



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 6th DAY OF DECEMBER, 2000 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Saltzman and Sten, 4.

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Ben Walters, Senior Deputy City Attorney; and Martin Cavinaw, Sergeant at Arms.

On a Y-4 roll call, the Consent Agenda was adopted.

S - 1740 **TIME CERTAIN: 9:30 AM** - Amend Code to create the Clean River Incentive and Discount Program and correct Sewer User Service Charges and Rates (Second Reading Agenda 1685 introduced by Commissioner Saltzman; amend Code Chapter 17.36)

Disposition: Passed to Second Reading as amended December 13, 2000

CONSENT AGENDA - NO DISCUSSION

1741 Accept bid of TPST Soil Recyclers of Oregon for the annual supply of stormwater sediment remediation or recycling services for an estimated annual amount of \$300,000 and the bid of United Soil Recycling, Inc. as a secondary contractor for an estimated annual amount of \$50,000 for Bureau of Environmental Services (Purchasing Report - Bid No. 100145)

Disposition: Accepted; Prepare Contract. (Y-4)

1742 Accept proposals of Allen/Falk, Inc., C3 Communications Contractors, Inc., Data Cabling & Engineering, Inc., and NetWorks, Inc. to furnish telecommunications cabling and other related work (Purchasing Report – RFP Bid No. 100172)

Disposition: Accepted; Prepare Contract. (Y-4)

1743 Accept bid of Danka Office Imaging to furnish production printer, services and supplies for \$481,500 (Purchasing Report – Bid No. 100262)

Disposition: Accepted; Prepare Contract. (Y-4)

1744 Accept bid of Otto Industries, Inc. to furnish small nestable/stackable recycling containers for \$10,470 (Purchasing Report – Bid No. 100357)

Disposition: Accepted; Prepare Contract. (Y-4)

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1745 Vacate a certain portion of SW Sixth Avenue, under certain conditions (Ordinance by Order of Council; C-9978)

Disposition: Passed to Second Reading December 13, 2000 at 9:30 a.m.

Mayor Vera Katz

1746 Proclaim Measure 26-6 enacted and in effect (Proclamation)

Disposition: Placed on File

1747 Proclaim Measure 26-8 enacted and in effect July 1, 2001 (Proclamation)

Disposition: Placed on File

1748 Proclaim Measure 26-9 enacted and in effect July 1, 2001 (Proclamation)

Disposition: Placed on File

***1749** Approve settlement agreements with Carollo Engineers/Century West and Contractors, Inc. (Ordinance)

Disposition: Ordinance No. 175125. (Y-4)

***1750** Pay claim of Susan Becker (Ordinance)

Disposition: Ordinance No. 175126. (Y-4)

Commissioner Jim Francesconi

***1751** Grant Specially Attended Transportation permits to Blessed Transportation, Fam-Med Transportation and Jaimar Medical Transportation (Ordinance)

Disposition: Ordinance No. 175127. (Y-4)

Commissioner Charlie Hales

***1752** Authorize contract with Kiewit Pacific Co. for fiber-optic telecommunications cable relocation and provide for payment (Ordinance)

Disposition: Ordinance No. 175128. (Y-4)

Commissioner Dan Saltzman

***1753** Authorize additional funds for construction by East Wind Construction for the SW Canyon Road at SW Murray Street emergency sewer reconstruction project for \$46,000 and provide for payment (Ordinance)

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Disposition: Ordinance No. 175129. (Y-4)

- *1754 Authorize an Intergovernmental Agreement with Portland State University in the amount of \$105,659 for professional services with the commercial recycling program (Ordinance)

Disposition: Ordinance No. 175130. (Y-4)

- 1755 Consent to the transfer of Rossman Sanitary Service, Inc. to Rossman Sanitary Service, Inc. as a wholly-owned subsidiary of Allied Waste North America, Inc. (Ordinance)

Disposition: Passed to Second Reading December 13, 2000 at 9:30 a.m.

Commissioner Erik Sten

- *1756 Authorize application to the Mt. Hood Cable Regulatory Commission for a grant in an amount up to \$150,000 for the Housing Clearinghouse Project (Ordinance)

Disposition: Ordinance No. 175131. (Y-4)

- 1757 Contract with the U.S. Geological Survey for streamflow and water quality monitoring without advertising for bids (Second Reading Agenda 1727)

Disposition: Ordinance No. 175132. (Y-4)

City Auditor Gary Blackmer

- 1758 Certify Abstract of Votes for Municipal Non-Partisan General Election held on November 7, 2000 (Report)

Disposition: Accepted. (Y-4)

- *1759 Assess system development charge contracts and Private Plumbing Loan Program contracts (Ordinance; K0031, K0032, P0055, T0047, T0048, Z0730)

Disposition: Ordinance No. 175133. (Y-4)

REGULAR AGENDA

Mayor Vera Katz

- *1760 Declare an exemption for the City to enter into a contract with Lockheed Martin IMS for photo radar and red light camera operations (Ordinance)

Disposition: Ordinance No. 175134. (Y-4)

- 1761 Amend Ordinance No. 174509 and Sections of City Code relating to Purchasing (Second Reading Agenda 1731; amend Chapter 5.33)

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Disposition: Ordinance No. 175135. (Y-4)

Commissioner Jim Francesconi

- *1762 Intergovernmental agreement with the City of Gresham for emergency medical services planning (Ordinance)

Disposition: Ordinance No. 175136. (Y-4)

Commissioner Dan Saltzman

- 1763 Accept a contract with Multnomah County Division of Community Programs and Partnerships for \$126,000 to provide services for the Block-By-Block Weatherization Program (Ordinance)

Disposition: Passed to Second Reading December 13, 2000 at 9:30 a.m.

- 1764 Adopt a Waste Reduction Program and enter into a Waste Reduction Program with the Metropolitan Service District to receive Metro Waste Reduction Challenge Funds in the amount of \$236,671 in FY 00/01 (Second Reading Agenda 1733)

Disposition: Ordinance No. 175137 as amended. (Y-4)

Communications

- 1765 Request of Dan Handelman to address Council regarding the Police Criminal Intelligence Unit (Communication)

Disposition: Placed on File.

- 1766 Request of Janet Wolf, representing the League of Women Voters, to address Council regarding the Portland Joint Terrorism Task Force (Communication)

Disposition: Placed on File.

- 1767 Request of Todd Olson to address Council regarding the Portland Joint Terrorism Task Force (Communication)

Disposition: Placed on File.

- 1768 Request of Diane Lane to address Council regarding the Portland Police Joint Terrorism Task Force (Communication)

Disposition: Placed on File.

- 1769 Request of Dave Mazza to address Council regarding recent organizational trends in policing political-motivated crimes (Communication)

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Disposition: Placed on File.

- 1770** Request of Richard Koenig to address Council regarding the Police Internal Investigations Auditing Committee (Communication)

Disposition: Placed on File.

- 1771** Request of Patrick Dinan to address Council regarding the Police Internal Investigations Auditing Committee (Communication)

Disposition: Placed on File.

FOUR-FIFTHS AGENDA

- 1771-1** Establish a fee for processing Measure 7 compensation claims pursuant to PCC 5.75.050 (Resolution)

Disposition: Resolution No. 35946. (Y-4)

At 12:28 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 6th DAY OF DECEMBER, 2000 AT 3:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Saltzman and Sten, 4.

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Kathryn Beaumont, Senior Deputy City Attorney; and Martin Cavinaw, Sergeant at Arms.

1772 **TIME CERTAIN: 3:00 PM** - Honor recipients of the Spirit of Portland Award (Presentation)

Disposition: Placed on File.

At 4:11 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland



By Britta Olson
Clerk of the Council

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

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Closed Caption Transcript of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

DECEMBER 6, 2000 9:30 AM

Katz: Good morning, everybody. The council will come to order. Britta, please call the roll.

Francesconi: Here. **Saltzman:** Here. **Sten:** Here.

Katz: Mayor's present, commissioner Hales is at a national league of cities meeting. Consent agenda items. Any items to be removed off the consent agenda? Anybody in the audience wanting to remove any consent agenda items? Anybody on the council? If not, roll call on the consent agenda. **Francesconi:** Aye. **Saltzman:** Here-or aye. **Sten:** Aye.

Katz: Do I get to vote? Mayor votes aye. All right. Time certain. S-1740.

Item S-1740.

Katz: We have an amended version in front of you. So, we want to move that, commissioner Saltzman?

Saltzman: It is not a substitute, it is an amendment to --

Katz: Right.

Saltzman: Yes, I would like to move that amendment.

Katz: Everybody aware of it?

Francesconi: I am not sure.

Katz: Why don't you share with the counselor that it is and the audience that it is.

Saltzman: Okay. Let's try and make sure that we, well, I apologize, we don't have copies in front of us, but -- oh, we do.

Katz: We need to. Representative merckley raised the first reading of the stormwater ordinance last week, or two weeks ago, and the issue was when we do turn on our stormwater discount program as a discussion two weeks ago, we need to get our billing system up and running, and running stably before we can actually implement the discount program. So, this issue is -- the issue raised was, can we possibly -- how retroactive can we make the stormwater feed discount once we turn on the program? Our original intent was to activate the program this january 1st. That is going to be delayed. And that we are -- that my amendment does, basically, is say that once that we have a clearer picture of when the system will come on line, when the program will come on line and once we have a better estimate of the riparian property owners who will now be paying stormwater management fees under our stormwater ordinance. That kind of revenues will be generated from that. Basically, it holds out for the possibility, when we come back to implement the rate ordinance, to implement the stormwater management discount, that we will look at seeing -- we will present the council with some options for retroactivity to push the retroactivity date back, possibly, even back to january 1st for, perhaps, some universe of rate payers it will be a decision that we will have to look at. We will come back with three options, one would say, to implement the stormwater rates, as we were prepared to do two weeks ago. A 13.50 management fee, and with the possibility of some retroactive period beyond or pushing that back possibly further back, as close to january 1st as we might get, either full rebates, or partial rebates to the qualifying stormwater discount recipients. So, that's one of the options that we are referring back to the other option, let me just see --

*****: Would in january or would not?

Saltzman: The new rates would not be enacted. We would have to bring back a rate ordinance to implement. Today, we are putting in -- we are saying that we are going to move ahead with the

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stormwater management fee discount program. But, we are not actually going to implement the new rates until down the road, until we are actually ready to switch the perhaps on. And at that point, we will have a rate ordinance in front of us, and we will have some options to present to you, we will present probably three options, which will include the possibility of pushing back or providing a retroactivity date back as far as january 1st. It is not a guarantee but it is a commitment to see if we can present some options and let us decide if those options are something that we want to pursue. Again, this comes directly out of the exchange that we had two weeks ago, and perhaps, with merckley, and I believe that he's pretty happy with this effort on our part, although he can speak for himself, and dan muzaney, who worked out this compromise, is here to answer questions, as well.

Katz: Okay. You all have the language. You have got the language.

Francesconi: Do i?

Saltzman: It is the bold language.

Katz: In 1740 you amended.

Francesconi: I do.

Katz: And the city attorney has seen it. So. Okay. Why don't we have, because of its narrowness, a discussion just on that and then we will take a look on the amendment and then we will move it to next week, and I don't know if we ought to allow representative merckley to testify again. But we will give him an opportunity. Question?

Francesconi: Well, is there anything else that we would have to do, like collect more money in order to make these real options? In other words, I know that we are still going to study these. But - - excuse me just a second. Are we foreclosing the realistic possibility of any of these by not doing something else? Because the last thing that I want to do is send any confusing signals to the neighborhood?

Saltzman: We are going to do the stormwater fee discount. That really is a question is how retroactive can we make it when we finally do turn it on. If we turn it on, for instance, in june, can we really make it retroactive to the rate payers to january 1st, and that's kind of, our commitment is to look at those options and see if we can do it.

Katz: To see that --

Saltzman: One of the variables is riparian property owners who are now going to be paying a stormwater management fee, people whose stormwater runs off their streets into our rivers and streams, they are not paying the stormwater management fee, and we have an estimate as to how much revenue that's going to bring in. But, our estimate, and the reality could be different. We could get more revenue. Than we are anticipating, because we tend to be conservative on our estimates. If we do get more revenue in for those property payers, we may be able to take that money and use it to extend the discount, the stormwater fee discount, extend the retroactivity period longer back to january 1st say from, from june 1st.

Francesconi: Okay. So do the people understand that that's the key variable that we will be looking at? Because I don't want hopes unreasonably raised unless there is some possibility of delivering, so do people understand that that's the key factor we are looking at?

Saltzman: That is a key variable and there is probably a couple other key variables.

Katz: In terms of the loss of revenue because of the problems in the system that we need to understand, we should understand that, that by february, correct? Commissioner Sten and Saltzman? So that would be another variable. To see was we would have to do the manage the loss of revenue because of the computer system and how to manage a potential retroactive discount to january 1, and that that would mean for the rates. Did I say -- I said that correctly. All right. Let's hear some testimony. Who is here to testify on this? Representative merckley? Okay. Come on up. Both of you. Do you have anybody else, Britta? Okay. Do you understand that we just -- that the discussion we just had?

*****: Yes I do.

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Katz: Okay. Because there are potentially larger impacts that we need to address as a council, all right.

Dr. Howard F. Horner: Mayor and council members, I prepared a statement, I am going to give a copy to you, but I don't think it would take all the time of the council to read it now. It takes me about five minutes to read it, but that I did was to start out by making a comment in there about why we have the problem in the first place, the way that I understand it. And also, there is an expression in there of appreciation to Mr. Saltzman and Mr. Sten for the work that they have done in approaching this problem. I would totally agree with the fact that there should be retroactivity, and if possible, back to the first of January. The second point is that I think that the people generally understand the problem of the computer, they don't like it. As a matter of fact, they hate it. But, this is a common occurrence and I think that there is general understanding that that is the thing that's messing up the work. The issue that I want to bring before the council is, if there is to be a discount that the discount go back to the 35% that was agreed upon in the early discussions. I dislike immensely the fact that the bureau has come in with some other new ideas saying that if you are going to get the 35%, you have to meet certain other restrictions or requirements and the impact of that would be to move the discount that would be 35% back to something in the neighborhood of 20% for schools and churches and businesses, who, out in the east Portland area, put in that, when they did, they put in the state of the art, which was a good grade system to dry wells. I think that it would not be at all fair for the city to come in now and say, well, you are taking care of all the water but you are not filtering it exactly, and therefore, you can't reach all of these requirements, and I would urge the council to make the full 35% discount available to people. The last paragraph on my letter is a comment again about the fact that I think that there hasn't been a lot of publicity recently, but grace and I have a phone and our number has always been in the directory, and so we get calls from, literally, hundreds, and that's true, of telephone calls mainly saying, what's going on with stormwater? And we have been saying to them, it has held up because of the computer problem. There is a discount coming up. It will be 35% because over the weeks, we have talked with Mr. Vucini, and others that said yes, it will be 35 percent. Thank you.

Jeff Merkley, State Representative, District 16: Thank you, madam mayor, and commissioners. I would like to say that the new form is going to be much improved, vastly simpler improved and make it simple for people to sign up and the legal causes are gone and I would just like to salute that whole change. The issue of the 35% that he's referring to is really talking about the commercial and the school and the nonprofit side, about the residential side, and it is something, somewhat ironic that if you dump your water out on top of the ground and the ground qualifies as filtering system, you may actually be able to get more of a discount than if you have one engineer that has a system that costs hundreds of thousands of dollars for the schools to put in, that may merit some further attention. But, I want to address the retroactivity issue. That I noted two weeks ago was that it was very, very important to strive to -- in September that had been publicized in September that it would be retroactive. The appreciate commissioner Saltzman's efforts and in consultation with commissioner Sten to keep the door open. The question I raised is, just a few months before, we were looking at the expectation that the riparian revenues would cover the discount, and what happened, what happened that intervened that led to two weeks ago, and the answer is, as I understand it, when we ran very conservative assumptions to make sure that we were well protected, the money wasn't there, but that there was the possibility that these conservative assumptions, the would say case assumptions will not be trailized and it would be a shame if we did not abandon the opportunity to honor the promise if, in fact, things come out more favorably than the near worst case assumptions that underlie the analysis, and so I think that it is very appropriate that the door, the door be held open by the council and I very much appreciate the amendment to doing so. I think that we -- I very much understand and I am relaying this to others, that this language means simply that if the money is there, the council is going to attempt to, to provide that as an option to be considered.

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And of course, if the money is there, I will be lobbying for you to adopt that option, but thank you very much for these and the substantial improvements.

Sten: Can I just ask a question? I just want to flush this out a little bit because I think it is going to continue to be problematic, and you know, I think we need to move forward today but as you know, I am a little bit -- I remain a little uncomfortable. I tend to agree with dr. Horner that we ought to give the 35% more across the board. As I understand where des is recommending at this point to the council, and I guess I am trying to flush this out for the council, as well, and I want to the question, is, is, is the position you have taken, if the majority of water is being taken care of to give the 35%, it is not that you have to give every drop of the water. Can you -- there is a lot of confusion last week and representative merckley testified that he was upset that people weren't getting the full 35%, and I understood you to say that most everybody is going to get the 35%. So, will you clarify on the record that it takes to get the full 35% and maybe your own best guess on how that's going to play out for the property owners. Are most people going to get 35 or how does that play?

Francesconi: Between the residential and the commercial because they have to do different things. And I think that's the root of the confusion here.

Katz: Did you have something that you wanted to show us?

Dan Vizzini, Bureau of Environmental Services (BES): I have a complete presentation on the discount program. I don't think -- I would love to do it, but I don't think that you want to spend the time today to do it. I will go on cable, I guess, and do it. [laughter]

Katz: You can come to my show and do it. [laughter]

Vizzini: The, there were probably some slides that could help.

Katz: Why don't you flash through the slides that you think help and then I think that the council has some questions, including commissioner Sten's question that he raised.

