? We're ahead of time. Anyone from omf to talk about bonds? Ok, did I do -- so can -- did we do 1403? Let's do 1403. Oh, sorry. So let's have a 10-minute break. We're recessed for 10 minutes. For 25 minutes. Something like that. [recess]

At 9:51 a.m., Council recessed.

At 10:13 a.m., Council reconvened.

Adams: Back from recess. Karla, can you please call the roll. Kill a little time here. [roll call]

Adams: Are the -- are the folks that are presenting -- oh, there -- all right. Can you please read the title for emergency ordinance time certain at 10:15 item number 1382.

Item 1382.

Adams: Hi, ms. Deckard, how are you?

Yvonne Deckard, Director, Bureau of Human Resources: I'm fine. I'm the director for the bureau of human resources. Excuse me. What you have before you is the pfaa labor agreement that we've actually -- the members of the pffa --

Fritz: Can I ask you not to use the acronyms.

Deckard: The Portland firefighters.

Fritz: And the ta?

Deckard: Tentative agreement.

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Adams: Move closer to the microphone.

Deckard: That we've reached tentative agreement with the Portland firefighters. Firefighters' union have ratified the agreement and i'm here to talk about the agreement and ask for your support for the agreement. The agreement is a it you-year agreement. And the economic piece of the agreement is that it's a zero cola increase in the first year and a floor of one and ceiling of five in the second year and able to make the administrative change to the work week. When we reduced from 56-hour work week to a 53-hour, it wasn't calculated correctly and reduced from 53, that error in calculation continued to happen. The -- by correcting this error in calculation, it actually results in efficiencies in scheduling for the bureau and assists them in eliminating potential over-staffing. It will allow the bureau to get the appropriate staff in the right places, to better serve the public. It will ensure that staff are placed in the right position, there be -- thereby reducing the grievance and associated costs of grievances and maximize the use of the traveler's pool that will allow the bureau to control overtime costs. We were able to also settle two grievances as part of this negotiation, which was the payroll banking grievance and the deferred holiday grievance. We gave their 40-hour a week Portland worth of additional floating holiday and we moved the time and quarter -- or, time -- well, from time and a quarter to time and a half. Basically, really what the firefighters was working, about 1735 -- 1.35, for the call shift and [inaudible] they automatically shifted to time and a half. This just makes that incremental change once they go into overtime on the call shift, they're always at time and a half. I think this is a good agreement for the city. I think the bureau did get some efficiencies, I think the savings we have with the zero cost of living increase is a balanced deal for the city and I recommend that council ratify this agreement.

Adams: Discussion with council?

Saltzman: The 56 versus 53 hours we did that in previous agreements and you're saying we're just dealing with the accounting around that?

Deckard: No, no, no, years ago, we actually moved from 56 hours to 53. And then somewhere around 2000, we -- early 2002, we moved from 53 and when we calculated it, it was miscalculated when the unit moved from 56, to 53. It should have been a different number, once you calculate it under the standard and we've actually corrected that calculation.

Adams: Any other discussion.

Fritz: Why is it a two-year agreement. Not a three? I thought we were trying to keep everyone on the same schedule.

Deckard: It initially, we were wanting to get everybody on a two-year agreement and council, at that point in our first executive session agreed it should be two or three years, and directed me to negotiate whatever was appropriate given the unit. With this particular unit, this is the first major unit we've reached agreement with. And since they were the first out of the box, the gate, we actually went with a two-year agreement.

Adams: The reasons, many, many years ago, for trying to get all the contracts up at the same time, the rope for that was -- and there's some sort of change in the contextual environment that --

Deckard: Yes, initially, we -- council asked me this question and I provided information to you, I would say back in june or july, but initially, the reason we actually put all of the contracts on the same year was because initially, we thought we were going to have a problem with healthcare. Our healthcare costs were going out of control and we had just lost an interest arbitration with ppa, in which they actually were able to go out on their own, as far as healthcare. We wanted to see if we could glean some savings by instituting a wellness program and we thought we wanted to get out of the situation of leapfrogging around healthcare costs by having the contracts staggered and we wanted to do was bringing them all together so we would be able to negotiate the healthcare piece at one time and then re-stager them. I would recommend to the council that you want your agreements staggered. You don't want them all at one time. It's very difficult to negotiate them all at one time. It's a huge staffing burden to try to negotiate them, but you also put yourself in the

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position where if you are having problems getting successor agreements, you face interest arbitration with all of your units at one time, as well as potential strikes with all of your units at one time, thereby, shutting down the city and there is -- you know, there is drawback to having them all open at one time.

Adams: The original reason around --

Deckard: Was healthcare.

Adams: -- was healthcare and that's now why given the work on healthcare, you believe that staggering them, the reasons you mentioned, makes more sense?

Deckard: Yes.

Adams: Any other further discussion from council? How many people -- thank you. Anyone signed up?

Moore-Love: No one signed up.

Adams: Anyone wish to testify on this matter? All right. This is an emergency ordinance. Please call the vote.

Item 1382 roll.

Leonard: I appreciate -- I appreciate the work that has gone into this from both sides. Jim forquay and jack ram, the chief who is sitting out here and aaron johnson from my office and especially yvonne and her staff who have done really a great job on this contract as you have on others that we have before us to vote on. Aye.

Fritz: Thank you for your work. Aye.

Fish: I'm particularly pleased that some grievances were resolved as part of the contract negotiation. I know from my experience, how challenging that can be. Randy, congratulations for your leadership on this and your team and delight to the support this agreement. Aye.

Saltzman: Well, I want to thank -- starting with the bureau of human so resources, yvonne deckard and others and also to thank Portland fire and rescue and the Portland police firefighters' association. I think it's a fair agreement and i'm pleased to support it. Aye.

Adams: I want to congratulate fire commissioner randy Leonard and thank the excellent fire bureau team. Superb. Thank the firefighters' association for what were difficult negotiations but constructive and lead to this agreement and thank yvonne deckard and her team for the improvements contained in this contract and it's great to have it done. Aye. [gavel pounded] approved. Can you please read the title for emergency ordinance number 1383.

Item 1383.

Deckard: Once again, i'm here today, along with patrick, patrick was the chief spokesperson for the contract, the labor agreement. Which is the city of Portland professional --

Adams: Employee.