Vizzini: Let me preface -- first of all, dean vasini from environmental services. Let me preface this by comparing the discounts that we are proposing to the 1992 program, a program that, that, about 10,000 rate payers, mostly in central and east Portland take advantage of. First, in terms much eligibility, the programs require an application signed, and the applicant needed to be current on their utility payments in '92, and we have used that same criteria here. That doesn't mean, necessarily, that they need to be caught up. They could be delinquent, but have a special payment arrangement with the water bureau, and that would be perfectly fine. The '92 program, though, had a number of requirements for -- before a property was eligible. The property owner had to provide a sketch of the property and measure all of the impervious areas. We did a search of all building records before we accepted an application, and we did a sight inspection before we accepted an application. The 2000 program, in addition to the initial signed application, all we are asking the property owner up front is a consent to inspect the property at some future date. We are not doing any of those other things that we are required in '92. In terms of the qualification standards, both the '92 -- and I am talking about the residential program here. Both the '92 and 2000 programs require that the property owner take care of stormwater on-site. The difference in this program is you only need to take care of a simple majority of the impervious area on your property. In 1992, we actually calculated that percentage of your impervious area you were managing. And so it was much more of a sliding scale program in '92, this 2000 program is more like an on-off switch. If you take care of most of your roof water, you go the roof credit. If you take care of movie your paved driveway and patios, you get that portion of the credit. In terms of the limits on the discount, in '92, of course, it was a discount that allowed you to avoid up to 100% of the stormwater charge. The '92 -- the 2000 program allows you to avoid the property component and we are calculating that at about 35% of the current charge. Calculations in '92 were pretty interesting. First of all, we required, like I said, measurements of all impervious area. Dry wells were discounted up -- you were given 100% value for residences. If they were documented, okay. That meant there had to be a building record that said that the dry well was put in properly and inspected. Dry wells were granted a 65% value if the

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property was located in areas not served by combined sewers and there was no supporting documentation. So, if we could find a dry well on the property, and it was located in the cso area, we would give you a 65% credit, not 100% for the dry well. And if there was no, there was no discount given for undocumented dry wells located -- oh, I have got this reversed, located in combined sewer areas or connections to the city system or discharging on a neighbor's property. The 2000 program for single family residences similar to all of this. First, we don't require anyone to measure the property. We are going to rely on class averages to do the calculation. And based on our research, we have assigned 70% of the discount to the roof area and 30% to the paved area. In order to get that portion of the credit, you simply have to be taking care of a simple majority of the water coming off your roof or coming off of your paved areas. We have sweetened the pot a little bit. For those customers, for instance, who are taking care of their roofs but have their driveways draining to the street, we have sweetened the pot by allowing them to get credit for trees on their property. So, that they can get closer to the 100% of the eligible -- of eligibility.

Katz: Mature trees?

Vizzini: No, they have to be trees that are more than 15 feet tall.

Saltzman: We got rid of --

Vizzini: Mature is -- representative Merckley was correct in pointing out that mature is an imprecise term when you are talking about trees.

Katz: I am so happy to hear that.

Vizzini: And like in '92, no value is given if you are connected to the city system or discharging in the streams. In '92, the program, once you qualified the discount was forever. In 2000, the discount applies to a rate payer, so if the rate payer changes, a new rate payer has to apply. And that's, in part, due to the fact that these facilities were recognizing that any on-site facilities need to be maintained. That this is a dynamic world that we live in. In the 2000 program, we are also saying that we can discount -- discontinue your discount if you have given us inaccurate information on your application, if your facilities aren't properly maintained or being operated properly. If they don't comply with city regulations or if you deny us access to your property to do an inspection, a limited inspection. Verification, in '92, we inspect every property that got an application. Or that applied prior to the award, and the 2000 program will do random inspections of property. Now, here's the, the pretty significant statistic. The workload and average awards. In '92, the program had less than 2000 recipients. Or about 2,000 recipients. The average award for the average family was 77% of the, of the total full award. In other words, the idea that when you applied, you got the full discount is incorrect. It is a myth. In fact, only 15% of the applicants, single family applicants got 100% discount. And 20 percent of the applicants got 25% or less of the possible full award. So, it needs to be clearly stated and the public needs to understand that the '92 program wasn't an all-out automatic grant of a full award to a property owner. In fact, the tests were much greater in '92 than we are asking them to be today. The 2000 program, we expect 97,000 applications, and the average award we expect in east Portland to be above 90% or around 90%, and that's primarily due to the fact that in most of these cases, the property owners will have their roof areas draining to dry wells, and in a lot of areas, they will have their driveways draining to their property and not to the street, and so they will get the full award. In east -- on the entering side of the willamette river, say from about 82nd avenue to the river, including northeast Portland, north Portland and southeast Portland, we expect the average award to be around 60%. Primarily because there will be a higher percentage of property owners who are connected in one way or another to the public system to a pipe. And on the west side, we expect the participation -- the average award to be even less, primarily because it will be unsafe for most property owners to disconnect their roofs, so their awards will be limited to that they can do on-site in a limited way with the roof drains, and perhaps, on the west side of the river, more so than on the east side of the river. Let me move ahead real quickly.

Katz: You will supply us all with a hard copy?

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Vizzini: This is -- this information is in the report that's exhibit c of the substitute ordinance has the full report of the, of the full staff report and it includes a table that describes side-by-side the two programs.

Katz: Okay. Got it.

Saltzman: Why don't you focus in on the issue the churches and schools and how we are going to work with them to get this full benefit discount.

Vizzini: On the residential program, we actually have a program even with the, this insistence about everyone being guaranteed 35%, we actually have a program that is going to be easier to access, easier to calculate, and more likely to give a higher award than the '92 program. There will be customers who, if their driveways drain to the street, will not get the full extent of the 35% benefit. But, we didn't do that in '92. We don't think that it is appropriate to do it today. Given the, the general definition of that we are calling an on-site stormwater management. For the commercial, industrial institutional program, that we have said is that the extent of impacts on, of stormwater on the environment are greater because these properties generally are larger. They have larger amounts of impervious area. They have a high degree of auto traffic, either parking or through traffic on properties. They have large roof areas that discharge metals and other particulates in the stormwater, so the idea is that on these -- this class of customers, that we have is a system that's a little bit more like the '92 program in that we are asking the customers to measure the amount of impervious area that they have and to tell us where that water is actually going. In east Portland, where a lot of the churches and schools have dry wells, water being discharged directly into those dry wells, they will get a credit for the fact that they are taking the water out of the public system. But, we felt that we needed to have embedded into this program, an incentive for them to clean that water before it entered the groundwater system. We don't have today, testimony from rockwood water district or powell valley water district, but they have well protection programs that, that would, you know, that are -- that are dedicated to the idea of keeping pollutants out of their groundwater resources. The incentive program is intended to do that by giving a higher award if a property with a dry well has, has some kind of filtering device that takes the pollutants out before it goes into the ground. Spilling water onto the land allows for stormwater to filter through grasses, other vegetation, fine soils before it gets into the groundwater. That is a practice that is supported by science, by, by research, by the bureau. It is embedded in the stormy water manual in terms of the principles in the stormy water manual. So.

Saltzman: And we, the bureau, will be working with many churches and schools to effect these water quality improvements to get that full discount.

Vizzini: I think that we are on firm public policy grounds to say, look, we are looking for a balance between rate equity, rate reform, and environmental responsibility. And we think that this program gets us there. It is consistent with other environmental policies of the city. Commissioner Saltzman is correct. With this delay, we have added time to work with property owners. And it is the bureau's intent to be working with school districts, churches, organizations, other, other public organizations, the hospitals, to try and limit the impacts that this program has. The bureau currently, for instance, is working with madeleine school on a project that involves the simple -- the installation of a simple vegetative swale, essentially, it is like a, a planning strip along one side of the parking area. The stormwater will drain off that parking area into this planning strip. It will filter through fine soils before it gets into the groundwater, and they will get a credit for the fact that they are responsibly taking care of stormwater and protecting the environment. A group at grant high school did something very similar to this, with a parking lot adjacent to grant park. We think that those kinds of simple green solutions can be adopted in east Portland and elsewhere where the soils are, are, you know, acceptable. To allow property owners to get as much of the credit as possible, and the bureau has made a commitment to provide technical assistance to do that.

Katz: Thank you. Commissioner Sten, did you get your question answered?

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Sten: Yeah. [laughter] I'll comment now, I guess. All of this has been very difficult to negotiate and there's, you know, there's a lot of, I think, excitement that it is moving forward and a lot of distrust that it is ever going to happen, which the computer system hasn't helped with, and it is certainly not your fault. I guess I want to say on the record to dr. Horner and representative merckley and yourself is that you just testified that it is your expectation that the folks that they really are representing are going to average over 90% of the discount, which basically, as I understand numbers, should mean most of them will get 100. And you know that property pretty well, so that I want to kind of go on record as saying, and actually, I hadn't thought about this, dr. Horner, but I do like the notion that the other parts of town that really don't do as much don't get 100% because that's going to really help make the revenue work, and so, you know, I understood dan's testimony to say that it is highly likely that the folks in east Portland are going to get 100% discount, and so that I want to do is see if that happens based on this, rather than try and renegotiate it, but that's, you know, that's the standard that I am going to try and hold us to, dan, because that's certainly my intention on this, and I think that it is the intention of the council's.

Vizzini: The other thing that the public and the council need to understand is that this 35% is a number that's only related to the current cost of the system. Once we go to this new system, that we will have created, essentially, is a sliding scale, depending on that you have done on your own property. Which is in keeping with the principal and rate reform about making the charge controllable. The real, the real spread between a property owner, a homeowner that gets the full discount and the homeowner that doesn't get any discount at all isn't 35%. It is 55%, or 52%. For a property owner, like the one that we were talking about before, actually, I think that, that representative merckley is in this category, where the roof drains are, are taking care of on-site so, they get a credit for the roof area, but the driveway slopes to the street and they don't get a credit for the driveway. In that case, even though the benefit, or the discount under this 35% measurement is not 35%, but 23%, 24%, something along those lines. When compared to the rate payer that gets no benefit at all, the discount is 36%. So, that we are going to have is --

Sten: I think that we are better off not making that comparison, and I understand where you are going with it. I mean, I think that representative merckley, you know, and it is, it is possible that, you know, that I was just dead wrong, and optimistic in the early stages but the initial goal, I was after was to offset all of the revenue by the riparian districts and now we are saying that that's not going to happen, you know. So, I think it ought to be a discount on that you were paying before, is really the, the operative number.

Vizzini: Just, just one comment about that. The more generous we make this program, the less likely it will be that, that riparian and other new rate payers will be able to make up for it.

Katz: And that was my question in terms of revenue neutrality.

Vizzini: Yes. This is -- I mean, the rate structure will always be revenue-neutral. The real question isn't how much money we are raising, the real question is, who is paying it.

Katz: Who pays.

Vizzini: And what will happen under this system, this new system that rate reform has brought us, is that for the most part, the further west that you go in the city, the more you will pay in stormwater, commercial properties will pay more because the tests are -- commercial industrial institutional will generally pay more because the tests are higher, and riparian customers and other rate payers who never paid before will start paying from scratch. So, those are the shifts, but in terms of neutrality, the system, by law, has to be revenue neutral. You know, we are not -- we don't have the luxury of running a profit here.

Katz: I wanted to -- are you finished? Go ahead.

Sten: I would like to sum -- I mean, and I want you to tell me if I am -- I mean, my expectation is that we are going to go forward with this. We are going to work with it. That I think that it is reasonable that most of the properties have sort of started this, the rob marciano east Portland

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properties, ought to be close to 100. If that's not the case, I want to take another look at this. That's my expectation. I want to make sure that the council is okay with it. The majority of properties aren't getting 100 east of 82nd in the area, I would like to look at the rate structure again in the future. You said in your testimony that you expect the average to be over 90 for that class of customers, and if that's not true, and we have miscalculated, I would like to take another look. That's one. Two, I would like to see the results of the outreach to the churches and schools, and really, would like to focus on the, the area in east Portland as the beginning area, and then 3, and I want to make sure that I am right on this understanding, my understanding is we haven't locked in any decision on that rate changes are going to happen and we are going to spend some time talking about that, and the reason that that's important to me, and I think you guys should be conservative, I just frankly, don't believe that there is going to be 9 -- I don't think that we are going to go from a 10% -- I don't think that we are going to double -- the participation has to go up by 1,000 percent on a program that gave, gives a 35% discount over the amount of the people that work to get 100% discount. I don't think that we will have 97,000 people sign up for this, and I don't want to raise the rates to a point that assumes 97,000. I also think the rate projection we looked at last time assumes a 97,000 participation in the first year and I think that there is no chance of that. So, I want to have another chance to talk about the actual rate increase before we actually do the rates.

Vizzini: There is one big difference between now and '92. In 1992, most of east Portland was not in the system. Mid county had not -- the city had not constructed the mid county sewer project, sufficiently, to bring a lot of customers in. We now have probably 40 to 50,000 more rate payers in east Portland than we did in 1992. And so the big bump in the participation rate is coming from the fact that we now have a completely builtout utility in the east side, and all those people are paying stormwater charges and will be eligible for this program, and over the course of two-plus years of talking about this, nearly every single one of them knows about this, and is ready for it. And that's why, that's why our conservative estimates, we think --

Sten: Right. I hope that 97,000 people sign up because that means that they are doing the right things with their stormwater. We should keep in mind from the council that we want to do is encourage people not to put their stormwater into the system because it is the cheapest way in the long run to deal with the issues, so I hope that you are right. I just wanted to make sure for my sake, but also for some of our constituents' sake that we are going to have a robust discussion of that the rate change is going to be before that happens.

Vizzini: That's the intent of the amendment.

Katz: Let me go back to that. We have been dealing with this in pieces, so I need to refresh my memory. We had estimates of that the rate decrease and the rate increases would be. Correct? Those were estimates? All right. And you are coming back in light of all of the discussion and in light of the amendment, to come back and refresh those numbers for us?

Vizzini: Yeah. The basic idea is that there is no reason for the council to make a decision on retroactivity today --

Katz: I understand that.

Vizzini: Because we don't have a program today.

Katz: I understand that.

Saltzman: We are not changing the stormwater rates today.

Katz: I understand that.

Saltzman: The discount program end of the ordinance. That I would like to see is when you, you present that information to us, where you thought that it was? Where you think it is going to be in light of some of those changes, so we can see who is going to be impacted by the increase. Okay. And then, I want to, again, state that there are other issues that are now, you know, a part of this discussion that we are also have to, have to, are going to have to take a look at so we minimize the

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rate increases for whatever reason. The last thing that you want to do is give people a discount, and then have to raise their rates.

Vizzini: Well, the problem, of course, is that the, the discounts, themselves, have to be financed by some, something, and if they are not financed by resources outside of the utility, then they are financed by resources within the utility. And in that sense, then you only have really two choices. You either raise rates or cut programs. And that's, that's as much a budgetary decision as it is a rate-making decision.

Katz: Since that's part of one of my obligations, that's why I raised that issue because I also know -- wait a minute, wait a minute. I also know how hard both commissioner Sten and commissioner Saltzman have worked with us to keep the rates down. I know that there is another -- I mean, they want to achieve all these promises, and that's, that's fine, but I think that we need to look at it from, from a variety of dimensions. That's all that I am saying.

Sten: Just let me put these numbers in perspective so that maybe people -- I am not just talking in the abstract. I think, I don't have it in front of me, but I think my memory is right, that 97,000 household participation at this, at -- does that assume a 35% -- that they will get the whole discount?

Vizzini: At the discounts that we think, that would be a 2.50 million hit. We believe through the rate reform, which is a whole package, that this is just one piece of, that we are going to collect, conservatively, another million dollars from properties that are underpaying. If, in fact, we have a 35,000 household participation in this, rather than a 97,000 household, we don't have to raise rates at all.

*******:** Absolutely.

Sten: If we have -- I am sure that we will not have a 97,000 household participation in the first 12 months. It is just not going to happen. That assumes everybody in the city gets on this right away, and people are paying attention, but not to that extent, and so there is a range between a million and 2 1/2 that we know we are going to bill the riparian people who are not paying, so we know that we are going to bring that money in, and that range determines how much we should raise the rates, so it really is hard to know whether or not the rates will have to be raised the amount that people think that they might have to be. That's my opinion.

Saltzman: I just wanted to add that certainly over the long-term as we move ahead with programs now that give people the ability to control their rates, give them an incentive to manage the stormwater on-site and not put it in the public system, that over the long-term, hopefully, there would not only be environmental benefits to that, but there would also be a, an overall cost reduction in the stormwater utility system. How much money we, as a city, have to spend on our stormwater utility system because we are treating less water, I mean, that's not going to be a phenomenon that's going to happen this year or the next year, but over the long-term, that's something that I would expect to see.

Katz: I don't think that we are -- I don't think that any of us are disagreeing on anything that's been said, but we will be looking at the retroactivity to January 1, and so that's another wrinkle on this, as well as the computer system.

Vizzini: Two costs. The cost of the discounts from when you start forward and the cost going back, and the whole idea of the amendment is to bring both, all of that to you so that you can make an informed decision.

Katz: Commissioner Francesconi, we left you out of this discussion. We sort of ignored you. Completely.

Francesconi: I am not bashful about inserting myself when immaterial I want to. I do have one, only tangential question, but it is really not for Dan, and how are we doing in the capacity of the computer to actually do this discount program?

Sten: That's the question. I am meeting with the CEO, who has not been to town. He's from England, of the company on Friday, to try and agree on a hard time line. I mentioned to the council over the

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last couple of weeks we have had a team of six people from sts in Portland full-time working on this, and that we have done now, which we have not been able to do up to date, is identify 14 technical issues that are why the computer system is messing up, and we have a tentative time line to try and fix those. And so that I can say now is I do believe that we understand the problem. I do believe that we will be walking through it and have it fixed. I am hoping that -- and I hesitate to put a date on it because some of these things will be a little bit hard to know until they actually fix them, but I am hoping by, in January, hopeful the back bills will be out and will be moving towards the system working, so I think that a mid, I am being conservative, I think a mid spring implementation of this should be very possible. So, I think that, you know, I think that we will be in the realm where it is not -- it is not insane to talk about a retroactive discount to January 1st but that's going to be close and that we ought to be, you know, in, in play long before the fiscal year is out, is my best guess right now, and I hope to turn that into a public time line with the ceo on Friday but I hesitate to do that before I have a little more conversation.

Francesconi: So my one follow-up question, and we have had this debate. I don't want to have it again but we have agreed at some point, an outside party is going to come into evaluate this. I think it is very important that we do that. So, the question that I have is, do we do that now or are you confident that we don't need outside expertise? Because at some point, we need that, and we have all agreed to that.

Sten: It is a simple question but also has some complicated pieces. We have two outside firms. I have spent some time on it since you brought it up, and I think you were right to do so. We have two firms that are completely unrelated to sts that are under contract, troubleshooting this right now, so we really do have a third party expert in the building with us, and in some sense, almost acting as an advocate for us, and I haven't set forth on any brand new third party review because at this point, my sense is that it will distract more than it will, it will add. So, I think that we have got some third party eyes on it. And my sense would be right now, given that -- I think that we have got the right issues identified, which we didn't a couple of weeks ago, and I would give it until the end of January before I would make a correction. If things stay on track, then that I would do is bring somebody in, in the spring to help us understand that we could have done better. If I am wrong on this January projection, we are going to have to do something radical.

Katz: And I think that that's -- the answer that's right on the subject. Time line, after you see the ceo, we would like to have a time line so that we can monitor it, and commissioner Sten, I think that you are absolutely right if, by January or February, things aren't working, we are going to need to figure something out. Okay.

Sten: And I am quite confident that the worst case scenario will be that, that if you look at all the bills that aren't going out and look at all the problems, they are distinctly different reasons for different sets so there is 500 that has this problem, there is a couple of thousand that has this problem. I am positive that, that the worst case scenario is that a substantial number of those problems will be solved and there will be some ongoing problems, and so the other thing that is happening, and I hope that people can be clear about this, is that we are not static while we don't have the problem fixed. We are narrowing and narrowing it and getting pieces of it fixed. We have had, essentially I think the number is 174 code patches put into the computer system, and so essentially, it is one-by-one, the glitches are getting fixed. Two weeks ago, that we did was that the computer company actually created a whole new version, so a sort of version 3.06 the program that incorporates into it all of the fixes, so now we have a new program that's fixed, everything to date, and we have got 14 major pieces left to get done, and the worst case scenario is that some of those 14 problems turn out to be more problematic than others. It is not that we sort of stay static. It will continue to narrow and narrow and get closer to working each week.