Deckard: Thank you, employees. This is a three-year agreement and the first year of the agreement is zero cost of living and then for years two and three is a floor of one and a ceiling of 5%. One of the main issues that existed with this particular labor unit was they had a professional development fund that they were -- that's been very important to them, that bureaus actually contribute to for training purposes. And we were -- because of some of our bureaus and cuts they've had to take, this was going to be very difficult for them to continue to contribute to this fund, and so we came up with a creative solution to this. One, in recognition of the continued cuts that the city's been taking, they agreed if we would continue the fund, we would begin it in year two of this labor agreement. However, if the city continued to take a 4% cut across the general fund, across the board of the general fund, they would actually postpone the implementation of development fund and then move to year three. And for the bureau of development services who has -- you know, taken tremendous cuts, that for their representatives in that bureau, the union would be willing to consider picking up and making the contribution for those employees. One of the important issues for the city was background checks these employees are part of our i.t. Staff

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assigned the police bureau and we were able to sit down with the union and work out an agreement, if a employee doesn't fulfill a background check and not eligible for layoffs, we would make other efforts to place them in other city positions they could participate in. This unit did -- we did give them the day after thanksgiving as an additional holiday. And those are the basic highlights of this particular agreement.

Saltzman: Two years?

Deckard: It's a three-year contract.

Adams: Additional discussion -- or, any discussion from council? Anyone signed up for --

Moore-Love: No one signed up.

Adams: Does anyone wish to testify on this matter? Karla, please call the vote on emergency ordinance item number 1382 -- sorry, 1383.

Item 1383.

Leonard: I know this is a tougher contract the city of Portland professional employees association coppea has endured a number of layoffs. And I particularly appreciate the work that it took to go into this agreement, given the atmosphere around which you were making the changes to the agreement. So I want to thank mark bellow, the president of coppea, he's been in my office the last couple of years, because of what's happened to the bureau of development services and patrick, thank you for your good work. Aye.

Fritz: I want to thank you and the outgoing president, mark bellow, this has been a difficult process and you worked through it well. I know it has been tough times, and this agreement means a lot, both sides getting it worked out. And want to highlight the policy that was in practice and the conversion of sick time which provides an incentive to convert a limited amount of sick leave into vacation leave under certain circumstances and like to consider this in the next contract negotiations that we consider this policy citywide because it does address sick leave abuse and provides an incentive to employee who is show up to work and participation in the wellness program, that you mentioned yvonne, that we want to provide both opportunities and incentives for employees to be well, do their work and avoid taking sick time to the extent it's possible. Thank you very much for your work on this. Aye.

Fish: Yvonne, before I got elected, I used to be involved in labor negotiations and i'm old-fashioned. I remember the days, you had a single mother and single union partner and you negotiated a grant and as I consider how we do things at the city with five of us and the agreements and all the complexity, it's quite extraordinary. I think this is a moment for me to thank you for the way you've engaged the whole council in this process. You've not only had to find the sweet spot with labor partners but frankly, had to bring the council together around a consensus about how to proceed and I know how challenging that was. I appreciate the leadership you and your team have shown throughout the labor process and as someone who used to be in the trenches doing this work, I have to say i'm impressed. Aye, I want to thank the bureau of human resources and mark bellow and the professional employees association and I think these were vexing issues, around professional development. They need to have professional development as part of maintaining a licensure or whatever. So it's important we try to accommodate and encourage that and I think the creative solution you did, I think, is a good one. And I also think the issues around background checks and painful issue around layoffs are tough to deal with. So I do appreciate coming to consensus on this and pleased to support this agreement. Aye.

Adams: Well, I want to acknowledge that service areas of the city that include members of the -- of coppea, the professional employees association, have experienced significant layoffs because of our financial situation. Both in the bureau of development services and in the bureau of planning and sustainability. So doing -- seeking a new agreement in that context has been very difficult and I want to acknowledge the pain that families have suffered from the layoffs and also want to thank those that continue to work, more is required of each of them, because much of the demand for

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those services remains. So I want to thank them and coppea for their great partnership in working on these difficult issues at this time and again, thank you h.r. for your great work. Aye. [gavel pounded] approved. Now, we will go to -- oh, while you're here, can you speak to 1409 quickly. We already read it.

Moore-Love: The h.r. Carryover for the employees -- [inaudible]

Adams: Is it a quick one?

Anna Kanwit, Bureau of Human Resources: Yes.

Adams: Great. We're considering first reading of an ordinance item number 1409.

Kanwit: Yes, ann, assistant director of the bureau of human resources. This ordinance is the last of the carryover, vacation carryover honors that resulted of the integrated software program. As you know, I came before you probably two years ago to request vacation carryover for the employees assigned to the project through the end of fiscal year 2010. This allows the carryover max up to two years, but we have remaining three employees, two of whom are actually -- work for the enterprise business division and the manager's has requested I bring this ordinance to you, the employees are involved in very critical work in terms of handling the tickets and other issues arisen from implementation and have not been able it significantly impact their vacation and the managers do understand 2011 is it. If they cannot use the vacation, it will be lost at the end of 2011. So that's -- I ask for is a one-year carryover for these three employees.

Adams: Questions from council? Thank you. Anyone wish to testify on item 1409? All right. This moves to a second reading next week. Karla, please read --

Moore-Love: Did you want to take the communications person?

Adams: Sorry. We'll -- unless there are objections from council, suspend the rules to hear again item number 1378. Communications. Can you please read the title.

Item 1378.

Adams: Mr. Jones, hi, welcome. Please come forward and have a seat. Just give us your first and last name and the clock in front of you will help you count down your three minutes on the big hunk of wood in front of you there. Glad you're here.

Willie C Jones: Good morning. Nice to see you again. Am I talking about my car or am I talking about the art? Oh, good. I was visiting -- which is most important to me, an elderly couple. One in their early 80s and one in the late 70s and I visit them often. They don't have a lot of visitors. They're sound of mind and make more sense to me. While I was in the house, my car got towed. We was -- on one of my normal things and they wrote a ticket for blocking a driveway, which is partially an inactive driveway. They do have a vehicle equipped with ramps and stuff. But rarely used. I take them to the hospital or whatever they got to do. What i'm objecting to is the way it was done. I loved -- I love the idea that when we have problems in the community, the city flood the neighborhood with resources. I think it's a policy that's well worth keeping up. I think it works well. Although I think it do need fine tuning. It would have took them 30 seconds to get out of their car, whatever they were doing, knock on the door and inquire. And I think it would have alleviated all the stress that was around this. We went down to the towing yard that night, got the vehicle back, it cost 50 bucks a day storage fee for a vehicle. So it was important, financially, to go down there and get it that night. But I was hanging -- i'm a 20-year retired veteran. I have a -- when I drive, I hang my disability sticker in it. Now, you know, if you tow cars with these things hanging in them, you don't know what kind of predicament you're putting people in. I mean, I could have been severely handicapped. But even so, I think that the system's great. I think it works well. And i'm applauding it. But it does need a little fine tuning. It's caused a lot of stress and it could have been alleviated in five minutes. Ok?

Adams: Did we normally -- normally, those --

Jones: Yes, sir?

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Adams: Normally, enforcement of that is on a complaint basis. We are looking into this when you talked to me about it, I think, last week. Have we gotten back to you yet? She was trying to find out how it came to our attention that your car was in the driveway or did someone complain. Has she gotten back to you?

Jones: I was trying not to go there. No, sir, she hasn't.

Adams: Your intentions are spot-on good. I'm interested in finding out how we can support you in your efforts to look after this couple and I know you and you're a great person and involved in the community, so i'd like to find out how this came about and see what we can do to make sure it -- you know, you have the opportunity to help this couple again.

Jones: Sir, mayor, I don't think it's the couple. I'm addressing -- i'm addressing the public humanitarian, the service to the community, you know, sometime you can do the best you can, but if your attitude and work come out to be a negative thing, then all of your efforts and all of your time and material, it's -- it just goes awry.

Adams: I agree. If you could stop upstairs and check in with grace or I can have her come down

Jones: No, sir, i'll be happy to go up. I'm sure you have plenty to do.

Leonard: You were going to talk about your art too.

Jones: Sorry?

Leonard: You were going to talk about your art.

Jones: I love talking about myself. Oh, my art is not in the mainstream yet. I turn -- I turn out to be an artist by accident. People will buy my stuff, I've been selling it. I've had people steal my stuff, which is a compliment.

Leonard: Sure.

Jones: But there's a lot of resources that the city has, there's a lot of programs that the city not only finance, but they back fully, and it's a wonderful thing. But somehow i've been missing through the computers, through the communication era, I miss it. So i'm attempting to get into the communication flow, to be in the know of what's going on, what's available, the grants, the shows, the annual, bi-annual events, whatever the city has around arts, communication wise, i'm missing it. Me being an artist is an accident.

Leonard: Mayor Adams has in his office --

Adams: Cary.

Jones: Cary gave me a call.

Adams: I understand what you might be looking for is affordable work space and we're looking at-

Jones: I didn't plan on being an artist, but --

Adams: It found you?

Jones: Right. And the resources that I had around my lifestyle, i've outgrown that.

Adams: Ok.

Jones: So now I don't have the luxury of being bogged down in the system where I have to fill out a mile of forms, the process -- the process for those forms so i'm trying to leapfrog my way into something that's turned out to be a very pleasant journey so far.

Adams: Cary is a great persistent fellow and will continue to make sure that we make you aware of all the opportunities and provide whatever assistance we can and i'd encourage you to take him up as well on the offer of going to take a look at mile post five in terms of really, really affordable performance artistic space. You may not like it, but encourage you to take a look at it.

Jones: A beautiful old firehouse? Three or four stories. The city don't want to take care of that. I could do that for them. Take a load off them.

Adams: Thank you, sir. Appreciate it.

Leonard: Have a wonderful day.

Adams: Thank you. You too. Karla, can you please read emergency ordinance item number 1405.

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Item 1405.

Adams: Commissioner dan Saltzman.

Saltzman: Thank you, mayor. I'm proud to bring this ordinance forward today. Policymakers on all levels are grappling with human trafficking and it's a trouble issue happening right here in Portland and in Oregon. We're blessed with social service staff, advocates and volunteers and elected officials and constantly trying to catch up to the problem. This ordinance will help us do exactly that. Catch up with the johns and the pimps and cripple their ability to victimize children and women. This sends a powerful message we're not going to allow them to keep committing these atrocities. We need to hold pimps and johns accountable and take the very tools they use to victimize women and children. The ordinance in front of you would allow the city to use assets forfeited from prostitution crimes and direct them to services of for victims of human trafficking and have the ability to seize any items or proceeds used or derived from prostitution crime, cellphones, car, computers and cash. Those assets welcome directed toward funding for victims of human trafficking. 75% of those funds will be used for victim and shelter services. And 25 -- oh, and this could include funding for victim advocates, medical services, the operation of a safe house and any number of things that a victim needs to become a survive. The remaining 25% will be used by law enforcement to continue their trafficking related missions and investigation. The Portland police bureau has been doing a stellar job on its work on human trafficking and the forfeiture assets will continue these efforts. Time and time again, I keep hear, hearing we need money -- funding for shelter and victim services. We're not guaranteeing these forfeitures will be the solution to all funding needs but this will be the city's first sustainable funding stream dedicated to combat human trafficking. The dollar value of a cellphone or a computer may not be substantial, but all of those phone numbers, addresses and names could be invaluable information for law enforcement. To increase our forfeiture activities, the city council two weeks ago approved hiring an outside counsel to work exclusively on forfeiture cases so we expect the number of prostitution cases we'll be able to do these forfeitures on will conceivably grow. The state has also been making changes to asset forfeiture laws and this ordinance complies with those procedures and the city attorney's office will overview and bring forward administrative language to council in the next couple weeks to fully implement this ordinance and with that, i'm pleased to welcome our guest who we've invited to testify, county commissioner diane mckeel. Jeri williams who is herself a survivor of human trafficking. Esther nelson with the sexual assault resource center. Mark mckechnie, the juvenile rights project, executive director. And we need an extra chair. Welcome.

Diane McKeel, Commissioner, Multnomah County: Good morning to all of you. I want to begin by thanking commissioner Saltzman, mayor Adams and the rest of the council for having me here today. This is a great step forward on the continuum toward ending trafficking in our region. This passage -- passage of this ordinance is clearly a very important action being taken today by the city council. The broader importance of this ordinance can be seen from the perspective of the multigovernmental collaborative process that we've cultivated between our jurisdictions in an effort to combat this growing problem in Portland, Multnomah county, and Oregon. On the federal level, senator wyden has passed legislation through the senate that he would create a system for creating safe shelters across the nation. He's secured \$900,000 for a shelter here in Portland thanks to the leadership of representatives barton and tomei. Each will receive a sticker with the national trafficking hotline meant to be displayed visibly for employees and customers. Our state representatives are looking for more ways to improve state statute to increase punishment for offenders and better protect victims from abuse. Finally, starting in january, Multnomah county will be offering a one-day treatment program for those caught buying or attempting to buy sex. Base off of similar successful models in san francisco and seattle, this course will reduce recidivism for purchasers of sex as well as educate them on the consequences of their actions. Proceeds will be dedicated to victim services and treatment. As well as law enforcement and training. As you can

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see, this is a collaborative process that is moving quickly. For an issue that few understood or recognized in our region only a few short years ago, we have made great strides in addressing it. Still, we have much work to do. I would like to thank the city of Portland for taking this important step today and I look forward to continuing to work with you to end human trafficking in our region. Thank you.