Katz: Okay. If there is -- I know. We can vote on -- thanks. Anybody else want to testify on this? All right. We need to vote on the amendment. Any objections to the amendment? Does anybody

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want a separate roll call? Hearing no objections, so ordered. It will pass on for a third reading next week.

Francesconi: Then there is one more thing that I want to say, I was going to do it at the end. In response to two things commissioner Sten said, I would like to get to the discount, whether or not we can, I need to know who is paying more, so I am not prepared to say that at this point because I need to see the trade-offs, I understand that's the goal but I need to know who is paying more --

Katz: He's going to show us that.

Francesconi: I know, that's just a statement, but on the second part, in terms of prioritizing and the issue of technical assistance from the bureau to schools, churches, et cetera which is in this commercial category that we decided to treat differently because the commercial can do more on stormwater quality, which was the right decision, but the idea of using incentives and training, technical assistance to actually lower bills for churches, and schools is a terrific thing, so I saw in your work plan that you intended to do that in January. My last comment is that I think that when we are talking about prioritizing, we have to look at other city objectives. And in terms of setting that priority. And clearly, this council has been committed to public education and public schools. So, at the one hand, we are giving them money, and the other hand, we cost Portland public additional 800,000 or some number like that in this change, so I think that where you need to prioritize is with public schools, and you start there, first. Now, if you want to start with David Douglas or East County, that's fine, but my request to you, and it is important that we have vital churches, but we prioritize with public schools and get you out there right away to the school districts. That's my request.

Saltzman: I don't have any problem with that.

Sten: This probably goes without saying but let's make sure that we get the big program from water over there because the other big opportunity for them is to use less water and pay less under the new rates.

Katz: That's the other piece that's missing that needs to come forward. Quickly.

Saltzman: I just wanted to say, I mean, this is kind of the last time that we will have public discussion about this aspect of the rate reform until we actually revisit the actual rates. And it is the long numbers that make people's head spin, but, you will be able to get a discount on your stormwater bill and it is a pretty simple form, just a 2-pager, for residential, anyway. And why we are doing this, let's not lose sight of it is, we want to give people the ability to control their rates. We want to achieve environmental benefits by keeping stormwater out of our rivers and streams. Stormwater is the largest source of pollution these days of our rivers and streams. And so, there is environmental benefits and rate payer benefits to why we are doing this and I don't want to lose sight of that. Finally I want to give appreciation recognition to a lot of people who have worked on bringing this forward, and starting with Dan, of the Bureau of Environmental Services who has done Yellman's work with all sorts of people to make this happen. But also to members of the Portland Utilities Review Board and our Stormy Water Advisory Committee, citizens who worked for no pay and long hours, the staff of the Bureau of Environmental Services, Planning, Engineering, Industrial Waste and Business Services Group. Leace of the Port of Portland, Representative Merckley, Dr. Howard Horner, Edward Campbell of my staff and Rich Rogers of Commissioner Sten's staff, Julie of the Water Bureau, and then finally, the 08 randomly selected rate payers who served as our focus group for the design of this application form and the program materials.

Katz: And it wasn't me, so I apologize.

Saltzman: It wasn't me, either. [laughter]

Katz: I had to --

Saltzman: But I want to do make sure --

Katz: You are not getting a discount.

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Saltzman: I want to make sure that those people who worked so hard are recognized and thanked for their efforts.

Katz: Thank you, everybody. I do expect now that you raised the issue, comments from both the utility team, rate review team and perb, when dan and the bureau comes back, with the next phase of this. All right, let's move on then to our regular agenda. Item 1716.

Item 1760.

Captain Mike Bell, Traffic Division, Police Bureau: I am mike bell. I am the commander of the traffic division for the police bureau. We are here to ask for your support this morning for this amendment so that we can move forward with our proposal to negotiate the contract and install the red light in the city of Portland as an addition to our law enforcement group, which currently is monitoring speed in neighbors throughout the city. We have heard repeatedly from virtually every neighborhood in the city of Portland and the priorities have been overwhelming that they want, they want stricter traffic enforcement and they want more traffic enforcement. We feel that we are working at capacity with the resources that we have and that the logical way to anesthesia concerns and the priorities for the citizens, that the citizens have given to us is to move forward with technology. This technology is proven technology that's used world-wide and in other parts of the united states. It has been in use for years and years in europe. It is just starting to catch on more recently in the united states. We have had an experiment going now for the past five plus years with speed enforcement, and we believe that it has been very successful, and this seems to be the next logical step. We know that in the categories of complaints that we get, for example, running red lights and speeding are the two major issues that concern most citizens in Portland that made complaints to us. So, with that, I will move right into introducing retired captain pat nelson, who has a little presentation prepared to talk about how the technology works and that it does.

Captain Pat nelson, Police Bureau: Mayor Katz, council, thank you for this opportunity. I have a short presentation that kind of will bring up what is photo radar, red light cameras and where do we want to go. So with that, I will try to move forward. Photo radar and red light cameras are tools that have worked and worked for over 35 years. 45 countries nation-wide or world-wide, the united states, we have been using them since the late 80s. The objectives of photo enforcement programs are reducing collisions, saving lives, reducing insurance, reduce health care, increase police officer safety, respond to public concerns and have a resource to increase public safety. Why do we want it? We have hundreds of, hundreds of complaints, over 90% of them are speeding. We have implemented many educational and engineering solutions. We lack enforcement and we do because of limited police resources. Photo radar increased the enforcement presence without increasing the police work. Photo radar has been used in Portland since '76 and we realized that speeding compromised neighborhood livability, also, it is the number one complaint, neighborhood speeding and red light running in the neighbor safe programs. Photo radar is a project that works, and it, versus conventional radar, and on the top you will see the graph that goes down across from the top to the right, is conventional radar, goes down across the street and takes a pretty wide sweep. Photo radar is about a 5 degree beam that goes across the street at a 20 degree angle and is very narrow. Most photos are taken of violators within 50 to 80 feet behind the van. The photo radar, as the car approaches into the beam, the photo radar checks it and makes sure that the tests are okay, and then takes the photograph. The 12 degree yellow bar there is the photograph. The car goes on through and a second photo is taken of the back of the car as it is leaving. That we get is this type of, of a photograph. The one on the top left, violation shot is a car approaching. The one on the right is, as the car leaves, the violation. You can zoom in on it and take a look at the violator to determine whether or not we have a gender match, who the violator is and that kind of, of a person that it is. And then we can get a good, close picture of the, the, of the license plate. You might ask, is photo, how does it work? We looked at two streets, this isn't a scientific project but we looked at speeding violations as a percentage of traffic for two streets in Portland, in southeast belmont in '97 between

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main, in september, we looked at september, through the use of photo radar, we reduce it had by 70%. More recently on 47th and right up by providence hospital, that's a 25-zone, there is a bunch of elderly people, day care in there and there was a lot of complaints in the neighborhood, we have done everything in that we could. We reduced speeding by 55%. You notice between september 11 and 12 when we had the most speeding down to about the 21st, 27th, the reason those dropped so drastically is the people that were going through photo radar on the 11 and 12 got their tickets in the mail and that slowed them down. The negatives of the program, you lose quality time with violators. You don't get -- that?

Saltzman: What does that mean?

Nelson: Well, you don't spend time talking to them and spend quality time discussing the citation with them.

Saltzman: Educational things?

Nelson: Educational piece. [laughter] You don't have multiple charges. You only have a single violation. Some deserving violators don't end up with citations, because one officer is issuing hundreds of citations every month, even a small number of those asking for court trial puts an officer in court for a long time.

Katz: This doesn't have to be an officer --

Nelson: Well, under current legislation it does. It doesn't have to be but under current, it is. You have to pay attention to detail because if you are issuing hundreds of citations and you are wrong on one, you are wrong on hundreds of them. There are negatives -- or positives. The positives are some violators, you don't want to spend quality time. I have done this for 30 years and I have got to tell you, there is a couple of them -- [laughter]

Francesconi: Just a couple.

Nelson: Just a couple, yes, sir. In looking at speeding citations, only between 8 and 13 percent had multiple charges like no seat belts or license. It is very effective at reducing speeding. We didn't have any, any citizen complaints regarding the officers' conduct at all and we have increased enforcement. Red light cameras is a new program that we are trying for. And I will go through that they are. Red light cameras are automated traffic enforcement and increase of photographic evidence of a violation. Self testing, failure in the test means no photograph is taken. The violation criteria, the rest of it is automatic. There is really a couple of key components. The detection loop, the high-speed camera with the sink united states flash. Computer operating system, and then the violation processing system and the portable red light cameras that we move around to different locations. The housing can be just about anything, these are examples of three or four housing. You can paint them and do all kinds of things with them to make them blend into the communities. The violation loops are cut into the street. And the wire loops are in the pavement. That creates an electrical magnetic field that the vehicles going through the field trigger and the two loops are installed to capture the violation that, that the light has to be red and the car has to be moving, and you need the two sets of loops to do that.

Bell: I think it is important to point out that Oregon law allows police officers to cite people who do not stop for a yellow light. That's the standard in Oregon. If you do not stoop for the yellow light, you can be cited. With the cameras, they would only cite violators who enter the intersection after the light was turned red. So, it would be absolute violation well outside of that the law allows officers -- or well within that the law currently allows officers to do. If you look at this photograph, the vehicle, in position number one, is the car is going across the two loops, the first photograph is taken in the end, the picture in vehicle 2 is the second photograph that's taken. That you get on the first photograph is superimposed on it is the time and date of the violation, how long the yellow was before it went to red. How long the red was at the time of the violation. The location, code, and the picture. And then the second photograph when the car is in the middle of the intersection, you would have the date and time, the interval between the two photographs, the time the red was in violation

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and violation number and the speed of the vehicle at that time. So you can testify to that. That you get is the photographs, such as this much this is a violation out of jackson, michigan, the car on the left-hand side -- be aware of the photography, the car is going into the intersection, and it has got a red light. The one on the right hand side -- this happened to have been red for 34.7 seconds when the person went into it. The second photograph, red at 35.3 seconds at the accident. The second one is in mesa, arizona, this is frontal photography. The light has been red 32.9 seconds. It is the middle of the night. It was yellow 3.9 before that. The car is going into the intersection. Second photograph, just about three quarters of a second later, shows that the collision has had and we don't have any questions about who was the, who was the driver. The documentary adults on the program, red light cameras, after a year in los angeles county, the metro transit found a 92 percent reduction in speed. San francisco, beverly hills, and santa rosa, all along fairfax, 45% reduction in violations and collisions --

Saltzman: In speed or running red lights? Running red lights? Okay.

Nelson: Reduction in the violations and the collisions resulting from those. And then in north carolina, they found a 72% reduction at those intersections. This is a picture, first photograph is a car going into the intersection on a red light and second one is the, the photograph as they get smashed in. The red car is going, going straight ahead and the gray one, you can see on the intersection coming in. In los angeles, they use this for the mta or the light rail line. This is a thunderbird that got tired of waiting because the train is going by, why should I wait when we have already got the train gone and the bars aren't up. Well, the answer is, second train. And if you look at the photograph on the right hand side right above the image on the arm, you will see the thunderbird has become a super chicken, and luckily, the person survived out of it, but that's all that's left out of the violation. That we would do on the intersections is we would place warning signs not only entering the city but also at individual intersections where the photo radar was installed or could be installed. We would have the equipment set up and we might move cameras around so it wouldn't always have cameras at that location. Insurance institute for highway safety, public support for use of cameras, 80 percent in cities with cameras and 76% in cities without them. Since this works 24 hours a day, 7 days a week, you get some real good pictures at night when the flashlights up the interior of the car and you can go in and process it. Cities are using red light cameras are, in the u.s. Are alexandria and new york, baltimore, california, there is a list of cities that are also have gone to them. Usually when you stop somebody, you get the comment, well, the reason I didn't stop for the red light is I thought the guy behind me wasn't going to stop and he was going to run into me, so here is proof that that does, in fact, happen, and this is the first paragraph is the car that stopped, the ford was stopped for the red light when the second car collided into it. And then knocked him into the intersection. Question was asked why not digital?

Katz: And this is the reason for the exception?

Nelson: This is the reason for this, yes. The camera that's right there is the way that we would install. The one on the right side is digital. When we go to digital, it is a matter of popping one camera out and popping in the other one, and we use the same equipment. We don't have any additional costs beyond that. I said some basic truth I think is that admits isn't technology, faster, and better products will come along also, currently the best digital available for us is poorer than the worst quality wet film that we have right now. The size of the license plate imprinting on the plates becomes a real issue when you start trying to blow them up with digital. The communication thing, the download time that it takes to do digital, because you can't compress them, there is an issue of in court. And court acceptance is really not clear, and in our contract, current contract expires december 31st. The use of digital would be in part of the contract when we come back to you next time as an option, as soon as we feel that that's available. I am available for questions if you have any.

Saltzman: Where do, do we know where we are going to put these, initially?

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Nelson: Well, we have got a list of approximately 35 or 40 intersections that would be our, our choices, and then that we do is we work with our contractor, the bureau of transportation, and we look at the intersection and say, are the signals timing properly? Is this a good location for it? Is this our first one? We wouldn't probably pick any location that had less than 35 or 40 violations a day starting out with.

Saltzman: And how many units do we have?

Nelson: We would do a video survey of the intersections that we think are good locations based on our crash data, and the video survey would determine whether or not they felt that it was a good intersection and go by consensus.

Saltzman: And how many will we be able to cover, initially?

Nelson: I think that we are looking at six approaches. Between 6 and 10 installations, we would start out with one or two, and there is always some things to iron out, atm funding and a number of those issues and then we would expand that.

Bell: It is important to talk about the terminology, we are not talking about every lane from every direction. Because that would pretty much use up all of our resources. The vendor talks about these in terms of approaches. Depending on the camera placement and the angle of the camera, the ability of it to take a picture, that can be up to two, I think maybe three lanes in some cases, or two lanes straight ahead, alone, and a, a, a left turn lane would be a separate approach. And we are going to -- we are starting with six to eight approaches that might be spread over a number of different intersections since our contract is moving towards having a number of intersections hard wired and then being able to move the cameras around instead of having them fixed in one place. So, you would not know which intersections were live at any given time.

Saltzman: Okay.

Katz: How are you going to link that with, what is it, 10 streets or 20 streets that you have identified as unsafe? Or where speeders --

Bell: Part of the projects say the strategic enforcement and focused enforcement. Well we know that the -- those areas are already identified as those areas where we would like to concentrate and use the precinct officers for more strategically focused enforcement, and it is not a coincidence that that's probably where you will see some of the first --

Katz: So, you are --

Bell: Again, these are things that, that they would do, your honor, is the vendor would go out and set up video cameras to take videos of the violations and then find the places where we have the most violations. We think that -- we pretty much have a fairly good feel for that based on our, just our personal observations from working these and crash data, but we -- we would verify that before we actually went into the construction of, of cutting the loops and installing the equipment.

Saltzman: In terms of signage, nothing prevents us from posting signage at all intersections so saying that we have red light radar?

Bell: It specifies how that has to take place. We probably would just do some tinkering with the current signs that we have because we have to do the same thing for photo radar. So, it would be similar.

Saltzman: As long as we have money, we can put the signs everywhere?

Bell: At every intersection if you want, warning people we use photo enforcement here. That's pretty much that san francisco does, too.

Katz: Commissioner Francesconi?

Francesconi: So there would be 35 to 40 in the intersections, just for speeding, would there be additional, I mean, for red lights, would there be additional cameras for speeding along busy streets?

Bell: No, sir. The cameras for the speeding are mounted in a van, and that van is moved literally to hundreds of locations all throughout the city. We have two of them and they are deployed pretty much all the time.

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Francesconi: And are those, are those, are the results as, as impressively effective as the red light data that you showed us?

Nelson: I think the red light data shows more reductions because people know that it is there, they are not surprised, I mean, once they start, once we start doing this, that we find in other cities looking at their statistics is that there is a fairly sharp curve. That's why we think that it is important to move these around. So, that we try to spread them around as much as possible.

Bell: But to answer, in looking at, at reductions and speed for photo radar, at particular locations, yes, sir, we have seen 60, 70, 90% reduction, but we have to keep coming back to it, and the reason that I think that we see reduction is people do this, this normal commute. They do the same roads every day, nobody ever gets in their way, and people don't realize that it is a 25 zone or a 30 zone and not a 45.

Francesconi: From, from, not for other reasons, but from an efficiency standpoint, are police officers, and I know the state legislation, but having a police officer there, does that improve the efficiency and the effectiveness of this, of these?

Bell: I don't think it does because other cities, well, there is only one other city that has the technology right now, they do not use full-time police officers to operate their equipment.

Francesconi: Okay. Operators --

Bell: State law requires a police officer there, but they are specially sworn officers who are not armed. The other city uses that, and that's, that's something that we are exploring right now.

Katz: Say that again?

Bell: They are specially --

Katz: No, how are you getting around the state code?

Bell: The state law provides that they, requires that they, they be police officers.

Katz: The definition of police officers is broader.

Bell: Like for example, our reserves have full police powers and they can issue traffic citations but they are not full-time police officers, so we could hire -- well the other city has hired individuals and sworn them in as special police officers, they wear a uniform but they are not armed --

Francesconi: Given the vacancy rates in some of our precincts and the fact that there is plenty of police work to do, are there discussions with the union, police officers in working cooperatively to change the legislation? What's the status of those?

Bell: To change the legislation? No, we are working with them to find alternatives to taking a, a regular police officer out of another job and having them do this. The, the photo red light cameras would not -- there wouldn't be an officer there, so that's not going to, to put a, put a, a drain on our manpower, and by using the same vendor for both technologies, we aren't duplicating the, the citation issuing process, as well.

Francesconi: My last question, what would it take, and do you have a plan, to ramp this up, pretty dramatically, in terms of inner section red lights and photo radar and busy streets? Do you have a plan? What would it take?

Bell: We are only limited by our resources, commissioner.

Nelson: I could move new york to Portland if I had enough time and money.

Francesconi: Do you have workups?

Saltzman: One of the issues, we talked about and just done a study about reestablishing in municipal court in the city of Portland, one of the driving reasons for looking at doing that is problems that we have had with our colleagues in the judicial branch who all too on which, and I know all three of you can attest to this, will reduce the substantial penalties associated with it, for these very serious offenses and that's why we run into a resource problem in terms of operating and funding these programs is the judiciary all too often reduces the penalties and this is something that I don't think that we are going to move ahead with the municipal court right now but I am glad that we did the study and took a look at it but I certainly think that we need to, and I intend to write a letter

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to governor john kitzhaber because he will be appointing several new judges to Multnomah county shortly and I intend to raise this issue with him that we need to make sure that we have judges who will uphold the penalties and make them understand that there is a real connection between our ability to get out and do these things and enforce these things very much strong correlation with the penalties that get assessed on the offenders who commit these very serious offenses.