Saltzman: Thank you, commissioner. And we also want to thank you for your outstanding leadership. Esther.

Esther Nelson: First, I'd like to thank you. What we know is that if we can address the need --

Saltzman: Can you give your name and affiliation.

Nelson: Esther Nelson, I'm a case manager for the sexual resource center. A case manager. What we know about trauma response, if you can address the need quickly, responding usually within the first hour after someone is identified, you can greatly decrease the long-term reactions and incidents of post-traumatic stress disorder and we feel strongly having advocacy and law enforcement being able to respond quickly to those needs are vital to their long-term healing process and we're appreciative of you prioritizing this need. We're at capacity in serving survivors, about 150 survivors on our caseload and no longer able to accept more into our program and we're working nights and weekends just donating our time and we're unable to probably bring in any more currently into our program. So I think it's great to see it resource is out there, because clearly there's a need we're addressing and we are needing to have more resources to back up those services at this point for advocacy, for shelter staff and law enforcement. So I'm so appreciative we're thinking about sustainable funding streams. That's the way we'll address it long term, not just right now. Thank you for that.

Saltzman: Mark, maybe you can slide the microphone stand in a little bit.

Fritz: the block moves.

Adams: calisthenics.

Mark McKechnie: Good morning, Mayor Adams, Commissioners. My name is Mark McKechnie. The executive director of the juvenile rights project. JRP has been in Portland since 1975 and started as a program of Multnomah legal aid services and became a nonprofit in 1985. Over the years, we've represented tens of thousands of children in Multnomah county. Including children in foster care and the juvenile delinquency system and represented a fair number of youth who've been involved in commercial sexual exploitation and they've been treated in different ways, both as children in need of protection by the child welfare system and criminally through the delinquency system. I would point out that one of the very attractive features of this ordinance is beginning to clarify what I see as confusion between the way we view and treat victims of sex trafficking. We need to be much more clear, they are victims. They have been treated more and you as criminals and juveniles treated as delinquents. I think it's important for the city to take clear stand on how these individuals will be viewed and treated and the appropriate way to treat them as victims to protect and support and help them escape the exploitation they're suffering and we want to thank Commissioner Saltzman for bringing this proposal forward. And I think the other great thing about this ordinance is beginning to provide sorely needed revenue that's been lacking to serve victims of sex trafficking and that's one reason why our systems have been more prone to treat youth as delinquents because there was an absence of options, absence of resources to serve them as victims and to protect them as children. And by default, we arrested them and detained them and prosecuted them. So I believe this provides an opportunity to do things differently and to do things right in our community. Fortunately, the law that the state law is already in place to allow these individuals, these children to be treated through the child welfare system. What we need, really, is to start changing the practices about how their cases are handled and how we as a community respond. So this ordinance certainly points us in the right direction. And the other thing I will say, as director of a nonprofit who is often concerned with seeking revenue, I know that the fact that the

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city is providing a dedicated stream of revenue to these services will make it much easier to attract revenue from other sources, whether it's from private sources, the state or federal sources in the future and I think it's wise for the city to dedicate these funds for this purpose. Thank you.

Jeri Williams: Good morning, my name is Jeri Williams and in September I celebrated 21 years of freedom from human trafficking and getting ready to celebrate four years as a city employee of the city of Portland in November. I'm here to thank the commissioners and mayor for supporting this ordinance and I'm grateful for your continued dedication to protect youth. This can be a first step to creating a sustainable funding source to keep victims from human trafficking in a safe place so they can begin healing. My first step in healing was to get away from my pimp and I went to dual diagnosis treatment this 1989 but still lived in fear for years. I was going to PCC and hadn't yet learned what I needed to learn to keep myself and kids safe. It wasn't until I arrived at the West Women's Shelter, I was in a safe place, safe enough to experience the post-traumatic stress disorder and get to the root of my problem and have the opportunity to participate in the Council for Prostitution Alternatives, a program run by survivors that had significant resources. The combination of these two programs empowered me to become who I am today and I'm forever grateful for that. I was an adult when this happened to me. Just think how much more intense it must be for a teenager. We need to create a safe place for them. Not with bars but with secure -- with a secure place. Last week, I had three speaking engagements on this issue. The two workshops I did at the Oregon Peacemakers conference at the University of Portland. The Peacemakers' conference brings in middle schoolers and high schoolers how to become activists. Which he knows I love. The majority were in seventh and eighth grade and seemed so small and after watching film clips and having great discussions, they created one-minute commercials they presented. These are some of their messages. Many kids are trafficked over the internet. Stay away from guys that try to sweet talk you. Stop human trafficking. It could happen to you. I actually made all of these into a video, I sent to your office. But the one that I wanted to read that you can't read in the video. Says government of Oregon, we need you to recognize the seriousness that comes with human trafficking. The kids need your help. If you found out your son or daughter were selling themselves for money, what would you do? Imagine how the parents feel. Young children don't want to go home to disappointment and anger from their parents. We need to help the kids who can't help themselves. They need shelter. Please help. Create shelters to help young men and women who have already lost so much. I had the opportunity since speaking in 2008 with Commissioner Leonard, to watch this blossom in front of us. To watch thousands of people become involved in this issue. People from churches, people from government, people from colleges, people from everywhere. It's incredible to see the amount of compassion there is for this issue. And I too believe when you start -- when you plant that seed of sustainability, that it does grow and attract more. So thank you so much for starting that and once again making me a very proud employee of the city of Portland.

Adams: Thank you all. Thank you very much.

Saltzman: The last panel invited. I want -- I wanted to invite up Jocelyn Baker of the community sexual exploitation committee. Miriam Green of the Department of Human Services is very -- active in dealing with the children in custody in DHS right now, involved in trafficking. And then Wynn Wakkila, an extraordinary grassroots organizer, she formed the group Oregonians Against the Trafficking of Humans. Which is very active on this issue and I wanted each to have a chance to say something. Start with Wynn.

Wynn Wakkila: Thank you. Director for Oregonians Against Trafficking Humans, part of the human trafficking taskforce and back in the '80s, I've been a member for a long time, we did a study on recidivism and found so much money in our legal system was going toward the end. Towards prisons and keeping people incarcerated and found if you could put more money upfront, that is where you can stop the long-term dollars being spent. So I think this is a great idea. This is putting

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more money upfront and this is going to stop recidivism and to think of the emotional trauma the girls go through. You're going to stop this right away, instead of it going on so many years. Thank you so much for doing this. It's great. I know some of you are coming to our -- i'll put a plug in for our conference, november 4th, 6th and 7th. And we have 14 organizations are going to be presenting there. So thank you so much for what you're doing. Thank you.

Adams: You need to move closer to the mic.

Marian Green: I had not anticipated speaking which is why I was sitting in the back. Let me say i'm delighted to be here and I concur with what people have been saying how far we've come from two years ago, and seeing -- starting to see what was truly hidden in plain sight and the partnership, particularly county and city this large, we've come together and continue to and have differences of opinions but continue to keep coming back to the table to do what's best for children is incredible and it's a pleasure for me to be part of that and the last thing I would say, echo what esther was saying, the level of trauma for these children is -- to be listening to their stories and to have upfront services within the first hour and the police response we've had is absolutely wonderful. That's it. Thank you.

Jocelyn Baker: Jocelyn baker, department of community justice, Multnomah county. It makes me feel so happy to hear language change in this room. To hear about shelter and victims services and as we all are bringing this message everyone here in this room—about really understanding what these youth need, if there's not a person that can talk to them at the front of the situation, a compassionate police officer who's supported by a team that's funded and all those good things that has partnerships with an advocate that also isn't working 60 cases like they are currently. That will help all the work down the line. Conversations upfront and with other community partners so no matter which door this kid comes in, in an emergency room, contact with a police officer, someone from sark, that everybody understands the trauma that they're experiencing, that everybody understands these kids are victims, not juvenile delinquents, criminals, thrill seekers. They're victims of horrible abuse and exploitation. I can't imagine how hard it was for esther to sit up here and say they're not taking cases. That really gets at the heart of what they're trying to do at sart. By the resources you'll bring through this ordinance to be able to support law enforcement and sart and reinforcing that good work is incredibly powerful to the work that we're doing, showing a beautiful balance of demand and supply and really understanding how these youth are victimized and also holding accountable offenders. I really appreciate the broadening of this. Thank you for the sustainable funds that will be available.

Saltzman: That completes our --

Adams: Is anyone signed up?

Moore-Love: Yes. We have two people signed up.

Adams: Let's proceed with the vote unless there's council discussion?

Fish: I have a couple of questions. I don't know whether to address them to dan or amy.

Saltzman: City attorney?

Fish: Let's start with you, commissioner Saltzman. I am in strong support of the ordinance and the model that's been established. The two pieces that the ordinance, though, does not address are who ultimately spends the money? At the city level, who's charged with coordinating the services? So it says in the ordinance that the police will do an annual accounting. It has a formula, 25 and 75% in terms of the split. But it doesn't -- it's not explicit about how the money is spent and who makes those decisions. And the reason I raise that question is that, as commissioner mckeel knows, the city and the county right now are in a pretty dynamic discussion about how to better align the delivery of homeless services, and so the key folks on both sides are frankly going back to resolution a and asking whether it still has utility. And we've done some new budgeting where we've looked at every dollars coming in the system to determine whether we're spending the money efficiently. And it turns out we're both providing similar services in certain areas. That make no,

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sir sense. So what would be helpful for me before we close out this excellent presentation is have a clear understanding of how the money would be spent and what would be the role of the city and the county in that process?

Saltzman: I think our intent -- we actually discussed this but did not include it, though i'm certainly open to a friendly amendment to that effect. The bureau will make the decisions, but i'd like to have them have the advice of the Portland bureau of housing, human rights commission, and an appropriate source from the county that would sort of advise the bureau.

Adams: If I could offer a friendly amendment, now that we have the coordinating committee, I think that is perhaps a better place for us to get advice. I think that would include all of that and more. The ngos, the nonprofits are important to include in that discussion as well. So if I could offer that as a friendly amendment to your legislative intent?

Fish: That would be the advisory body to the decision maker. In this case, the decision maker would be the police bureau?

Adams: Ultimately the city council.

Saltzman: The police bureau presents it to the city council as part of the budget process.

Fish: That way we can better coordinate and align the existing shelter services we're investing in. I think that's a promising start, and then we can test-drive it.

Adams: I don't think we need an amendment. It just conveys our legislative intent.

Fish: Thanks for bringing that up.

Fritz: One of the parts of this that I really like is we're amending city code to say that we're not going to be requiring victims to forfeit their property, so we're not allowed to do something that goes beyond what state law says, which just defines people who sell sex as well as people who buy sex as a misdemeanor crime. What this ordinance does, it says that people who sell or are forced to sell aren't subject to our forfeiture requirements, which is what the funding stream is. Do we have, in our legislative agenda, a request to make a change to state law, as was mentioned by Jocelyn, to change the language so the victims are not further criminalized?

Saltzman: Yes, we do. We'll be reviewing our state legislative agenda this afternoon, but that is in there to distinguish between basically considering women or men who are being prostituted or trafficked to be not criminals.

Fritz: Great. And do we have any estimate as to how much money might be raised through this stream?

Saltzman: We don't at this point.

Fish: If I could just follow up on, Amanda, your question -- and I know commissioner Mckeel and commissioner Saltzman are working with senator Wyden at the federal level. In the shelter services area, we actually have some dedicated streams of money that come to our community. I'm thinking of dedicated money for people living with AIDS where we provide specific shelter and services. Is it your understanding that the senator is trying to craft a federal program which would -- in the nature of an entitlement which would provide block grant money to the state to cover some of these costs?

Saltzman: Yes. That's his bigger piece of legislation that he's working on, but also he's very close to securing a \$900,000 appropriation for Portland for services for victims of human trafficking. But the larger legislation is to do exactly that. We've just had an invited panelist arrive.

Adams: Welcome.