Katz: Let me get back to some of the -- mike, we have the ability under state law now, not to use sworn police officers to manage photo radar.

Bell: Well, in the sense that full-time sworn, yes.

Katz: And we haven't done it yet?

Bell: No, your honor.

Katz: And what's your sense about, about when we are going to do?

Bell: I know that the, the captain in the personnel division is -- is having ongoing talks with the ppa to iron out the differences so that we will proceed with that, hopefully, as soon as possible. We are ready to do it. We have looked at our neighboring cities contract, and we think that we can be competitive and do pretty much the same thing that they are doing, and that will work for us.

Katz: There is absolutely, in this particular case, no reason for the ppa to, to say no. The officers will be working the district. And we have got vacancies that need to be filled. I will put that -- you just tell dennis, I am putting it on the top of my list for discussion.

Bell: I appreciate that. And I would say, too, that this should be something that I wouldn't think that they would be very concerned about. I know from personal experience that we don't get people that want to do this, don't get a lot of volunteers for this work, so it shouldn't be an issue for them.

Katz: The other issue, and we will get to you in a second, and maybe the question really ought to go to you, is the budget. We know that this is a money loser for us, unless we put up a lot of cameras. Where are we in terms of the gap between the cost and the revenue from the fees? On this?

Bell: I think that we are very close, based on -- they talk about the actual numbers but I think that we are very close, but I would like to go back. I think that commissioner Saltzman hit the nail on the head kind of. There is a place where there is some control over this, and it is our firm belief, and I think that commissioner Saltzman believes this, that good drivers should not have to put up with bad drivers and the ones who use this should be the ones would pay for it. That we are trying to do here in response to mr. Francesconi's question is live within a 480,000 cash transfer from Multnomah county. And use, frankly, the unitary assessments in a way that gets them that \$480,000 back to plow into the willamette bridge issue so that we are trying to do is make sure that we stay within that, so there is two --

Katz: So, slow down. I know that. I am not sure that everybody else understands the financing that you worked on.

Vic Rhodes, Director, Portland Office of Transportation: Okay. So what happens here is, in the original city county agreement that we have with regard to the road jurisdiction and transfer, there is a sunseting of a \$600,000 item, that goes back into the pot and we get 80%, which is about \$480,000. The county, originally, asked to keep that money for willamette river bridge capital and rehabilitation. We found a way through, we think, through the photo enforcement red light running, in spending that money in a way that gets the county that money in the revenue because of the assessment they take off the top. The two key variables are the cost that we have to pay the vendor, and that can't happen until we get the authority to negotiate the contract, and the other key variable is how much the judges are willing to enforce on the citation, itself. And if they low-ball the citations in the 50 or \$60, we are in a lot of trouble financially. If they sustain the citation, which is a citation of \$175. Somewhere in the range of 100 to \$120 per citation, we will be fine and we can live with the operating loss within that \$480,000, so, I guess in he remembers of the long-term program for this, we are going to start with six intersections and see that, where these variables shake out and that our experience is before we get out too far.

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Francesconi: Have we met with the judges, met with them?

Bell: We plan on doing that.

Nelson: Yes. Just last week. Or week before last.

Katz: Just a minute, now that there is three of you, identify yourself for the record when you talk.

Bell: Mike bell. Yes, we do have, I think, a current and open and ongoing dialogue with the folks in the judiciary. My sense is that I think that we are making some progress. I think that we can do a lot better, but I do believe that we are making some progress.

Francesconi: I don't -- you know, I am trying hard for council not to, you know, interject ourselves where it does not belong but judges are elected, and having a meeting, including the mayor and the transportation commissioner with the judges is something that we should do. We should elevate that.

Bell: The judges that we are talking about here are not elected. They are hired employees. They are pro-tems, they are at-will employees.

Francesconi: Then you are talking to the wrong judges. I think that the conversation -- I am serious. The conversation needs to happen at the presiding court level.

Bell: And he's present when we have had these.

Francesconi: Then he is elected.

Rhodes: Dick rose, transportation, we have had conversations about sitting down with the presiding judge once we get further down the -- get further down the road and see if we can do in that with these pro temperature judges, which is an issue.

Sten: I would just like to, I would like to request some more information and put in a place holder of some very strong dissent and uncomfortableness on this issue. I don't think that we have any business meeting with judges on this issue. I think that it crosses lines. I think that the judges need to, to, you know, if we want to send a policy letter, that's one thing, and it is not inherently obvious to me that this program's best case is to immediately be self supporting with six cameras. I think that we have here, and it is always a fine line but, you know, it is, if we have a philosophy of community policing and I support these cameras and the red lights for the reason that almost twice as many people are being killed by cars as people in this city, and this is a, 5 way to try and get some, some peace in this, but you have a culture in which extraordinary percentages of the community speed, and that we have to do is change that culture and I think that we have to do is work with people to change their behavior on the street, and if our point of view is the only way that we as a city government it figure out a way to change this behavior is to hit people with a \$200 on their first offense, it will create a lot of antipathy and backlash instead of trying to send a message. I think on the first offense you ought to get something smaller than that, and I think that the idea that that we have to do is extract all of our money back from this, as opposed to try and come up with a strategy to work with the community to change their behavior and we better lean on judges, who are the third, you know, to jack it up so we don't lose any cash, it makes me incredibly nervous, and if that's the approach we are going to take, we ought to do it in a much, much more thoughtful way, instead of, we need to get our cash back, we are not charging people for an officer to come to meet with them because they are the ones using the service. I think that we just really need to think this true. I think that we should use these machines because I think that they are effective but the idea that the way we are going to build a strong community, which is people working together, you know, 200 bucks after taxes, which is probably that we need to make six things work out, so close to a week's wages, of minimum wage, it is reasonable on the first offense. You get a second and third offense on a camera you know, I am start to go change my mind on it, but I think that we have got to work people along on this and change the curl culture because everybody is speeding and trying to make six cameras cost effective by getting a week's wages out of people is not exactly my idea of community policing.

Francesconi: Let me address that. [applause]

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Katz: Excuse me. We will clear the council chambers if, if you are going to be applauding and clapping. This is a deliberative body. We do not permit it.

Francesconi: I have several responses. On the fundamental point that there has to be a broader strategy involving education of the community, not just enforcement of traffic laws, I agree 100% on that fundamental point. But I noted some inconsistency, commissioner Sten, in your approach. At first, you began by saying it is not our role to tell judges. Then later in your commentary, you said that 175 or \$200 fine is too much for the first offense. Frankly, that decision is a judicial decision. But, let's allude to another problem here. Let's allude to gaining enforcement which actually citizens minds, this issue now of traffic enforcement and fatalities has risen above gang shootings, in terms of the actual fatalities as well as citizens' concerns, so for the last two years, meetings have been happening effective meetings, including judge ellis, on the enforcement side. With the judge contributing to discussions on that the city's policy should be. The idea that the city council cannot talk to judges about the policy should be and the enforcement is ridiculous, frankly, absolutely ridiculous. Now, I didn't say that the council dictates to judges, but I did say that a conversation happens because judges are focused on a problem, and they want to do the right thing, including using fines and not doing it at the maximum level. My suggestion was not, we tell the judges that to do. But, we describe our problem and that the issues is, so, so the judge understands when he's using appropriate judicial discretion, he knows the effect on us. That's all that I am suggesting. I am opposed to mandatory, the measure 11 sentences where you take away from the judge, judge's discretion, but the fact that the council can have a -- can't have a conversation with the judges about this, is way wrong.

Katz: Wait a minute. I will let you respond. But I will have to be an enforcer here. Commissioner Sten.

Sten: I am at a loss why you are so angry with me --

Francesconi: I am not angry at all.

Sten: That I am saying is that I am uncomfortable on the fly giving any sort of impression whatsoever, and if it is a council position, it is not mine, that we should be meeting with judges to encourage them to keep fines high to, to get us to recover costs. I think that if we are going to get to give a message to judges, it needs to be on what's an overall strategy, why would we want something and all the testimony that's been submitted here by our very hard working people who are doing a good job on this, so we need to get more money to pay for this, and that, to me, is not the approach that community policing dictates and it is not exactly a judicial -- it is not judicially relevant, in my opinion, that our cost of our pilot project is, and I think that a judge has got to weigh that people can afford to pay, versus the crime, and if you don't, you lose the public. People are for this but if they can't make their rent off one offense they will lose support for this real quick.

Katz: Commissioner Saltzman?

Saltzman: Commissioner Sten and I usually agree on a lot of things but on this one, I disagree. We are not talking about photo radar here, we are talking about red light running, and enforcing that, and that, I am perfectly comfortable in hitting the offenders the first time because frankly, I don't want second and third time offenders, and any of us who gets substantial tickets, just like we talked about giving people an incentive to reduce their stormwater management, you get a strong incentive not to run a red light a second time when you get hit with a strong penalty the first time and I have no compunction of making these fines pay to make this program grow and make it prosper because I would rather be having the people who do this offense, this is a serious offense, and it is not -- we shouldn't be mixing apples with oranges talking measure 11, there is no measure 11 here at all, these are people who are flagrantly disregarding law. I would much rather be -- I am not so worried about where they are going to find the money to pay the red light as I am worried about going out to neighborhood associations and explaining to them why we have to abandon our red light

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enforcement program after we have started 24 pilot because we don't have the revenues to operate it. That is why I feel that I would be der elect in my duties as a city councilman.

Katz: Let me ask the question that I sort of raised during neighbor-safe meetings, and I need to tell everybody, commissioner Saltzman was there for a few meetings but, but the rest of you need to know that this came up on a higher issue than gang or drug houses, over and over in every neighborhood and in some neighbors, even higher. One of the ideas that came up, and I think -- it may have been mine or somebody else, was to go to the legislature and ask for an increase fine for repeat offenders. And I didn't have the time to check the state statute whether we, we have that in the law or not or is it something that we can, in fact, go back to the legislature and make that request.

Bell: The legislature, your honor, mike bell. The legislature specifies that they call the base fine, the judge has virtually unlimited discretion for an infraction, I believe they can go up to 600 if they choose.

Katz: But it doesn't require a higher level at the second or third.

Bell: No. It is completely within the judge's discretion. And if I may, I would like to mention, first of all, nationally 800 people, over 800 people a year are killed by red light runners, and over half of those individuals are innocent victims. Here in Portland, we currently have 30 traffic fatalities, and you probably know that we have much less number of homicides. That's about, actually, our numbers are a little bit low this year, but the fact is, in Portland, you are much more likely to be killed by bad driving than you are to be killed by a criminal. You are much, much more likely to suffer a, a serious property loss or, or get seriously injured by bad driving as you are to be the victim of a serious violent crime. And I think that people, you know, this isn't the position that I advocate as a police officer, as an individual, hopefully i've been to enough of these community and neighborhood meetings that I am basically telling you that I am hearing over and over again from the citizens of Portland. This is that they are asking for, and I think that we are doing when we, when we -- we haven't specifically had meetings with judges, except we have gone to their meetings as guests and had an opportunity to address them, I think that we have done -- I think that we have done that you -- we have taken the approach you mentioned, and they have expressed the same concern, that you have. I think that we have taken the same approach that commissioner Francesconi has mentioned. And I wouldn't presume to tell a judge that to fine somebody but again, I would like them to think about themselves and their positions, whether they are elected or pro-tem, as partners in the community, with the police, in trying to solve neighborhood problems.

Katz: Okay. I think that everybody, each side was heard on that. I think that probably the best avenue for us now is to consider increasing the fees and the penalties for repeat offenders and if the council desires, we may want to put that on the, on the legislative agenda for discussion. We need to get back together before the session starts because there is some additional pieces of legislation, members of the council wanted to see, including education funding commitments on the part of the council, and direction to you to make sure that the governor stays with this program or adds or whatever --

Sten: Yeah, I want to be clear on something, I mean, after I made the comment was hey -- I think this is incredibly important and important enough that ought to do -- this is that I was really trying to ask for, is see some proposals of how could we put this into place, if gosh for bid, we took tax dollars and put it into this, I think that we ought to look at doing a lot more than six intersections and look more closely and it is not easy and distinctly at the police and transportation budgets and see if there is some places to carve out a few bucks to make this a higher priority. Pay for it, and then if I had my way, I would put it at a lot more intersections because I think that speeding is serious, and I think that it is a very big problem, I would make the fine a tad smaller on the first one and actually write a letter, rather than just sending, you know, a citation, saying that here's what's going on, folks, and try and buy people into the solution, so I am not arguing that we shouldn't do this, I am arguing it may be a difficult thing to make it completely cover the costs, that's that I am arguing.

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Katz: Vic, do you want to talk to us a little bit more? I just want to say that, and I am going to compliment you, vic.

Rhodes: Okay. [laughter]

Katz: If any of you have any problems that you want -- if any of you have problems that you want to resolve in transportation, just ask vic. He came up with a very elegant solution where you borrow money from the county to put this in place so that you can raise the money through the fees, that's why the discussion on the fees was important, and then pay back the county, and hopefully, have a gap that isn't so large because we have been subsidizing this program with tax dollars. Okay. Vic? All right. Mike leard, is he here? I am sorry, mark leer? Did you want to come up and answer any questions? He's the red light camera project manager, does anybody have questions of him? No? Okay. You are lucky.

Rhodes: It was a good presentation.

Katz: Nice presentation. Yes. Anybody in the audience want to testify on this issue? Come on up.

Dan Handelman, Copwatch: I will be addressing you again on another issue in a few minutes, I am dan handelman with Portland cop watch 42456, Portland, Oregon. I can't let an issue like this slide by without commenting. I am concern that had we are talking about trying to enforce our laws by surveillance, which is related to the other issue I will be talking about today. That we are building a society where people are on camera 24 hours a day, I read some statistics that people are on 14 different security cameras during the course of the day, I am wondering who is in bed with who is the next step, the fact that this is lockheed martin, a military contractor that you are contracting with to do this makes me suspicious that, you know, this technology has some kind of, of more military and other implications other than just, just snapping photos of people at the intersections. I am sure that their fourth amendment and other privacy issues have been brought up in other cities, but with the photo radar, I know that that came up and I would think that they would have things to think about this. If we are going to automate stuff, instead of using live officers why don't we have a ticket rise up on people's dash boards, probably be easier than having the contact that the officer was describing he didn't want to have with some citizens. This is a lot of money being spent. A half a million dollars, the same amount that could be spent on a police review board and the same amount of officers, six officers that are being added to the Portland joint terrorism task force, I will be talking about in a few minutes, could be stationed at the intersections and live human beings could be doing the work instead of machines, I think that overall we need to be careful about trying to solve community problems, I am very glad that commissioner Sten brought up the people who don't have the money to pay the tickets but solving community projects through technology instead of -- and through enforcement and surveillance instead of through working with people. Which is more in the spirit of community policing, and yeah.

Dave Mazza: I am dave moss, I am here today on, for the police accountability campaign and I just want to, to just express one observation, and the discussion around connecting this funding of this program to, to fees. I agree, speeding is a serious problem and needs to be addressed. However, I don't think that creating a situation where high-fines will be the rule is the way to go. For a number of reasons, one is we have to look at that the impact is in, in terms of the crime. I mean, as commissioner Sten has pointed out, \$200, that's a week's pay for low-wage workers. You take that out of somebody's pocket, the family goes hungry. Number two is the ability of the, the violators to pay. We may be able to say that we can extract "x" amount of dollars by raising the fines but that doesn't mean that they will pay so the estimates could fall well short of that you are anticipating even if you are trying to hit everyone with the maximum fine when they get in that courtroom, they may not be able to pay so you will not be realizing the dollar amounts you want so I think that really there is a need to shift away from this idea of using the fines to pay for the program. And find other sources. That's all that I have.

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Francesconi: One question, David, I can't stop myself from asking this question, what is a fair system? Paying a senior citizen living alone, paying some of her property taxes towards a fining system, towards a photo radar system, or a poor person who runs a red light? What is a fair system? Which source of revenue is fairer?

Mazza: I am not suggesting that we do not collect money through traffic tickets, but I think that in our pursuit of that money, we have to always consider all the ramifications of that strategy. And while I don't think that the senior citizen should bear an unfair burden, more do I think that the spouse and children of someone who, inappropriately, you know, drove in an inappropriate fashion should bear the brunt of it, either. It is not an easy question and it is one that I think is best left to the discretion of the judiciary, for that reason, and that you look at other ways to fund the program.

Katz: Thank you. Anybody else want to testify? This was good timing. Let's, let's have a roll call now.

Francesconi: We need to dramatically ramp up this program, and vic and the police are on the right track. The question is how fast can we ramp it up, and there is three basic reasons for this. One is, it is a huge problem, the traffic problem, so I won't say more about that. The second is, unlike some things in government, there is a prudent track record that there is a solution. I mean, these numbers that were given to us, 50 percent reduction in speeding, 90% reduction, government doesn't operate so efficiently on some things. So, that's a very second powerful reason. The third reason is the constitutional issues, which are very serious and are going to be raised in a subsequent issue here in a minute. The constitution has built in strong rights that we need to follow, and they follow when we threaten somebody's liberty. That's when we need to have strong constitutional protections. Running a red light and speeding do not threaten a person's liberty. That's why they are treated as traffic infractions as opposed to crimes. And that's why it would take more evidence, in fact, for manslaughter, et cetera, than the camera. But, here, where we have a technological solution that is plaguing our neighborhoods and our citizens, and we are not, it is an infraction. We have a remedy. We need people, Dan, like you coming in and advocating for this so then when we are threatening people's constitutional rights, there is more credibility. So, listen, folks, we need to ramp this up and we need to ramp it up soon. On the question of, of who pays for it, I do think the idea of using some general fund to do this is appropriate. But the principal, get ever going to use a principal that those who contribute to the problem, pay for it, this is it. And conversations with judges and others, so that they are aware of this, is very appropriate, and should happen. Aye.

Saltzman: I want to see this program ramped up dramatically too, and that's why I suggest that we look at options like municipal courts to really get our revenues from these offenses back, so that we can fund these programs. I have no problem with all of the user paying for these programs, particularly red light enforcement. I will cut people a little more slack in judicial discretion on the photo radar for speeding but red light enforcement, I believe you hit the person with a significant fine the first time because I don't want second and third offenders, and nothing like the pocketbook impact will, will make that happen more. Also, I think, and we talked a lot about property taxes, general fund, one idea we may need to look at is we created a lot of urban renewal districts recently and I would really like, I guess, vic, chief croaker, can we use that to pay for some of the these red light enforcement photos in the districts because I am sure that many of these are in the urban renewal districts so I would like a serious answer to that question. And finally, signage definitely we need to put signage up at every intersection in the city. Regardless of whether we have the cameras there or not, saying that we now have photo red light enforcement in the city of Portland. I think that that, in and of itself, and I realize it costs money to do signage but it certainly cost less than putting the cameras at each intersection so I am hoping that we can get signage up right away at every intersection because that will have a significant impact to, anyway a, great program and presentation, and we are going to work to make sure this stays because I don't want to be telling

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neighbors that we had to abandon this because we wouldn't find the funds to keep this pilot going. Aye.