Judge Nan Waller: Thank you for giving me the time to address the council. I'm sorry I'm later than I anticipated. This is a subject that is near and dear to my heart, because it deals often with children who are very vulnerable, and times they are children who are vulnerable because of the well intended intervention of the state, the court, the department of human services. And it's now getting to a point where they are children who don't have permanency in their lives, and it makes them very vulnerable to those who are willing to see them as easy prey and easy victims. We've known that we've had a gap in our service continuum for this population of children. I'm very

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proud of the work done in Portland and Multnomah county in really changing the perspective of young girls who are involved in prostitution activities to look at them as victims and not as offenders. That's a tremendous step forward in terms of being sure that we have the right kinds of services and supports in place for them. I think that it is also a greatest thatment to the collaborative nature of our community that we've had so many agencies, so many people, so many parts of the private sector come forward and say that they really see this as a need. And so there is grant funding that is in the works that we anticipate, that we have gotten, but having the ability to have sustainable funding to provide for the full service continuum that young women and girls need is absolutely a tremendous gift. We can do good work when we have grant money. Using the proceeds of those benefits from their activity in some fashion, wouldn't that be a wonderful way of sustaining it? If you are going to engage in prostitution activities, then you are going to end up being at risk of having to pay for those services that will support young girls. It is a full range of services that we need in terms of looking at what young girls need. It is having enough advocates available so that people can really support them and stand by them and stand with law enforcement. It is the kind of shelter we need. It gives young girls the feeling that they are being nurtured and cared for. At the same time, it addresses the issue that we see that frustrates all of us from judges to law enforcement to case workers that it is a hard population to hold onto, that the pull of those who are in control is often very strong and that we need to be as strong, if not stronger, in our efforts to make sure that we break that hold, at the same time making sure that young girls understand that they are in fact victims and that we are treating them as victims but we are not going to make them feel that they are in fact, in some sense, offenders and less worthy of our full support. We know we need the right kinds of shelters. We know we need dhs to be able to respond after hours. That after-hours response and ability to respond quickly and on the spot is imperative in terms of the well-being of these young girls. Oftentimes it is the moment in time that counts, and we need to be able to respond 24/7 in a thoughtful way. I had a young girl who everyone assumed she was involved in prostitution activities. She'd been in a permanent placement that had disrupted, which I think for her was a tragedy and not something she easily recovered from. She went from placement to placement and finally was on her own. She ended up with some criminal charges. She gave birth to a baby, her second child, at a very, very young age. It was discovered that there was a warrant on the delinquency charges, and she was taken from the hospital in less than 24 hours to detention where it was discovered that she had an infection and was released to the department of human services. She was picked up by a case worker who made a brief stop, and she was out the door, not to be seen for weeks and weeks. And of course we were all terrified that her medical condition, her vulnerability, the grief of having just given birth and not had any contact with her baby would point her in one direction and one direction only. So that's the story of one child, and she -- although in many books she might not have been considered a child, she was still a child legally. She was still a child in terms of her maturity and decided. And what we needed as a system was the ability to respond very, very quickly to get her immediately into the right kind of placement. Simply placing her back into a foster home or holding her in detention was not going to meet the needs she had at that time. I'm hoping that having sustainable funding that will support the entire continuum of services and need for this very, very vulnerable population that sometimes, through our good efforts, probably when we've not been able to find permanency for children in our foster care system, we know they are sometimes much more vulnerable in terms of being victims and being pulled into activities that at times entice them but we all know are really very dangerous and risky for them in the end. I commend the council for considering this as a way to provide ongoing services and the good work that is being done in a very collaborative fashion in our community. Private, public, federal, state, county, city. I think it is great that we have so many eyes and ears on that very important issue. I'll answer any questions if there are any questions.

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Adams: Thank you very much, your honor. Mr. Olaf? Come on up. Welcome to the city council. Glad you're here. You just need to give us your first and last name, and that clock in front of you helps you countdown three minutes.

Eric Olaf: Actually, can I ask a question about the bill before I get the time? I wasn't sure if anybody picking up a prostitute, even if she's over the legal age, is subject to having their vehicle taken.

Saltzman: Yes.

Olaf: Interesting. Well, I think this bill is making the mistake of seeing this thing very much in black and white, putting -- lumping everyone in one category. I agree that in enslaving these young girls, anyone under 18, it should be considered a very heinous crime. But to put that on the same level as two consenting adults having sex where money is involved is absurd frankly. In many very forward countries, prostitution is not even a crime. In one of our own states, Nevada, this is really like punishing someone for selling pot on the same level of someone who is selling meth. I think these need to be decided case by case. You can't punish two consenting adults where money is exchanged on the same level with a pimp who has enslaved some young girl. It's very black and white. I could see this as very detrimental to somebody's life. There could be some kid who's under 18 where the age thing is not even as big a crime. Take their car, that may be the only source of getting to work. You've pretty much destroyed their whole lively hood. That's all I have to say.

Adams: Thanks for your testimony. Mr. Olaf.

Michael O'Callaghan: Amen. Good testimony, brother. I throw a little spice into the thing because, from my point of view, I want to speak for the prostitutes, and I want to make it clear I'm not one. Ok? But, anyway, we have a trade which we have plied for thousands of years, and you think that you're going to stop this trade by passing some laws? Give me a break. God, come on. Stop punishing people. My goodness. Ok? And I'm solution oriented. Ok? You know, in Amsterdam, it wasn't until five years ago they made prostitution legal? Although you could walk down the street -- and I did -- and there were prostitutes in the window and you could take your pick. I want to be a prostitute. Ok? And you're not going to stop me. And there are people out there that want to buy my service. And, boy, I'll tell you it's pretty rough out there. Ok? It would be really nice if we were safe and secure where nobody could harm us and nobody would give us aids, nobody could beat us up. Why not let us go in Wapato jail? Talk about income stream. You get a 50% cut. They get to do whatever they want to their self. Let's be mature about this. Come on. Among consenting adults, like the gentleman before me expressed. Ok? And I think that would be a very mature thing, although I'm well-aware politically quite a step. But thanks for the time. Appreciate that.

Adams: Thank you for testifying.

Fritz: If you had sat in my seat and heard the stories of survivors who do not choose this as a consenting adult, they are forced into it whether they are children or adults, you would not be making those statements. At least I hope you would not be making those statements. And I urge you to look into the issue of human trafficking in Portland and to know that this is a serious problem and it is not something that's -- it may be something that's happened for centuries, but it's not something we will tolerate in our community.

Adams: We've given you the opportunity to testify. Please call the vote.

Item 1405 roll.

Leonard: Well, it's gratifying to observe that, over the past eight years that I've been here, this council has gone from treating issues like this, specifically prostitution but also selling and purchasing of drugs, as a law enforcement problem -- for an example, prostitution-free zones -- to really how we should be focused on addressing these issues, and that is solution-oriented problem solving. That sounds like maybe the word of the day but, from my vantage point, having sat here and voted against every prostitution-free zone and every drug-free zone for years based on the

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argument -- and oftentimes by myself, based on the argument of how is it helping the community or the persons that are either subject to the control of a pimp or addicted to a drug by moving them from one neighborhood to another by drawing a political boundary? To go from those arguments, including the police bureau in full force making those arguments, to now commissioner Saltzman leading with this series of initiatives to address the core reasons that women are forced into prostitution, I would not compliment and agree with the comments that commissioner Fritz just made. I thought the same thing but have learned a long time ago to keep those thoughts to myself. They don't necessarily change people's minds but I agree wholeheartedly with what she said. To go from that policy approach to this approach today, I hope you appreciate how distinct that makes the city of Portland. I didn't understand how distinct our approach was until I began working with the police bureau on the service coordination team model, which is really how this program was created using that model. That is that the police bureau goes from this model of enforcing the laws against law breakers -- and there are many officers unfortunately who still think like that -- to this problem solving approach. There are more and more officers who think like that. And I think that is the future of the police bureau, and those officers that still think of these as social service programs and not creative law enforcement tools are going to catch on, I think. This is really a way not just to help women that have been victimized but to reduce crime. It's actually a problem solving crime reduction tool witnessed by a dramatic reduction in prostitution in east Portland. Over a third drop in crime since we started using these tools. I'm sorry to go on and on about this, but we've been visited from other cities because of this approach that we're all talking about right here. So this is something that I hope everybody recognizes is not just a common sense approach to a problem. This is a very cutting edge law enforcement tool. And I really appreciate it a lot. I appreciate the discussion here today, the tenor, and I again want to acknowledge that commend commissioner Saltzman for his ongoing efforts on helping victims of abuse at all levels. Aye.

Fritz: Thank you, commissioner Saltzman, for heading this and commissioner mckee at the county and for all of our partners. Thank you, jerry. I'm very proud you're an oni employee. Thank you for all your great work. Aim true in the commissioner's office has done a lot of great work, too. The title of the ordinance is on human trafficking, and I need new note that it's not just prostitution we're talking about, although the funding stream is for victims of prostitution. There are people placed in human servitude in our community, farm workers, day laborers who are not paid. There's a lot of bad stuff going on in our community, and we can no longer say these are consenting adults. We can no longer say this is normal. This is not ok. This is a start. It's a place marker. I greatly appreciate commissioner Saltzman for bringing it up and mayor Adams, as police commissioner, saying, yeah, that's great. This is an example of all of us on this council caring about this issue and taking whatever steps are necessary. It's not going to be enough of a funding stream, and I think the budget process should look at the whole forfeiture pie or other funding streams. I appreciate the comment that this does make it easier to get grants and that's another reason for doing it, but we need to focus at the state legislature to make that change in state law. I really appreciated jerry talking about talking to seventh and eighth graders. That's where it's starting these days. Our high schools, we need to focus on prevention. We are trying to get ahead of the criminalization part with treatment. We need to teach young girls and boys that this is happening, the lure after great life in las vegas or wherever is not real. It's not true. It's not going to happen. You don't get something for free. And it's going to hurt. So the more we can work again with the police bureau and the girl strength program and in all of our other education programs to let our school students know that this is happening in our community and how they can defend against it, that's part of what we need to do, too, and I know he that my colleagues and I are very committed to that. Thank you very much for being here today. Thank you, commissioner Saltzman, for bringing this up again. It's something we need to keep talking about and we need to keep speaking about, 'cause it's important. Aye.

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Fish: I want to add my voice of thanks to my colleague, dan Saltzman, and to county commissioner, diane mckeel, and i'm reminded, diane, that this is one of a number of issues where you have been partnering with the city to get results. And you, for example, have been working with the housing bureau and my office on veterans. And as I look at actually the state of the relationship between the county and the city, i'd be hard-pressed to say that there's been a time in recent history when we've had this level of collaboration. And it's understandable because, in this recession, we have to change the way we do business. You don't have the resources that you need to deliver services. We don't have the resources. So we are compelled to find ways of working together in new and creative ways, and I think this is an example of a very creative approach, and I like what the judge said about this being not just filling a gap in the service continuum but being a very creative solution to the problem. I also appreciate the discussion about a teenaged perpetrator being an offender rather than a victim. That particularly strikes me as I think about the risk that young girls are put at in our community. I want to just use this opportunity, though, to identify the bigger elephant in the room, which is every time we have these conversations, what we're reminded is the side of the budget where we're constantly squeezed is on the service dollars. We are so creative on the capital side, whether we're using tax increment financing dollars, general fund dollars, tax credits, leverage. We've really figured out the game of building things. But in this instance, in the 10-year plan to end homelessness and so many of the initiatives we're working on together, the area of risk is on the service dollars. They are at risk at the federal level and the state level. The problem is, if you don't have the service dollars, you're taking out the piece of the puzzle that ensure as successful outcome. We know that we can't just put people in shelters or can't just put people in housing. If you don't marry it with the services, then it's a dead end, and we know that. But the reality is the biggest risk to our systems and the continuum of services across the board are the service dollars. So when we go into this tough budget cycle at the city, county, and at the state level and as we talk to our federal partners, I think that's where the focus has to be. We need those service dollars. We know how to do the other side of the ledger. Without those service dollars, we're just not going to be successful, and I think that's our great challenge. I'm proud to support your effort. Aye.

Saltzman: This money is dedicated to services. It's not a capital funding source. It's to provide victim services, whether it's services for victims themselves or shelter services. And then part of it is also to go to Portland police bureau chief's ongoing activities and investigations into human trafficking and prostitution, 'cause that's really where the difficulties lay. We get federal grants, but they often rely on us to pick up those activities after a certain amount of time, and that's always where we're scrambling, whether it's a housing grant or in this case grants from what we hope will be coming from congress under senator wyden's leadership. I just wanted to thank everybody for being here. I want to thank diane mckeel for her leadership and all the people in the community who have really gotten this discussion to the level of leadership, elected officials. That includes I want to thank the mayor's office and the Portland police bureau for their increasing focus on that activity, also the sexual assault resource center, the department of human services for the very challenging work that they do every day on behalf of our children, certainly Multnomah county court, judge waller, the juvenile rights project. And finally I wanted to thank my staff, amy true who helped lead this effort but also with the assistance of shannon callahan of my office and also ellen osoinach of the city attorney's office. As I said in my opening remarks, just a couple weeks ago, we hired an outside council to get more aggressive about forfeiture. While we can't bank on this money right away, I think over time, with the specialized and renewed effort to go after forfeited assets, we can count on more money coming this way for services. Aye.