Sten: It is a good discussion and I don't think that there is any, you know, sort of magic number on what's, what's the right fine for something. I just simple don't -- if the council's position to the judiciary, which is not something that happens a lot, will be the bottom line is, the fines should be enough to pay for the cameras, before I am going to sign onto that I need to know a lot more about that the fines would have to be, how many we would have to collect, and you know, I think that the principal on this thing has to be, yeah yeah, the person who is causing the problem should, should pay to solve the problem, the truth of the matter is the vast majority of citizens are, to some extent, speeding on some, some amount of the trips that they take, and the community has got to solve the problem so I think in the long run, if we could have predictable, predictable, consistent, and enforcement throughout the city, probably what would happen over time is, is a whole wide range of people would get caught speeding and if there was a reasonable ticket and a reminder and all those pieces together, I think that you would see the behavior change, with six cameras city-wide that we will do is sort of catch a few people randomly, and then try and get the word out through, through fear, and I think that there is more of a community policing approach available to us, and I just hope that we really think about this, and really, if the, if the death rate is 30 this year to date by cars and 17 by murders, it doesn't mean that we should slack off on murder investigation, but obviously, this is worth an investment of some money, and I also probably just since, you know, throwing out these opinions, I don't like making these policies on the fly. I probably do feel personally, and I don't think it is just my personal opinion, it is what is the community sensibilities on these issues, and let's think this through carefully. I probably feel differently about the red light fine than the speeding first tin, and I feel differently depending on that, that, you know, that the situation is you know, 41 in a 30 zone, I think, I think you ought to get, you ought to get a lower ticket in one, then if you run a red light. I think that these are the kind of things that we have to think through, and I have been approached, and I won't name it, by a judge who was very offended this message has come to the judiciary, which is probably why I am also a little sensitive on this and I think that we need to be careful in saying that the judiciary's job should be to fund our programs much I think that we need to work with people that the idea that that's how we decide that tickets that people get, I think that I would like to see some more budget numbers before I can share that conclusion, but I do think that it is a good program, and I think that the idea of people thinking that if you run a red light, that there is a very good chance that there is going to be a picture taken of it, is, you know, be a lot nicer thing if people would not run red lights but I think that that's a pretty effective way to enforce it and I think that that's fair so I think that we ought to do forward with this program. Aye.

Katz: Let me take the opportunity to do a little bit of educating. We have moved far away from the sound public policy of asking ourselves who benefits who pays, who should be paying for this. Over the last many, many years, we used property tax dollars, general fund dollars to subsidize the department of transportation. We did it because the gas tax was not increased, the public refused to increase the gas tax, and we, in fact, used general funds. Millions and millions and millions of dollars of general fund. And we agreed that there were some things that we wanted to do because of the importance to maintain livable city. We have subsidized this program through the general fund in p do the, and we will have to make some priorities whether you want to continue to subsidize it, subsidize this program that should be paid either with gas tax revenues or fee revenues, as opposed to using general fund for some other community projects which we have done. So, that's a public policy discussion that I hope comes up again when we do the budget, and especially, when we do pdot's budget in the next couple of months. The use of the urban renewal district, commissioner Saltzman, for actually building the system that may be eligible, we will take a look at it. Remember, we also have a lot of other priorities, but that, that's an interesting thing, and we will take a look at it, but managing it and using the system, maintenance of the system, we can't continue using those

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dollars. It is prohibited by state law. A little ps on judges. We sit with the presiding judge on the local public safety coordinating council to help us try all of us, including the da and the bureau, police bureau and the county and parole and probation, we have stein, and myself -- bev stein, and myself, to try to respond to questions to the community. Right now we are looking at the overrepresentation of minority in the criminal justice system, and it isn't only at the arrest stage. It carries itself all the way through to sentencing, and so we are in discussion constantly with the judicial system, how can we improve the way that we manage the criminal justice system so that it is fair and equitable? and my final point is, I hope that you all remember this discussion when we discuss skate boards. Aye. All right. 1761.

Item 1761.

Katz: This is second reading, roll call.

Francesconi: Thanks for all your hard work on this, on something that, you are right, was not recognized but appreciated. The bidders will appreciate it. Aye.

Saltzman: Good work. Aye. **Sten:** Aye.

Katz: Sue, thank you, and again, let me remind that the use of technology for bidding on contracts here at the city is probably as sophisticated as it is anywhere else in the country, and it is going to increase, so congratulations and you have our support. Aye. 1762.

Item 1762.

Francesconi: This is just, will be brief but we have chief wall here, jim crawford, and I am embarrassed to say?

*****: Riley caden, interim chief, gresham.

Francesconi: Oh, I was embarrassed that I didn't know you, but not quite as embarrassed, with station 45, we have begun a terrific process of cooperating with gresham, we are actually co-staffing that station, as you may recall. That we are looking at now is a more comprehensive agreement with gresham, but with the whole county about what's the role of the fire service in the future, especially on the emergency medical side, and the main point is we are working with the county and bev stein and lillian shirley, who is just terrific, to make sure that this is a cooperative effort, as opposed to a separate effort because we are really looking to see if we can use the personnel, the very experienced trained personnel, the fire bureau, to prevent more emergency medical situations from arising in the first place, where if they do arise, how we can handle them more cheaply. And this is part of a cooperative effort so let me turn it over, and I want to thank you in advance, jim crawford, for all the work that he's done on this.

Chief Robert Wall, Fire Bureau: Robert wohl, fire chief, city of Portland, mayor, members of the council. I think that this is good news that we are bringing you, so it is a joy to come before you.

*****: The fire bureau always brings us good news, that's why you get a 90% rating by the public.

*****: Let it be said for the record. [laughter]

Wall: It is good news. I think that for years, everyone has agreed that emergency medical services is an area that needs careful, careful consideration and planning in order to have effective service provided. As fire chief, as your fire chief, I certainly agree with that, that careful planning for emergency medical service just has to happen. With me today is the acting chief of gresham, and he also agrees that that is a high priority to plan together and make sure that we have a good system. It isn't just one thing of planning, but we believe that by working together and to look forward into the future, that we can establish a system and an emergency medical system in this area, that's the best, best, maybe, in the country, and we are willing to put the effort together to see if we can't come up with that kind of a plan. In other words, status quo, shawn be good enough and it is not good enough and that's why we are here before you to document the fact that we are willing to, to put forward an extra effort to establish the best system in the country. The iga, formalizes that process, and says, you know, we are going to work together, we are going to plan together. And it is really an ongoing planning effort. However, we feel that over the next year, we will be able to come forward with a

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plan, a document that says, here is a better way to provide emergency medical services in this area. And the area is the whole county of Multnomah county, the city of Portland, the city of Gresham. So, that's our charge, that's our desire. And that's that we want to do. We are willing to show you that it can be done. We think that this is a, a win-win for everyone, for everyone in the community. It doesn't matter who they are, that their station in life, everybody needs emergency medical services. Unfortunately, at one time or another. Well, some might say, well, why put so much effort into this? Well, it is 75 to 80%, you know, our name has fire on it, but actually we do more medical services and have been doing that over time and it is going to continue to follow that track more and more people coming to the area, more and more medical services are required. We respond manually to 40,000 medical calls between city of Portland, city of Gresham, that's a lot. So, we think that it is important, I have got a team that is joined us today to show you that, that it is that important. And that represents the individuals on, on, in both of our bureaus and departments that are working closely with emergency medical services. Division chief, Ed Wilson, is here, as well as deputy chief John Vbasinias and Ron Mariani, and John Stoffer for Gresham are here, so this is really a, a cooperative effort that I think is good news, and the two agencies are working closer and closer together all the time. This is just another example of it, as you know, we are jointly operating the fire station on the border, I am happy to report to you that that's worked very, very well, and almost no difference in services, personnel, and operations, has worked effectively. I think that this is going to be an excellent venture, as well. Planning is important. And we are going to do a good job. I would like to have the acting chief speak and then Jim Crawford speak. Jim has been on a special assignment for, for a number of months to work on this issue, specifically, and I will have them respond to you and then we will take questions.

Katz: Thank you, Chief Wool. Mayor Katz and commissioners, thank you for I am violating me to be here today and thank you, Chief Wool, for inviting me. I am pleased to announce that there is unanimous support among the Gresham city council for the EMS planning between our cities. This past unanimously before our council, and we are very happy to have it before you. It is, like everyone else has said, yet another example of the cooperation between our cities and fire agencies, and of course, the station 45, I have to mirror that Commissioner Francesconi has said and Chief Wall has said. That has worked out marvelously for both communities. We are also doing many other things, moving forward with looking at joint training. We conduct periodic joint staff meetings. To see where we can come closer together as to fire an emergency services agencies throughout the Multnomah county area. With rising health care costs and medical call volumes that Chief Wall has already spoken to, it is in our customer's best interest to form the strategic partnership and help to create an EMS system that is based on outcomes. So, I thank you very much for your consideration, and thank you for having me here today.

Katz: You are welcome.

Jim Crawford, Fire Marshal, Fire Bureau: Mayor Katz, members of the council, Jim Crawford, fire marshal, as the chief indicated, I've been on special assignment to work on the EMS planning for some time since April. I will keep it short. This is merely the institutionalization that's in our intergovernmental agreement, things that we have been doing for some time with Gresham. It is yet another IGA on other issues, I think, it is a good indicator of our cooperative working relationship there. I just wanted to emphasize that this is a team effort, including Chief Wilson and Ron and a special thanks to John, the EMS coordinator from Gresham, who has been great to work with Gresham fire. And it is a continuation of that we have been doing over a period of time, the results that we have been having with fire, we would like to look at the EMS problem in similar terms and show some similar successes with that. We do that with Gresham now a number of ways, so this isn't any real change, as I say. We are hopeful that it is an indicator of where we go in the future. I will leave it at that.

Katz: Okay.

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Crawford: We are not even asking for money. [laughter]

Katz: Questions by the council? All right. Anybody else want to -- anybody else in the audience that you brought at that might want to testify? Anybody in the audience that wants to testify? Roll call.

Francesconi: Thanks for all your work on this, especially you, jim. Just a heads up to the council. We have had a lot of success here. There is some stations, sighting issue on the west. We are not having as much success with tualatin valley, but we are working on it, so I just wanted to give a heads up, but thanks very much for all your help here, aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Thank you. Aye. 1763.

Item 1763.

Saltzman: I just -- this is one of my favorite programs, and the block-by-block weatherization perhaps, it is a neighborhood oriented program, that targets lower income households for weatherization services. And it is no secret to all of us that energy rates are going up dramatically. This program serves over a thousand households a year through the block-by-block weatherization program. We access lower income residents through fix-it fares, which we are having three this year. We have already had one. We still have two coming up, and through those fares we identify people who are eligible for the services, and for those residents who are income qualified, we provide the program pays for a license, job training crew to install one major insulation measure, basically in 125 homes a year and reducing each individual home's heating cost by roughly \$100 a year. As great program. We work in cooperation with the extension service, Multnomah county, the water bureau, p d.c., The community energy project, and all the other local communities, or local utilities, so it is really an effective program to reduce people's bills, energy bills, which are, which are going up. And we have Dave is here from the office of development, and I don't know if you wanted to say something

Dave Tooze, Energy Office: Sure. Dave, with the office of development, energy division. Council members and mayor Katz, block-by-block has been around for a number of years, we are into our 13th year now. And briefly I would like to remind you how the program started. I wasn't around, and I don't know that many in the auditorium today were around at the time, but back in 1985, the city council increased utility license fees to our gas and electric utilities. And at that time, the city council recognized that the tax was a little bit regressive, and issued rebates to low income residents of the city of Portland. I believe that it was a \$13 check that was rebated. Soon after that, the energy office proposed to city council that we take a look at using those moneys to produce long-term energy savings rather than short-term annual checks of \$13, and that was the genesis of the block-by-block program. It was put together by a consensus of the local utilities, the state, and the county. And we are proud to tell you that, that over the years, we are at 2600 homes now, that have been serviced by block-by-block and as the commissioner appointed out, we save about \$100 annually against space heating and energy costs. Some folks would ask why is block-by-block needed because we do partner with other weatherization programs, the utilities have programs, so does Multnomah county, using federally supplied funds. The bottom line is that there is a great need in our community, the industry estimates about 15,000 households, low income households that have a need of weatherization services between block-by-block that does 125 homes. Multnomah county that does 250 to 300 homes, we estimate the private sector on their own does maybe 200 houses a year. The math says that we have got a 25-year waiting list. And so there is a lot of people that need services now rather than having to wait later. Others would ask us, and say well, aren't there going to be new funds coming and being available under electric restructuring statewide that's due to kick in october of this year? Or excuse me, october of 2001. That's true, there are some new moneys becoming available, but those moneys are targeted to electric use only. Block-by-block's profile is a fossil fuel heating system. Our homes are built in the teens and '20s, they heat with gas and oil, the new moneys will be targeting electric space heating so there is a mismatch there as far as

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resources and the profile for our program. The commissioner mentioned one of the funniest parts of the program, that's the fix-it fares, I would point out that we have one scheduled about a month from now on January 20th, it will be at Parkrose Middle School. They are a fun event. They bring a lot of resources, not just energy efficiency resources together, but we have representation from many of the major city bureaus, fires there with their message about fire and home safety. Housing programs are represented with loan programs and even classes on money management. We have the extension service that are representing information about nutritional meal preparation, and of course, we have our energy messages that help people to replace furnaces, give them advice on how to save on their energy bill by weather center rizing and cutting back, so it is a program that offers a lot variety of services, not just energy efficiency. With me are a couple of representatives from Multnomah county, Cecilia Pitts is the supervisor of the section with Multnomah county that we contract with, and the contract that is before you today. Cecilia?

Cecil Pitts, Dept. of Community and Family Services: Thank you, Dave. Again, I am Cecilia Pitts with the department of community and family services, and I am in the division of community programs and partnerships. We are very happy to be here. Thank you for the partnership with block-by-block and energy repairs for the low income families, families in poverty in our community. Looking at some of the statistics from the last year, I see that we serve between about, between 150 to 200 homes with block-by-block program funds. I have noticed that the number of persons per household is increasing for these families. We used to say, it was 3.5 persons per household, again, a large number, but given the statistics of the community as a whole, and that they are, their average monthly income is about \$1,000 a month. Now we are looking at about 3.67 persons per household, sort of increase, last year we served families that embraced more than 300 children under the age of 18, almost 150 of those who were under the age of 6, so you see the demographic profile of who block-by-block is reaching, it is really reaching the family that are too poor for some programs in a home needing some kind of relief for the energy cost, which has such a devastating effect on the monthly budget, which our average monthly income for these families is about 1150. They are not anywhere near over income for many programs, but block-by-block does serve them and it is very satisfying. Again, with a notice of so many children, we still serve a number of seniors and persons with handicap issues, as well, and I think that the program creates a real benefit for them, both helping them access some of the payment programs that we have, because we have an information and referral component, as well as providing just that repair that's necessary to help them stay warmer during the year. Dave mentioned the many bureaus in the county and municipal programs that are available through our fix-it fares in other programs, but I have noticed that the weatherization crews who are in the kitchens of these families, so they are your arm in the, the home of these families, often provide a gate-keeping role, as well, and I have seen referrals to many of the school-based programs, many of the community action and support services programs, which really create a superb parenting program, a superb need is met when the families are seeing and chatting with our crew and coordinator, Mr. Jay Berko, who I brought, as well. I would like to talk a moment about our crew and remind you that we are in about the fourth year of a job's plus crew approach for this work. So, we have -- we make a temporary employees of Jay's work crew. We receive referrals through the job's plus agents serving the Portland area. Last year, we had about five full-time employees throughout the year who worked for us in this crew, and about 80 percent of them went on to full-time employment after they left our program, which is a high percentage. We are branching out into a number of communities for which English is not a primary language for our crew members, so providing training for members of the Russian community, Spanish community, who are new, not new to Portland, but maybe a new phase in the social service clientele that we are working with in job's plus, and we are making a real effort and finding the benefit is that, having those crew members create a real inroad into some of the communities, that are eligible for our programs, as well. So, we found that that whole relationship has been right on the forefront of

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making social service happen and quite satisfying and we appreciate it and tie it solely to the block-by-block relationship and want to applaud you and thank you for your continued support for that piece of it. Jay is our crew chief and the fix-it fair and helping people learn about window kits and weatherization in their community and with our crew members, so I have asked him to come and chat a little bit about the people that we serve. Jay.

Jay Berko ?: I guess that I am probably the luckiest one. I am Jay Berko with the weatherization program, I am the training coordinator for the welfare to work program, we work on the block-by-block homes. And I think that I feel the most blessed of anybody involved in the programs because I get to be out in the trenches, meeting the families, delivering the services, seeing the wonderful results that we get and the wonderful comments we get back from the clients and households that we serve. Several pieces, I wanted to just mention that, that seem important to me, I've been involved in the block-by-block program for nine years, so I have seen it through a lot. A couple of things that are real important to me, I think that there is a sense of people helping people with our program. Here we have a crew who are learning how to gain job skills and become fully employed and they all are on social service grants when they come to us. They are going out in the homes of many families that are also in similar situations, and they are improving their homes and there seems to be an instant comradeship between the clients and the crew people, and to me, that was really, kind of surprising and a very exciting thing, and I am enjoying following that. Another point that I think is just absolutely critical, is that networking that happens at these block-by-block fairs, from my perspective, it is the one opportunity that we have in the energy world to get everybody at the same table to help families, so I think that that's terrific. And another thing I have noticed recently in the fairs, we seem to draw and attract families that I don't think normally needs of outreach would get a hold of. We are getting families that actually live right in the neighborhoods where the fairs are happening, and they are not the families that are plugged into the system and we see. So, I think that we are expanding the base into truly needy, low-income working families, which to me, is really important. Also, I see that the fairs and the program, I think, has done a wonderful job of shifting locations, as needs in the community change, and I think that that's really significant thing, too. Other interesting thing, there's been a lot of instances where we have gone out to work on a family's home and the family is very depressed, it is kind of overwhelming to be in a homeowner situation when you are on a fixed income and have all these other issues to deal with and it is that little extra boost that our program gives them, I think that it truly helps motivate an awful lot of families to get up and tackle some things themselves and make some improvements and improve their situations. I did have a couple of brief stories that I wanted to tell just about a couple of complaints clients we served in the last year. I remember a few months ago, there was one Russian immigrant family. They had, I think, seven children, five of them were preschool, and they were eating -- heating their house with a very dangerous wood burning furnace in the basement and they were fueling the furnace with particle board and cardboard. So, we put up some carbon monoxide detectors and the county's program was able to provide them with a furnace, without the block-by-block program, that would have been the end of the services, but thank heavens for the block-by-block program, we were able to provide some additional services. Among other thing, this house had pigeons living in the attic. No inhalation in the attic. There was a back porch that was in a glassed in room, that was the children's play room, there was seven broken windows, none of them with safety glass. They had a handful of preschoolers playing in this room in winter. So, we were able to make those repairs. We were able to have, at that time, have a Russian speaker on our crew, he was able to establish some rapport with the family. We got some incredibly good results on the insulation project, and that all ended very well. Another brief one that comes to mind, at the fair, last month, way out in southeast, a lady came up to me and I remembered seeing her a couple of years ago when we worked on her home in St. Johns and she came from St. Johns to, to 125th and Southeast Ramona to visit the fair and say hello. And she's the lady, she was in a car accident a couple of years ago, and her car

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was suspended off of morrison bridge, I think it was, she was severely injured, had a lot of problems, so she got plugged into the weatherization program. We went out and helped her with some heat and got her into the block-by-block program. Got some insulation in her house, but she was so very grateful that we had been there in her time of need, and her situation is much better now so she stopped by to thank us and say hi, and those things always feel really good. Let's see. Oh, I think that that's kind of representative of what's going on here. Anyway, I wanted to thank the council and the mayor for helping keep this program alive. I think that it is wonderful for the neighborhoods.