Adams: I want to thank commissioner Saltzman and commissioner mckeel for their leadership. This is a vile and heinous crime in our community that is not served well with euphemisms or code phrases. Recent weeks, as part of our efforts to open up shelter beds for the first time in the city's history for these victims, I had an opportunity to learn of some individual cases and code words and

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phrases that hide the horrible nature of this crime do not do it justice. I mean, shared with me was a story of a 15-year-old girl who was being sexually exploited for commercial purposes, and it happened in our city. So I want to thank everyone here for helping to open Portlanders' eyes to the true nature of this horrible problem. The mechanism that we're approving today will be important to provide that sustainable funding. And so i'm happy to co-sponsor it, happy to support it. And in the coming weeks, we'll have some additional announcements to really put the focus on the victims and helping them get out of this horrible life. So thank you very much. Aye. Approved. That leads us to 1402?

Moore-Love: 1408 and 1410 I have left.

Adams: Nonemergency ordinance, item number 1408.

Item 1408.

Adams: Mr. Johansen.

Eric Johansen, City Treasurer: Good morning. Eric johansen, city treasurer. This ordinance authorizes up to 315.5 million of bonds to provide interim financing for urban renewal projects in seven of the city's urban renewal areas. As you may recall, a significant portion of urban renewal projects are funded through the issuance of lines of credit at such time as the balances on these lines of credit get to be sufficiently large then rolling those lines of credit out into long-term urban renewal bonds that are secured by and payable solely from the tax increment revenues of the urban renewal areas. This proposed authorization includes about 209 million for additional projects that are expected to be incurred over the next three years in these seven urban renewal areas. The list of the projects is included in the cover memo to the particular ordinance. As you may remember, no projects can be funded due to the line of credit unless they're first been approved and pdc has adopted the budget. In addition to the new money component, about 107 million of balances on outstanding lines of credit will be rolled forward onto this new authorization, constituting the full 315 million. In addition to authorizing interim financing, this proposed ordinance also authorizes the bonds that will take out the interim financing. We expect we will be issues bonding periodically over the next seven years as balances on the lines of credit become sufficiently large to make long-term financing cost-effective. This is a nonemergency ordinance. I'd be happy to take any questions.

Adams: Discussion from council?

Saltzman: I was just looking at the list of projects. Some of these -- I assume pdc has to actually approve a project before we actually use this money to pay for it. I see projects in there which we may or may not know are happening in 2011 or 2012.

Johansen: The budgeting committee will certainly see those projects.

Saltzman: This is kind of our best forecast?

Johansen: I think it's correct to characterize it as the best forecast that pdc has at this point in time.

Adams: Not binding on the council.

Johansen: Correct.

Adams: Other discussions? All right. This moves to a second reading next week. That gets us to 1410, a nonemergency ordinance.

Item 1410.

Leonard: It actually is an emergency ordinance.

Adams: I apologize.

Leonard: This is part of our ongoing effort to obtain a variance on the treatment provision of lt-2.

David Shaff, Director, Portland Water Bureau: That's correct. I'm david shaff, the director of the Portland water bureau. With me is yone akagi, our regulatory compliance manager and the lt-2 hearings project manager. This is an emergency ordinance related to our attempt to achieve a treatment variance under lt-2. It authorizes a sole-source contract with eco wise australia for something called the pathogen catchment budget model and to modification analysis of that model.

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Among many of the things that we're going to be required to do in order to qualify for a variance, epa is requiring Portland to use a mathematical model to model crypto concentrations and movement in the bull run watershed. They suggested that we use the model created by ecowise, but they also recognized that that model, which was created in australia for australian conditions, would require significant modification. This is the only known model that is capable of modeling the movement of pathogens in a watershed such as ours, and it went through some significant modifications. We have already done that through one of our existing contracts using a local firm which subcontracted with eco wise. We're now done with that, and we need to move on to phase two, which is the actual running of the model under the various scenarios that we could conceivably see in the watershed. We've worked on those scenarios with eco wise, with our peer review group, with our city staff, and with the epa. Eco wise did do all of the work on phase one of the model project. They are the sole holder and primary authors of the original code for the model. It's proprietary computer code which has not been released to the public and was modified specifically for the Portland water bureau. Eco wise is the only firm available to make the required modifications and enhancements to the model for us for the various scenarios. Obviously we're and time crunch, trying to finish all the work we're doing in order to obtain the data, in order to submit a variance application early next year. We always knew we were doing a phase two, but we had to ensure that phase one was successful, that the model could indeed be modified and adapted to the climate. We're happy to answer any questions you might have of us.

Adams: Does anybody wish to testify on this matter?

Moore-Love: No one signed up.

Adams: Please call the vote.

Item 1410 roll.

Leonard: We shouldn't underestimate or underappreciate the amount of work that is reflected by this effort with david and yone to obtain a variance for a treatment system that, by all accounts, we just don't need. There are various opinions about whether or not water should be covered when it's stored within a city. This is not that debate. This is the debate about whether or not water coming from its source should be treated. And if there is any possibility of any city in the united states to receive a variance from that It-2 requirement, Portland will get it. We're doing all of the right things. David has had an ongoing conversation with epa. We have ongoing conversations with other congressional delegation, particularly senator merkley and most recently mayor Adams had a conversation with senator wyden. We're doing all the right things. I feel good about it. The epa doesn't feel so good about it, as they keep telling us, but that doesn't mean we aren't going to do everything within our power to try to get this variance, and this is an example of that. So thank you. Aye.

Fritz: Thank you, commissioner Leonard, for your leadership on this and your commitment to getting this variance. Thank you, david and yone, for answering my staff's questions. Thank you for being groundbreaking across the nation in your diligence on this work to see if we can get the variance. Aye.

Fish: Aye.

Saltzman: This is important work, and I hope the model results are favorable for us in our efforts to get the waiver. Aye.

Adams: I like the fact commissioner Leonard and director shaff and team that you are scouring the globe for the best experts to provide the science to the federal government that based on everything we know thus far shows that we deserve this variance. Not based on politics, not based on any other reason than merit. So thank you. Aye. We're adjourned.

At 11:44 a.m., Council adjourned.