Katz: Questions by council members? I just -- curiosity, that kind of jobs are the job plus clients getting after doing the work with you?

Pitts: The last gentleman I talked to who was leaving our employment and had already been hired into a fabrication job doing, I think, trailer fabrication, it wasn't specifically construction related or weatherization but it was related to, you know, physical work on the jobsite and he had, was very thankful of our experience, and was taking this job because they were hiring and the pay was okay. But still, keeping in his mind the goal of moving ahead, as well, in weatherization and construction, and he was moving into fabrication work at that point, so it is a variety of different jobs, and I think that part of the job training component is just the coming to work on time, working on a crew, knowing that your work, however training oriented you feel it is, is important because the crew really needs all members of the crew to be there for this work. If someone is ill or is late, it really damages our ability to produce, so we stress work rules and crew team importance, and organizational placement. They are a member of our division, and they attend our staff meetings and they attend our work, sort of work gathering assignments, as well, so all of that wraps together and creates a track record that employers are happy with because they start seeing this person will turn up on time, will be punctual and follow the rules. Had a good experience.

Katz: Thank you. Other questions? No? Anybody in the audience want to testify on this item? If not, this goes on to second.

Francesconi: Let me make a comment since you are not going to be here when we vote on it, I want to do thank commissioner Saltzman for bringing this here. This is one of the best programs that I have seen in a while. Because of the multiple objectives that you are trying to accomplish, I mean here, it is very, very environmentally appropriate, reducing energy costs, but then you are aiming at a low income, folks, so you are merging those two. Frankly we don't see enough of that, and then how you are doing it, by giving job skills to people. And then it ends up forming a relationship with the people that you are trying to deal with, so the credibility of government improves. You just don't see many things that accomplish that much, and then specific block borrow block so you are to be commended.

Saltzman: I want to do take this opportunity to just plug the last, last fix-it fair of the year, and that will be saturday, january 0th from 8:30 to 2:00 at parkrose middle school, which is 1180 northeast schaefer and we will have free child care available and if you have any questions call 823-7222. And certainly, we are all invited to be there. I will be there for a while, and sounds like it is a pretty invigorating place to be.

Katz: Thank you, everybody. 1764. **Francesconi:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. All right. We have a 4/5s that I want to take before we get to communications. Jeff, I need a suspension of the rules to bring the 4/5's item.

*****: So moved.

Item 1771-1.

Katz: I need you at the table for this, for a 4/5s rule, any objections? None? So ordered. All right. Why don't you explain 1771-1, let me just say that usually, you know how I feel about 4/5 because of lack of notification, but ballot measure number 7 created a lot of issues for us, and we need to bring this forward before the december 7th deadline, so jeff.

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Jeff Rogers, City Attorney: Thank you, Jeff Rogers, city attorney. Gentlemen yes, as the mayor indicates, unless the court stays the effectiveness of measure 7 it will go into effect tomorrow so we need a procedure in place. The council previously passed the outlines of the procedure, the basic procedure but the remaining piece is this fee that, that, the city would be requiring claimants to pay when they file a measure 7 claim. Incidentally, I should say that we are cautiously optimistic that the judge might enjoin measure and give everybody more time to work not only in court, looking at the constitutional issues but give cities and counties time to do a fuller job of, of preparing for claims when they start coming in. But, obviously we can't assume that it will be enjoined and we have to assume that it will go into effect tomorrow, so, this resolution would establish the, the fee at two levels, for claims in which a claimant is, is seeking up to \$100,000 in compensation from the city for reduction in value of his or her property, and the filing fee would be \$750. For claims in which the claimant is seeking over \$100,000, the filing fee would be \$1,500. These are our best recommendations in terms of a level that would go partway towards recouping the cost to the public, to the city of processing these claims because they will require pretty extensive processing. But, the numbers are set low enough we hope that a court would consider them not to be unreasonable burdens on the exercise of the constitutional rights provided by measure 7. The measure, the resolution also directs bureaus to track their actual costs as claims come in. It is very hard to predict that those costs will be. The office of management and finance has made some very rough estimates at this point, but there is really no way of knowing until we have a track record, and in addition to directing bureaus to track those costs and the time expended, the resolution provides that there would be a periodic review and an adjustment of the fee as necessary. And of course, we will have to be reviewing and adjusting other aspects of the claim procedure, too, as time goes along.

Francesconi: Maybe I wasn't paying attention but my first reaction to the \$1,500 was that it sounds too high, and the reason is I know in the state court system, you know, the amount of the prayer, the demand for relief is not reflected in the filing fee. And it just doesn't -- it sounds too high to me, I have to be honest with you. I don't know how you got there. I don't know the math behind it, but it just doesn't sound right. Why is it so much -- what was the first amount? For the lesser fee --

Rogers: \$750. For under \$100,000.

Francesconi: How does that compare, let's negative measure 72350 minute, how does that compare to other filing fees that we have here and legal cases against the city?

Rogers: Filing fees for city processing, various applications range all over the lot and I couldn't tell you for sure that they are. Many of lower than this. But, some, I think, are higher, and it really does try to -- it is an effort to reflect the actual cost and expense and time of processing these, of the groups that looked at this, and we had our office look at it, the council's executive assistants looked at it and the city steering committee, it was very difficult at this point to know that the actual costs would be, but we did believe that when you get to a claim above \$100,000, that there will probably be even more extensive cost for the city, including the, the additional cost of appraisal, probably some additional investigation, so we think that there is some correlation between the size of the claim and the, the amount of the fee, although it is certainly hard to predict just, just that it will be.

Francesconi: Here's that I would suggest. I need more information but I don't suggest that I hold this up because it is going tomorrow, but I do suggest that you get me that additional information, including how this compares to other claims, and that you may consider modifying this. At some early future point. Maybe. I might suggest you do that because it just strikes me as too high, but given the fact that it starts tomorrow, given the fact you don't have time to do all of this, and I haven't adequately looked at it, I am prepared to vote yes but I need to look at this. It sounds too high to me.

Rogers: I understand that and we will give you that information much as we understand it, there is some cities going up to \$3500 for, for a claim of any size. And there are some that are lower than this. So we have tried to take a reasonable approach but I certainly understand your concerns and we will take a quick look and we will be looking at it all the time.

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Francesconi: That I am most concerned about is that this be treated separate from the nature that it is measure 7, that it fits into the scheme of other kinds of litigation generally, not the type of litigation, that's that I am most concerned about.

Rogers: All right.

Katz: When, also, it needs to fit into the scheme of fee for service, and we don't know quite yet that that's going to be. And whether we are at 50%,70%,100% or 150%, don't know that yet. But, I am glad that you went through a sliding scale because it wouldn't be fair to charge the higher amount across the board. All right. Further questions? Anybody else want to testify on this item? All right. Roll call. **Francesconi:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. Item 1765.

Item 1765.

Dan Handelman, Copwatch: I am dan handelman with Portland cop watch 42456, Portland, 9742 4, and mayor Katz, city council I asked you to pull two items off the consent agenda in regards to the Portland police bureau's cooperation with the fbi. You passed both items unanimously after being presented with only a few items of testimony. The ordinance was passed that day as emergency ordinances. I put it to you that at the age of community policing something is serious as deputizing eight Portland officers full-time requires more community dialogue, for example, my organization alone has shown up twice as the subject of infiltration by undercover agents of the Portland police bureau's criminal intelligence unit. And I have given you supporting documents to this effect. In 1992, when cop watch was starting, undercover officers came to a meeting of the parent organization and filed a report under the heading "civilian police review board." Apparently in an effort to allege some sort of criminal activity was going on and trying to establish a strong oversight for the police. When the circuit court judge saw this document he became quite incensed and filed a ruling in the city of Portland, which I provided you with, demanding that they adhere to 181.575, the gathering of information to organizations for those engaging criminal activity, but the judge's ruling went beyond the law saying that individuals who happened be present where criminal activities are discussed are not subject to investigation, and the ci use files should be reviewed one week, one year, five years and audited every two years, and last year, another document, in which an officer passed information on the ciu. A group, listing my name specifically as a noncriminal, but note that go I had organized a lot of demonstrations against u.s. Policy in running back, not criminal behavior, it is because of this that I come to you to demand that you give the public a certified study outlining the terrorist act to Portland. Our group worked for four months to help outline the need for a civilian police bureau board and that's still pend being, but croaker signed the form and the pgtf existed for two months, when the police makes the laws, we become a police state, if you remember, we demand if the mask task force is to remain in place, the policemen dumb be defined so the organizations know that I will be not be targeted. These are extremist, terrorism, and violence. The people who define the terms now have in their hands the power to decide who is a potential terrorist. Given the testimony of given of the fbi, inch he said that the hob's act would be used to investigate domestic terrorism and his reference to shutting down a business by force, they can say that they are stop stopping them from holding events like outside the powell's books. They did not force powells to block lock their doors. Do you think that cesar chavez who you worked wendy nielsen was a terrorist? The fbi might, and the Portland police officers might. Finally I would like to adjust the lack of local control and oversight turning the officers over to a federal agency. They will be answering to the justice department, not the city council, if they hold to the Oregon laws, once they have the files or access to booking pictures through the police data base, they can pass that information onto other field offices and claim to be in compliance with Oregon state law while people have their faces and names on file as potential terrorists, please reconsider your actions and explain the nature of the emergency and define the terms used by this.

Katz: Thank you, dan.

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> 1766.

Katz: Can I ask a question?

Katz: We don't usually --

Francesconi: Well, but this --

Katz: Go ahead.

Francesconi: I would ask for your discretion of this because of the nature of this. And then I won't do it each time, I promise. Because I actually looked into this, the first, for my own interest, I guess the first thing that I want to tell is you thank you for calling our attention to this. We should spend more time on this, okay. On the issue of, do you have ideas for the definition of criminal activity, extremist activity, terrorism and violence, suggested they be defined, do you have the definitions somewhere?

Handelman: The definitions I found with a quick web search was, that apparently in the u.s. Law, it has to do with detaining or threatening a person for the purpose of exempting a government to do or abstain from doing any act, and then detaining and threatening, of course, also includes violent attacks and the use of biological chemical agents, a nuclear device, gun or explosive. So, you know, something like that, some kind of specific thing that defines a terrorist act, something trying to influence governmental behavior through violence or the threat of violence, that would make me feel more comfortable than saying criminal activity or supremacist activity.

Francesconi: I don't know where it is going to go but getting definitions would be a good thing to do to get to us, I would like to see that, that's number one. Number two, there is two questions, really, one is do you do this task force at all? And you are saying, or some members are saying no, which I disagree with that, and I expressed that at the original vote for a variety of reasons. But then, the second question, and this is the one that I wanted to look into more, what is the oversight of the process to make sure that it is appropriately focused on criminal activity as opposed to first amendment rights? That's the issue that I am the most concerned about frankly. We have a disagreement on the first. On the second issue, I guess that I actually found judge markus' opinion, because of the good briefing that I had from the police, okay, now, there is two ways of oversight. One is, and I want to make sure that I am clear, one is the u.s. Attorney general's guidelines, on this activity, that has resulted from some prior misuses, and there, there is specific guidelines that the u.s. Attorney has now on the fbi with a monitoring procedure to the u.s. Attorney, kris Olson, who is very similar thetic to these issues. Is there something -- and this didn't all come out before. Is there -- is there something wrong with those oversight provisions and the remedy of the u.s. Attorney, on the fbi's side of this?

Handelman: Well, on the fbi's side, if, as I said, last time if there is a federal crime, it is being investigated, the fbi has jurisdiction over it, but that this is doing the way it is written is, is federalizing local and state laws and giving, you know, making Portland police officers into fbi agents so I don't know that mayor Katz will have complete jurisdiction to control the activities of those officers any more.

Katz: I really don't want -- go ahead.

Francesconi: But the point I am trying to make there is an oversight provision with the u.s. Attorney overseeing that the fbi does and there is specific guidelines set, that's one point but the second, and you are getting at it with judge markus here and his opinion, with the city's behavior now, the city police officer's behavior, then there is the question of civilian oversight of that, because of judge markus, there is the requirement, which I think we should institutionalize of this, of the city attorney, doing regular audits of the behavior to making sure it is appropriate and then reporting to the police commissioner on that activity, which is the same kind, the mere procedure -- mirror procedure. Fbi. And is that that you are requesting or you don't care about that?

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Handelman: I do, I do care about it. Commissioner Francesconi, and in fact, you brought a motion to try to have the city explain why they are not, because as it turned out, they didn't do the audit the way that they were supposed to, instead they had the state police help them with those files.

Katz: We are not going to continue this because in all fairness, to that question, there ought to be other people who should be responding in terms of how it was done, why it was -- whoever you said it was, and we are, we are -- if the council wants to have discussion on this particular issue with the city attorney, we can do that. But now, really, we ought to have answers from people who are actually responsible for making that happen. Okay. Thank you, dan. okay. 1766.

Item 1766.

Darlene Lemly, League of Women Voters: I am darlene lemly, I live at 827 northeast 90 avenue. The league of women voters has a clear and long standing position supporting both individual liberties and the citizens right to know and participate in government. Our concerns regarding the Portland joint terrorism task force are based on both of these positions. The Portland joint terrorism task force was created in the past without public input or further reading by city council as an emergency ordinance of 175111 on november 22nd,2000. We have read the ordinance and the memorandum of understanding, and are deeply concerned about the actual purpose and authority of the task force. We have the following questions -- what does this ordinance and the memorandum of understanding permit the task force to do that agencies working together cannot do now? How might the activities of the task force affect fundamental civil liberties? And why was the memorandum of understanding signed by the police chief and the fbi at the end of september but then rushed through city council with no public input or further review two months later? The logical conclusion after reading of the memorandum of understanding is that we need to identify and prosecute individuals associated with certain active organizations. Our concern is at that cost to civil liberties will this activity take place? How will the individuals be identified? Will group members be targeted for pros accusation because of past experience with the organization or because the name of the group sounds suspect? Is the real intent to limit the exercise of the first amendment right of free speech by certain individuals and organizations? We would like to point out by the way, that although the language identifying particular target groups was deleted from the resolution passed by the city council, the, the language remains in the memorandum of understanding. The way in which this ordinance was brought before the city council and dispatched without opportunity for further consideration by council or the public, is quite disturbing. Until these questions, including but for the limited to those above are addressed in a public forum with a possibility of rescinding or amending the memorandum of understanding, we must remain skeptical of the intent of this ordinance. Accordingly we recommend you sunday the memorandum of understanding until such time as the public hearing can be scheduled and a full public discussion can take place. Thank you.

Item 1768.

Diane Lane: I am diane lang, I have some concerns about the task force. Oregon statutes have limited law enforcement agencies to collect information on individuals and groups only if it directly relates to a criminal investigation. The Portland joint terrorism task force must refer to Oregon law since it is more restrictive in fbi guidelines. That's fine, except that the criminal intelligence unit ignored Oregon law by investigating noncriminal activists, such as dan handelman and douglas squirrel. I am concerned that the task force as a combination of Portland police and fbi agents, will not follow the Oregon law, especially since the fbi guidelines are much broader. Research indicates that the fbi can begin investigating when it receives any information, quote, who is responsible handling requires some further scrutiny, end quote. Investigations can include the use of informants and physical surveillance, and even though the guidelines supposedly respect the first amendment, investigations can be opened based on statements advocating criminal activity. A study in 1985 found that 12,000 inaccurate reports on criminal suspects were transmitted every day to federal, state, and local law enforcement agencies. That's a while ago, but I haven't seen any indication that

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the problem has been corrected. The more recent investigations I referred to had many mistakes in them, including incorrect names. This could, at worst, lead to the arrest of innocent citizens, possibly for no good reason. Research indicates that most of the worst domestic terrorism acts have been committed by people who don't join groups. According to a research group in Washington, d.c., Quote, an increased effort to monitor anti-government groups is unlikely to identify these loaners who may pose the greatest threat, end quote. A new york university professor recently stated, quote, "by criminalizing those who associate with the groups lawful ends, it deters precisely the people who might have some moderating influence on the group in question." In addition, the fbi has too many abuses in its history that have not been adequately addressed. By passing the task force ordinances, especially without thorough community input, I think that a further division between the community and the police has been created. I ask that the council rescind the ordinance.

Item 1769.

Dave Mazza: I am still dave mazza, I am here, again, speaking on behalf of the police accountability campaign. Before I make my statement, I would like to bring to the council's attention that there is probably close to a dozens people who came down here today who weren't able to sign up to speak but who clearly would like to have an opportunity to address this issue, and in light of the public hearing, this issue has been given, I would urge you to allow them that opportunity.

Katz: David, we are following the code and we will just proceed.

Mazza: I just wanted to bring that to your attention.

Katz: I appreciate it.

Mazza: I share the same concerns that have been raised by the league of women voters. By cop watch, by the aclu earlier this week in a press conference. About the, the rush to pass this ordinance. We, for one, are deeply concerned with the process, as has already been stated, this was passed on the eve of a four-day weekend for a lot of folks with, as an emergency ordinance, even though the documents, themselves, have been around for close to two months. We feel that that's not in keeping with the democratic spirit. We are also concerned about the lack of ex-law nation for this document, we know, and as we have heard today from officers, talking about the limited resources that the bureau has, that we don't have enough to do everything, and I guess that the question is, is this really a, a high priority for the community? In looking at the source book of criminal justice statistics, terrorism is not something that is, appears to be rampant between 1982 and 1997. Terrorist incidents throughout the entire united states came to a total of 183. And of course, some of those include very dramatic ones, but looking at how the trends are going in terms of, of the damage or the casualties that have been inflicted by terrorism against u.s. Citizens, and these statistics, which come from the fbi, also, include u.s. Citizens abroad, as well as here at home. In 1999, we had a total of 11 casualties recorded by u.s. Terrorism in the entire, against u.s. Citizens. Five people killed, six wounded. Those are serious events, obviously. But, it raises, in my mind, still why the need for rushing into this arrangement that clearly raises so many questions about the basic, our basic civil liberties and how our system works. There is a reason why our society has set up fire walls between the various levels of government. And it is our feeling with the police accountability campaign, particularly in the absence of that we think is substantive oversight, civilian oversight of the police, that this is a very dangerous path for us to go on, go down. We would strongly urge that the council, rescind the ordinance and engage, once again, we have made this request before, in a broad-based discussion about where we want to go in terms of community, what are the priorities, and that role, if any, this sort of policing of political activity has to play within our city. That's it. Thank you very much.

Item 1770.

Richard Koenig: My name is richard koenig, I was here last week and the week before that and the month before that and the month before that. I have an unanswered question regarding the piiac process, and since I have already put my remarks in writing, I would like to start with the

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unanswered question. It is alleged that, that the piiiac citizen advisor assigned to present the case should be removed from that assignment if they receive input from the appellant regarding the iad complaint. It is alleged that the removal is an appropriate response to a conflict of interest, situation arising from citizen advisor, appellant contact. If there is merit to the allegations that I just cited, would it follow that a citizen advisor who makes contact with or receives information from the internal affairs division creates a similar conflict of interest requiring similar action to remove that advisor? And the reason that I am asking that is because I have a case coming up next week before the citizen advisors, and the person who has received the information conclusively proving that internal affairs division, capital smith, has lied, has been pulled from the case, and I would like to know whether I should reschedule this or later, after we resolve this question or whether the question can be resolved today. Now, while you are thinking about that, I will launch into what's already written here. But, I would like an answer before I leave today.

Katz: You have about a minute and 30 seconds.

Koenig: Like I said, it is in writing, city council recognized its liability in regard to police accountability and a unanimous council vote to deny Mrs. McCrae the due process of her piiiac hearing, which had been scheduled since November 22nd, on that occasion, city attorney, Pete, read from the city ordinance advising you folks of your duty as piiiac. Council, yourselves, were further advised of its mission at that time by attorney David Park. So you knew. The primary mission of the Portland Police Bureau is to protect, according to all the sources that I have read, life, property, and individual rights. All internal affairs division personnel or police bureau members with the same primary mission. Each Portland Police Bureau officer swears to uphold the constitutions of the United States and the State of Oregon. Here's an incongruous event for your consideration. Captain Smith of internal affairs came before this council and said, quote, "the piiiac appellant had rights but when he stood up for his rights, as opposed to shutting up and sitting down, he gave up his rights and committed an arrestable offense. Well most people hearing this story think it sounds silly for an officer, sworn to uphold the constitution, or maybe it is some kind of joke. After all, the people who were arguing with the appellant were police bureau members. If they did intend to uphold the constitutions why were they arguing with the citizen who had rights, but the only issue was exercise of those rights. That duty did the sworn officers have in regard to the appellant who Smith had admitted had rights? What did the -- that investigations -- that indication was there in that iad report that showed that the officers did that the mission statement says that they will do? They didn't have one. Did Brett Smith do anything that resembled protecting the citizen's rights? Again, no. Who the heck am I to be telling this story to city council? Well, I am the person for whom the appellant, Pat, was acting as an agent. And who had a right to gather evidence to defend myself against an allegation that my attempt to, quote, file a police report against a judge was an arrestable offense. We will talk about over the next few weeks, the duty of sworn officers of this council and that, that means to the community that you serve.

Katz: Thank you, Richard.

Koenig: Can I have an answer before I leave?

Katz: We are not going to respond to it because none of us know any of the details. My recommendation would be that you talk to Michael Hess.

Koenig: Should I cancel my next meeting?

Katz: My recommendation --

Koenig: Michael is not here, he shares your office and he's sick today.

Katz: My recommendation is that you wait until Michael Hess comes in and ask him --

Koenig: When will he be in?

Item 1771..

Patrick Dinan: I am sorry Mr. Hale is not here today I wanted to compliment him on his actions.

Katz: Why don't you introduce yourself.

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Dinan: I am pat dinan, mayor, and if you would have told me 2 1/2 years ago I would be talking before the Portland city council, I probably would have laughed. Not any more. I am ready to be here as many times as it takes to insure you follow the law k protect your best asset in the city, which are the people. I could not believe you made statements like you did just a couple of weeks ago. We citizens cannot accept any council member not taking seriously the job that you all do as piiac committee members. If you cannot follow the legal guidelines that are spell out in our city, don't do it. Get it assigned and away from yourself. These past few years have opened my eyes. The public is becoming more aware of the ways you, the city council, are treating piiac and its appellants. Where is the accountability of our community police when the iad can come before you and not have to give you all of the facts to approve their case, issues or positions. Who is more afraid of the other side? I don't think that it is the police. Wake up to the facts, are iad does not always provide piiac the correct facts in cases before you. Using my case in example, you have if in front of you, I told you the police department does not have the paperwork to back up their claim of trespass or exclusion in order to keep me from entering the northeast precinct. I have asked from the very first month of that case going back to march of 1999, for proof. Yet, you didn't ask him because I couldn't ask him. There is many -- I said directly to you, mayor, and in your file your request for proof starting with the first month, opportunities to request and define it. You took captain smith's word, why not mine? Why would, why would I bring it up unless I had done my homework? You can see in front of you, the chairman, or the director of, of piiac, does not, has not, will not see that issue come before him because they do not have a copy. Without consideration of the law, it is the appellant coming before you, there is no question. We find that we are not accepted into the treatment. I will give you an example of that I feel. Mayor, 19 the 1998 federal tack return they want you to come before them and explain why you shouldn't have an additional \$10,000 in taxes due. Remember now, you only have ten minutes to explain your side, you cannot ask the examiner how he came to that conclusion or see the paid work that he has. There is laws. You must take the tax investigator's word that he did the job correctly. You can only ask questions to the judge, but do not expect the judge to ask those questions to the auditors. You might think that the proof of why they have added 10,000 to it would be a legal one but that's only if we want to consider that way. You have no say there. You will be held accountable for your tax obligations but not able to review the tax file before or during the -- excuse me. The tax hearing. How would you feel? Would you be willing to pay the additional tax without putting up a small fight or asking questions about the audit? Most of us would claim foul. Would you work to change the system as it appears? Now consider your program in piiac. Is it working and that do you do to make the actions of the Portland police as community partners to us, the appellants?

Katz: Thank you. Before everybody leaves, there is some issues that were raised in the, in judge markus' order with regard to the city attorney monitoring the files, and I recall asking the city attorney that question a couple of years ago. I haven't recently so I will do that. In addition to that, I think, that I would like to do is get back to the legal of women voters -- league of women voters with the response to the three questions that they asked and an explanation because I think that there's been some, a, misinformation, or lack of information or information that probably needs clarification, and I will do that. All right. Thank you.

Dinan: Mayor --

Katz: Just a minute -- no. You are out of order. We are adjourned until 3:00 when we do the spirit of Portland award. Thank you.

At 12:28 p.m., Council recessed.

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3:00 PM

Katz: Hi. Council will come to order. Britta, please call the roll. **Francesconi:** Here. **Saltzman:** Here. **Sten:** Here.

Katz: Present. Commissioner Hales is in Boston at the national league of cities, and is sorry that he couldn't be here. I think this is the second year in a row that the league was meeting at the same time that we were giving the spirit of Portland awards. Let me say at the beginning on behalf of the council, this is probably one of the most favorite afternoons that we have. During the entire year, we have people who are in front of us complaining, in fact some of them are yelling, not terribly happy with us. Not all the time, but a lot. And many of us get e-mails and phone calls and you begin to forget that there is some wonderful people in the city that do some wonderful work, some independent of even us asking you to do that kind of work. You have decided on your own that you wanted to make a personal contribution, and today, we recognize you all for that, and you will experience, many of you, that we have experienced over the years. It is truly a joy, and it is nice to see all of you with family and friends up in the balcony and sitting down here so, on behalf of the council, thank you. Thank you for being the riches for this city. All right. We are going to start now. The first category are -- the first category is the individual volunteers of the year. And there are several of them, and between the four of us, we will make the presentations. The first one is Tom Bacher. Are you here? Oh, yeah. Oh, let me just say, if you want pictures, we will take -- photographer, stand on this side, each one of us will then come over, give the award, and if there is somebody that wants to take a picture of you, then we will be there. Tom, come and sit down because we are going to ask you to say a few words, all of you, if you want to. But just because you are sitting -- sitting doesn't mean that you have more than a minute, we just want to make you comfortable. Tom has never hesitated to be involved, and for some of us who have been around for a long time, he is a familiar face in front of the council. He began his term of service on the Sunnyside neighborhood association board, and the day that he and his wife moved in, and I am sure that he's probably thinking twice about that commitment today. The person who nominated Tom calls him just energetic, and when I identify and itemize the areas that Tom has worked in, you will know why. Tom wrote a grant, recruited volunteers and got the media interested in the community mural on the wall, separating Sunnyside elementary school and the playground from the street. To make Sunnyside even more deserving of its bright name, Tom came up with the idea of covering the neighborhood with sunflowers and contributed over a thousand sunflowers to residents, to start for the summer. Tom was key in moving along the Belmont Dairy project, and in resolving the one famous dispute that we saw unfold before the council between neighborhood residents and the church food program participants. Other activities including, are including organizing and running two neighborhood cleanups every year, training mentoring and training activists in other neighborhoods, and serving on many, many city council advisory committees and recruiting volunteer, but I think that we all remember Tom, when he sat on that side of the table, and we asked him to participate in healing a neighborhood, and he wasn't quite sure whether he could make that happen. We had a lot of faith in him, and as you all know, that turned out was having very, very positive out of a very unpleasant situation. So, Tom, on behalf of the city of Portland, our thanks and congratulations. [applause] [applause]

Tom Badrick, Sunnyside NA: I am going to do something that I seldom do, which is keep it brief and say may thank you, mayor, council, and Sabrina for nominating me. I wouldn't be sitting up here for this award if it weren't for all the great people in my neighborhood, but that I have done is because I have had people support me and help me and prop me up when I needed propping up, and I am thinking that this is probably a far more uncomfortable moment for me right now than it was

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when we were going through the session for the chump thing, so I will stop now and just say thank you.

Katz: Thank you, tom. [applause]

Saltzman: The next individual volunteer of the year is tom miller. Tom, are you here? Great, come on up, tom. Have a seat in the resting chair there. [laughter]

Saltzman: Well, tom is the best of both worlds, he's a strong leader and a doer. Always willing to get his hands dirty, when it is graveling or brushing trails or working at the southwest neighborhood's fall cleanup or volunteering at the food bank. He's the past secretary, treasurer and president of the homestead neighborhood association. And tom currently represents the association on the marquam hill transportation oversight and review board on the southwest neighborhood incorporated trails committee, the southwest community plan homestead neighborhood association master plan steering committee. Tom's other projects on the neighborhood association have included the neighborhood association boundaries, the terwilliger bridge plan, the police community outreach, and the terwilliger parkway. Tom, thank you very much for your service and congratulations on volunteer of the year. [applause]

Tom Miller, Homestead NA: Thank you, dan, commissioners, mayor. I don't know how it was overlooked but as you know i've been a little involved in the coalition over the last decade, too. One thing that's probably the most flattering of this whole event, not only is this award great for that sometimes seemingly thankless job but it is when I found out the other individuals that are receiving it, particularly this year, but other years, too, and one thing my involvement has afforded me is the knowledge of the work to nasty derricks of these individuals and that's very flattery. I am glad that the comrades are here are also receiving these awards, too. Thank you very much.

Katz: Thank you, tom. [applause]

Francesconi: Berry dagell. Berry, come forward. There you are. In her nomination of berry, kay pheiffer called him an, in the trenches volunteer, who searches for ways to make things better and never seeks the lime-light. That actually may be true of all of our award recipients today. That selflessness is obvious in the numerous projects berry undertook. A board member of the northeast coalition of neighborhoods, berry currently serves on the executive personnel and land use committees. All three. He's helping rewrite title 34. He's representing his neighborhood on projects including the lloyd district meter resource allocation committee, the south light rail group and the irvington community association board on which he sits. In his spare time, he tutors math at harriet tubman middle school, which might be the most important of all of those that he does. He also removes graffiti from neighborhood signs and trash from the street, and he created the website www.irvingtonhometour, for the home tour, which raises fun for neighborhood beautification projects and charities. Congratulations, berry. [applause]

Barry Daigle, Northeast Coalition of Neighborhoods: I have three thank yous to make. The first is to my wife for putting up with the number of hours I spent out in the community. The second is for all the people I work with on -- in these volunteer groups, they have spent as many hours as I have. They have been doing it for much longer than I have, and there is a small correction, while I was tutoring at tubman, I don't do that think more and I would like to thank the kids at tubman for the positive experience because of them I have decided to make a change of career and is have an application into graduate school to teach in the public schools, so thank you.

Katz: That's wonderful. [applause]

Sten: Mark sebert is next up. Mark, who many of you know, has been a great bridge between the city staff and the neighborhoods that the city has drafted him, and I will get to this in a minute but they made him city staff. And welcome aboard. Mark was the chair of the southwest neighborhood's inc. Task force, and that was the group that played an absolutely critical role in getting the southwest community plan back on track, and for those of you who followed that, that was no easy task, and I think that mark was really a lot of the glue that made that happen. In

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addition to that, he's been involved for many years in the ash-crook neighborhood association and served on the advisory committees for everything from blueprint 2000 and the local improvement district redesign steering committee, and if you don't follow up with the local improvement districts, that's very tedious work, and also very necessary, so mark has been on kind of the exciting issues and the not so exciting issues for year in and year out. Now, and I mentioned this in the opening, he's expanded his attention and mark is serving northwest Portlanders in an official capacity, he is the new executive director of neighbors west/northwest. And as the coalition director, I think that you can look to see all of the work that mark has done as a volunteer, which is the, you know, far beyond that I have time to mention today, taking those lessons and helping organize northwest to do some of the things, not the northwest has been bad in the past, but to do some of the things that he's been able to pull off at southwest so, congratulations and this is a very fitting award for mark sebert. [applause]

Mark Sieber, Neighbors West/Northwest Coalition: I would like to thank all the citizens who i've been working with and the city staff and the council who have all just been wonderful at developing relationships with me, so that we can all move forward and work to improve the city. I want to particularly thank my wife, roxanne, for her support and her perseverance with all the time I spent, and I am looking forward, very much, to serving the citizens in northwest Portland and their volunteer board of directors, thank you very much.

Katz: Thank you, mark. [applause]

Saltzman: Our next individual volunteer of the year is kirky. She's a teacher, a parent, and hard to believe, a grandparent, also. We all know that she is a neighborhood activist. It is not surprising her chief causes are youth and education, as chair of the southwest neighborhoods incorporated parks and community centers, standing committee, she has played a vital role in many projects ranging from identifying new sites for soccer fields to the installation of a water slide at wilson high school's outdoor pool. Kirky was instrumental in bringing people to agreement on the site for the southwest community center, and remains involved with the center, helping to monitor its successes and challenges. The Portland public school district has also benefited from kirky's tireless work, along with the neighborhood association and the southwest neighborhood's inc.'s board. Congratulations, kirky. [applause]

Kirky Doble, Wilson neighborhood and school activist: I am very humbled by this moment, and I am very humbled by this award, and thank you very much. I accept this on behalf of all of the people in Portland who love their parks and their community centers, and I just want to tell you all that the neighborhoods are where it is at. And I have found that out through my work in the neighborhoods, and I really want to thank you so much for this award. [applause]

Sten: Mikey jones is next up. Where is she oh, there he is. All right. Go ahead and stand or sit, whatever you like. Mikey is one who puts his money and time where his mouth is, and that's defending the environment. He has spent five years and 100,000 of his own money to fight the misuse of public wetlands. Mikey has been on constant watch for violations and that work has resulted in the restoration of 30 acres of illegally filled wetland. To do that has been constant task of going to the library, appearing at hearings, working to file motions, you name it, he's been doing, doing it, and the effect is very, very real, and I think that actually, will be part of that this community does to respond to things like the endangered species listing, as well as just doing the right thing, and all this far comes along after he saw this problem before, I think, the rest of us did. In addition to all of that, he helped found the kenton neighborhood association, obtain add grant to fund the publication of the between the rivers newspaper, which is a terrific publication. He was its editor for one year, served as vice president of the north Portland citizen's committee and spent two years on the columbia slough task force and the bobby lakes committee, and if you haven't had a tour of smith and bobby lakes and all that's happening out there and all the difference that mikey has made, I think

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in return for this award, which is deserved anyway, you ought to talk him into a tour because it is well worth seeing. Mikey Jones, congratulations, well deserved. [applause]

Mikey Jones, Bybee Lake and wetland activist: I just wanted to say two things. I didn't know that I had been recommended for this, and if they had told me, I would have said I really don't deserve it. I really don't because I am stubborn, and this is an award for being stubborn. [laughter] And I am as stubborn as I breathe. It comes to me naturally, and some people say I am as stubborn as a burro and some say jack-ass. But, I have to tell you, the people that really deserve this award are the good people in St. Johns, and my wife, who says to me all the time, shut up and listen. [laughter] And I probably don't do it enough. And second thing I would like to say is, I know how hard you guys work, and your staffs, and I know the kind of hours you have put in and stuff. Well, although sometimes I wish you would stay home and leave north Portland alone. [laughter] But I want to say thank you very much. [applause]

Katz: Mikey, the good news, bad news is we are coming to north Portland.

Jones: Stay home:

Saltzman: Why don't we goon the next individual volunteer of the year, next page.

Katz: Oh, you want to --

Saltzman: Should we do sunnyside?

Katz: Yeah. Commissioner Francesconi?

Francesconi: Well, we are in the category of special award, and it is to the sunnyside project. I think that sometimes from our deepest conflicts come our greatest lessons and maybe a chance to express our important values, and so sunnyside's journey from conflict to cooperation in 2000 clearly shows the spirit of Portland and so a special project award was designed just for them. The sunnyside neighborhood association and the sunnyside centenary method church overcame their differences in order to strength the neighborhood and to defeat the hungry. For several years, sunnyside residents had been frustrated and uneasy about the effects of the meals' program in their neighborhood. At the same time, the church felt that it was being unfairly blamed for trying to do that all of us should do, help the less fortunate. This dispute came to a led during a land-use and city council hearing that made national news. Charged by the city council to solve the situation themselves, the church and the neighborhood association spent three months sharing concerns in meetings with and without city fashion. Representatives from both the neighborhood and the church spent over 80 hours meeting to come to an agreement about the meal plan patrons. Both side showed commendable spirit in working out their differences and in the process, coming to know one another. Neighborhood residents agreed to trust church and accept the meals program and the patrons. The church promised to more closely monitor the programs' impact on the neighborhood. By keeping the lines of communication open, the people of sunnyside have come a long way this year, and they have set an example, not only of taking care of the neighborhood and the less fortunate, but of creating relationships. And they deserve to be rewarded for their new partnership. In recognition of the significant roles and the message that they have sent to our community, in creating this parks partnership, we want to give some special recognition of several groups. I would like to start with the sunnyside centenary united methodist church, and we have a recognition here. I will lye like to recognize the pastor, tim lewis, but also most especially pat schribert, because it was really pat's, whose vision it was to perform this function of all of us when and who set a pattern for our community. So why don't we start with you coming up and receiving a certificate. 6 so pat and tim, do you want to come? Pastor lewis? Why don't you come first. Here is your certificate, and do you want to say something?

Pastor Tim Lewis: That I would really like to mention is that we couldn't have done that we have done if it had went been for our foot patrol and the guests that come to our dinners on wednesday and friday nights, that their regard and respect for the neighborhood has, indeed, helped us to be able to do that we are now doing all together, and thank you.

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Pat Schweibert: I would just second that. The real success is the amount of self discipline that the patrons have encouraged upon themselves, nothing that we can do can curve their behavior as much as their own willingness to monitor themselves and they really need to be recognized as an important piece of this.

Francesconi: Why don't you stay here and we will give you the picture and I will give the plaque to all of you at once, the second partner is the sunnyside neighborhood association who was the other partner in this agreement, so tom, do you want to come forward and anyone else from the neighborhood association, that you would like to bring with you?

*******:** This is familiar again. I thought I had at least one other board member here. I guess I could say on behalf of the neighborhood association, we are grateful that we can resolve this in a way that will allow people who are needing help can still get help and do it in a way that might be an example for other places.

Francesconi: And then the next three, if you could come up simultaneously because we had staff who helped, helped with this, and played a role in bringing the parties together, and they deserve special recognition, as well. And that's harry ourback, dan reynolds and mike.

Katz: Harry, why don't you say a few words. Okay, folks, move over a little bit. Go ahead. Dan, take a seat.

Harry Auerbach, Senior Deputy City Attorney: It always makes me sheepish to accept an award for basically doing that you already pay me to do. [laughter] The reason that I am here is because I want people to know that lawyers in general and our office, in particular, are more than mere warriors or advocates or litigators. I consider my function and those of my colleagues to be to help people solve problems. And that's that we try to do here. I want to thank my wife and my children forgiving me up when I needed to go to meetings every tuesday or wednesday or thursday evening, and I particular the want to mention also that that this, this is truly a testament to is the humanity of the folks in the sunnyside neighborhood and the faith and commitment of the people in the church. I don't know if we could have accomplished this in another neighborhood or not, and I think you folks are special, and the one group that we haven't recognized that deserves recognized are the police at southeast precinct, commander robs and officer jensen and officer brown, who committed a lot of time and energy to the project, and without whom I don't think that we would have gotten where we got, so thank you all.

Katz: Mike?

Mike Hayakawa, City Planning Bureau: Mayor Katz, council members, thank you very much. This recognition is really for the incredible volunteers I met when I was staffing this project, the neighborhood association folks, as well as the residents of the sunnyside area, who are so incredibly dedicated to making a difference in the area. My colleagues, my professional colleagues, in the attorneys' office, as well as the consultants, as well as the police. Thank you very much.

Dan Reynold?: Mayor, council members, when harry said that, he said that very well that attorneys can actually do something other than, than butt heads together, but I think that it is important to keep in mind that all the pieces did work together, and without all of the pieces working together, this wouldn't have happened, and I would echo harry's thoughts on the importance of the police working with this process because without them, this wouldn't have happened. So, I thank you, and thank all the participants in this process, as well.

Katz: Thank you.

Francesconi: So commander grubs, are you here, and officer jensen, my ride along partner, are you here? We don't have anything to give you, but let's at least recognize you.

Katz: And stand, anybody else that participated.

Katz: Do we have any clients of the church? If you are here, get in the picture.

Katz: Thank you, everybody. [applause]

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Katz: Bridget Flanagan, let me start, for years, I only knew one Bridget Flanagan, yes, come on and sit down. That was Bridget from Safeway, little did I know that there was another Bridget Flanagan, this is her. With her wisdom, developer background, common sense, and a sense of fair play, as Don Back described Bridget, she was an easy choice for the Spirit of Portland award. Her work on projects ranging from the Hillsdale plan to the tree preservation ordinance has earned her respect of all of Portland's citizens, not only of the southwest, as a member of the Hillsdale planning group, the Portland Design Commission, and an advisor to Sweeney Land Use Committee and a key representative of the Title 34 committee, Bridget has shown her concern for her knowledge of the southwest Portland and greater Portland community, and I have to tell you for those of you that don't know about the Title 34 committee or the Sweeney Land Use, or the Portland Design Commission, those are tough assignments. They are not easy. Bridget has always put to use her excellent mediation skills, helping developers and city staff solve problems, and Bridget, I cut you off the other day because you went over your three minutes. And I apologize. But, thank you for all your work and all your efforts that you have made, not only for the southwest community, but for the city of Portland. [applause]

Brigid Flanagan, Hillsdale NA: Thank you, Mayor Katz. The thanks really goes to you, to the council members, and to the bureau staff, specifically the planning bureau staff for providing such wonderful opportunities for individuals, such as myself, to actively participate in the civic life of this city. Often I think in Portland we take for granted the fact that all of you have created a political environment where individuals like myself, can become so actively involved. And where your staff is so willing to listen to citizen involvement and input. So, my thanks goes to all of you for giving me this wonderful opportunity, and I would also like to thank my husband, and my children for tolerating all of the long meetings that I have attended. Thank you.

Katz: Thank you. [applause]

Saltzman: The next individual volunteer here is Jar Retzer. He knows so much about water that city leaders turn to him for help in developing the stormwater manual as well as writing the stormwater policies and objectives for the southwest community plan. Understanding the creeks must be clean in order for our rivers to be clean, he was president of the Crestwood Neighborhood Association, he issued mentoring the four-week headwater in Crestwood before flowing into the Tualatin and Willamette rivers, and for his own piece of property in Portland, as he showed us on some slides, he developed a via swale which filters water through native grasses instead of the streets. J.R. serves on the West Multnomah County Soil and Conservation Board and was a member of the southwest neighborhood's inc.'s park's committee. His latest project include serving as chairman of the southwest community plan and being the list master for the southwest e-mail service which keeps citizens involved and we were also surprised and delighted the other day when he showed up on the hearing on teleko hotels to find out he has a real job, too. That's president of the Portland research and education network. I think we all fell off our chairs wondering that you were doing here, it is nice to know that you have a real job but congratulations for all your citizen work, too, we appreciate it very much. [applause]

Katz: And he wrote a nice letter to the editor.

Jere Retzer, Crestwood NA: I don't think that I can say any better than Bridget already has, I really would like to thank the mayor and city council, as well as all the citizen activists and the city bureaus, the bureau of planning and des and pdot and parks. Really a lot of unsung heroes out there that go the last mile in creating an environment to allow citizens to interact with the city. It is really more unequal than any place I have ever lived. It has been a pleasure to be active with you on a volunteer basis and also on a professional basis, and thank you very much.

Katz: Thank you, Jerry. [applause]

Katz: It says here in the 50 plus years since you came from Scotland to America, I am not going to mention that it is 50 plus years. This gentleman has been working on many projects to making this

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city one of the, the best places in america to live, according to minute magazine. He's been involved in organizations and I am going to name them. United way, columbia river girl scouts council, the Oregon literacy project, projects especially important to him, include the Oregon corporation for affordable housing, which when renovated will provide 160 underground parking spaces, a child development center, committee meeting rooms, youth center and courtyard, as well as housing units. A strong education advocate, as well, he has written campaigns for students today aren't ready for sex, and a tv-free america. Which sponsors an annual turn off your tv and read week, and serves as a mentor for young people just entering the workplace, and I have had the pleasure of sitting next to mr. Millny and talking to him about other projects that aren't even listed here. You are one of our many, many jewels in this city, and thank you for all your years of contribution to the city of Portland and to -- and to this community, james. [applause] Say a few words.

James Milne: I want to thank you, mayor and commissioners for this. I just feel that it is part of the privilege of being an american, to be able to do these things. I came here and I walked in and I sat down beside sid lesak. Many of you don't know that sid does, but he used to be the u.s. Attorney for Oregon, and the last time I talked to sid was 20 years ago. I called him up from a certain eastern city that I will leave unnamed, and I was calling him to ask, how do you deal with building officials who want a kickback before you get a building permit. Well, sid gave me some guidance and we became friends ever since, and a delight to sit beside him today. I tell that story because most of us in Portland, Oregon, don't realize how fortunate we are in having government that is noted for being clean of corruption and outstanding in, in integrity of its leadership. And I want to thank mayor Katz, commissioner Saltzman, erik Sten and jim Francesconi for accepting this.

Katz: Thank you very much. [applause] If he doesn't tell us sid, you need to tell us which city it was. I need -- I don't think dan will have 160 underground parking spaces I think it is 160 housing units. Jim?

Francesconi: Jay michael reed contributes to Portland in many ways, and in fact, it is difficult to list them all. Projects such as remodeling the alameda school, the regional 26-26 bond measure for parks, and green spaces and being one of the seven task force members that fundraisers, plan, and built the alameda community park. Show his commitment to education, parks, and the environment. He's also worked as a member of pdot association, planned citizen advisory committee, his work on the alameda cleanup day led to a project that put 300 personal computers and 15,000 disks into the hands of teachers, students, and local nonprofit groups. That's terrific by itself. And now as board director and long-term treasurer, executive members of friends of trees, michael is working to endow the organization to insure Portland stays green for years to come. So, education and the environment. Perfect, michael. Congratulations.

Katz: Thank you. [applause]

J. Michael Reid, Alameda School and Community Park: Thank you very much. I was noticing while listening to all the other awards, is no one has mentioned the fact that I think that I have volunteered with everybody on the city council, that we are blessed in a town that that could happen. Think of any other that you can mention that of, and I couldn't have mentioned that of Portland 20 years ago, either. So, things have really changed for the better, and it is a blessing to be in a town where we can say that there is going to be a tree planting, and 100 people who don't know each other show up and leave friends, it is a great place to be.

Katz: Thank you. [applause]

Saltzman: Our next category, award is for the city employee of the year, and that's bill hoffmann, come on up, bill. Commitment, creativity, civic values, these are the words that bill hoffmann's peers use to describe him, as project manager with the Portland department of transportation, bill is widely regarded for implementing outstanding projects and for the way he deals with potential conflict. Bill was in charge of the pedestrian program when the capital highway and pedestrian master plans were adopted. He also loved the effort to develop the barber streep-escape plan and the southwest you are

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pan trails plan. His excellent people skills come in handy when facing conflict situations. Often taking extra time to listen to the concerns of individual citizens. Bill was able to make decisions that are acceptable to the larger community. Congratulations, bill. [applause]

Bill Hoffman, PDOT: Well, this is a huge honor, and I want to thank mayor Katz and council and all who work on this award. I've been very fortunate while the city of Portland to have worked on a number of very excellent projects, and there are two elements that go into making a project successful. One is to have a good staff and good professionals working on it, and I've been very fortunate in the office of transportation to work with a fine group of landscape architects, architects, planners and engineers that are responsible for all of the projects and have made them so successful, and secondly, projects have to, in order to work, have to have good community involvement, and we have been so fortunate in Portland to have wonderful neighborhood organizations, community leaders, who have gotten involved in projects and in all cases, have made them more successful and than we ever could have, and so I think that the moral is to trust the wisdom of the community and for that, I am very pleased and grateful. Thank you.

Katz: Thank you. [applause]

Katz: This is a new category now. Volunteer nonprofit group of the year. Nonprofit organization of the year. The hollywood and sandy project citizen working group. They have embodied the reason public participation and the long and lengthy public process makes Portland the kind of city that it is. These 12 citizen volunteers have got a long range planning project, and it wasn't only with the bureau of planning, as usually occurs, but it was with almost every bureau that has some involvement in planning, so it is, it is -- parks. Planning, Portland development commission, pdot transportation, so it wasn't just with one bureau, it was with several of them. And they did this over 2 1/2 years. They advised the project staff. They stimulated public involvement and they really stimulated public involvement, and were critical in the success of adopting the plan, which is not only a state, but a nationally recognized project. And although they finished their work last april, I remember the citizen's group sit not guilty front of the council and saying that they wanted to continue the work. That they work -- the work was not done. They weren't in an urban renewal area. That we need to do provide them with some resources to implement their plan. And they are putting planning on notice to expect to hear from them as they keep their organization together, as we plan the budget for the following year. So, let me call their names and invite them to come up.

Katz: Hold on:

Katz: All right. Pamela Allegria, come on up, Rob andersen. Catherine Van, Paul Clark, Joanne Griggs. Kirsten Jewel, Susan Marshall, Tracy Nichols, Jill Panches, Kerry Spaeth-Merrick?, Julie wells proch?, And curtis robinhold?., [applause]

*****: I would just like to say that through the 2 1/2 years that we worked together, most of it, we really functioned without a chair. Sew, nobody had really planned to say some thank yous, but I put together a few words, being an attorney, you know, jim, how that goes. So, I just would like to thank you, city council members and mayor, for supporting us through this process, and for listening to citizens and really empowering us to help provide the input, and especially thank you to the bureau of planning staff who really did truly staff this to successful conclusion. Debbie bischoff, graham clark, berry manning, and also to the many citizens who showed up at many of our public events to provide input, who go unnamed and they are also unsung heroes, so thank you very much to participating in and helping improve the livability of Portland. [applause] [applause]

Francesconi: Everyone is terrific -- award recipients, this is a, there is probably a bad thing for a politician to do, but I think this next award recipient is my personal favorite. This next award recipient created, in fact, a new category, a special volunteer the year award. This next award recipient saw a friend of her's die and decided to channel her grief into a project that would try to prevent others from suffering the same fate. This next award winner is 10 years old, and her name is chelsea jeane weber, so chelsea, could you and your family, if you would like, come forward as I

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read about the rest of you here? So, chelsea proves that you are never too young to get involved. And she also proves that most of our young people are doing the right thing and are not recognized for it. She dead indicates much of her time and effort into the jennifer marie hoffmeister memorial fun. Chelsea has raised money in creative ways in hopes of finding a vaccine for meningococcal disease, whether making animal key chains out of strengthening beads or selling her toys in garage sales, chelsea is making a difference. She is an inspiration to Portlanders of all ages.

Congratulations much. [applause]

Chelsea Weber?: I am happy that that I have done has made people aware of that a terrible thing meningococcal disease is and that a cure needs to be found, so that children won't get sick and die from it like my friend, jenny. I want to thank jim, leslie, and chelsea hoffmeister for nominating me for this award and I want to thank the city of Portland forgiving me the spirit of Portland award.

Thank you very much. [applause] [applause]

Katz: Chelsea, are you still making those key rings? Would you -- chelsea? Would you come up to my office sometime next week with a set of key rings or with whatever you are making? Okay. Not only that, chelsea can read. Thank you, chelsea. Okay.

Saltzman: Our next category is nonprofit neighborhood office employees of the year. Jenny sebers and william moore. For most people saturday morning is a time to sleep and forget responsibilities, not so for them. They are up and working by 4:00 a.m., Rain or shine. These people and others have spent the last year cleaning up the city with their bulky waste curb-side pickup project. The project involved recruiting neighborhood association volunteers to reduce, reuse, or recycle residential household items. Neighborhood associations were to be rewarded with a 50% return of any donations made. So far, the program has benefited an amazing 26 neighborhood associations, and 18,824 households. With a total return of 5,432.75. Somebody is keeping good track here, to the participating neighborhoods. The curb-side pickup program has eliminated 144 tons of appliances, 210 tons of metals, 151 tons of tires, and 1,078 tons of miscellaneous discards from the community. These two have succeeded in not only bringing the community together, but also helping the environment while they are at it. Jenny and william are such a great team that they are sharing this year's nonprofit organization employee award of the year. Congratulations. [applause]

Ginny Sievers: Mayor and commissioners, thank you very much for this. We were -- I was really shocked when we received the letter. This is really very special. I have quite a few people to thank so I will just kind of go through it kind of quickly. I want to thank the luntz neighborhood, judy welsh is the president for nominating us, and to kay collier for nominating us, and also a thanks to jerry mounts, formerly of bureau of environmental services now, office of sustainable development, that's kind of hard to say. Metro recycling, executive director, allison stole and the board of directors at central northeast neighbors. St. Vincent de paul, shitser steel and numerous garbage haulers, numerous, throughout the city of Portland. William, if you have any words to say.

William Warren: Thank you very much, mayor and commissioners forgiving us this award. I also want to ditto that jane has said, and of course, reemphasize the fact that being cnn employees, it is really has been terrific for us so, thank you, allison and to the board of directors, and I also want to thank jane because when you have to work with someone at 4:00 in the morning in a car all day you have to make sure that you get along pretty well, and I also 79 want to thank my partner, karl, and all those folks who put things out at the curb, including the 15,000 plus tires and that's a lot of tires that we were really happy to get rid of and we encourage people to reduce, reuse, recycle. Thank you again. [applause]

Ginny: I do have one more word. I would also like to thank my husband, jeff, who got up early today to come, which he never is able to get off from work, and today is his birthday, and happy birthday, jeff.

Katz: Happy birthday. [applause]

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Saltzman: Next category, neighborhood of the year. This is one I am very pleased to be able to personally deliver. Arlene, I know that you are here. Are other members of the hazelwood neighborhood here?

Arlene Kimura: Most of the board is here.

Saltzman: Well, come on up. Showing commendable leadership the hazelwood neighborhood undertook the Multnomah county children's receiving center project this year. This center will house children who have been removed from their homes because of abuse or neglect, and it will also accommodate, the future home of the Multnomah county child abuse team. To be located in northeast 102nd, the center is a bold move for the neighborhood. Most communities are often weary of bringing troubled people into the area, by putting the concern of at-risk children before their own the people of the neighborhood have shown us, shown all of us the true meaning of community and I am very pleased to present this award to all of you, and thank you for all your cooperation and support for the children's receiving center. [applause]

Katz: Somebody come up and say something.

******:** I have to say something because they are not. I thank you very much, mayor and council members, citizens of Portland, and especially the citizens that live behind the child receiving center because without their support, we could not have supported the child receiving center and we really want to extend a big hand to them because they were very, very helpful and I believe that they were instrumental in our support of this, and my board members, many thanks for all the hours that they put in. Thank you again.

Katz: Thank you, folks. [applause]

Katz: In the tradition of the spirit of Portland awards, I get to pick a special award. I need to tell you that a lot of the special awards that were on my list were chosen by the selection group, but there was one that I identified because of the kind of work that they did that the council was aware of but I am not sure that the citizens of the city of Portland were aware of it. It was the civic stadium pge park project. It is the goose hollow foothills league, the northwest district association, patricia gardner, jerry powell, john bradley, Sharon paget and kent snyder. [applause] They didn't have gray hair when they started on this project, I have to tell you. And sometimes when you say yes, when we ask you to do something, you should check the expiration date of the commitment that we have asked to you make, as a matter of fact, we didn't know how long this was going to take. And so lucky for the city of Portland, we had the goose hollow foothills league in the northwest district association and their representatives were willing to stick it out to the end, and we asked sharon and kent snyder to serve on the selection committee when we let out the rfp for the civic stadium and being part of the negotiating team so the two of you, thank you very much. But, but, as the project proceeded, with the Portland family entertainment group, we needed additional help. And in the spring of 1999, we crafted probably the only kind of a good neighborhood agreement the city ever crafted, it is one of a kind, and it wasn't easy because it was dealing with the civic stadium operations, and you all know that the community was very concerned about the impact of a triple a baseball team and a renovated stadium and all of the crowds, the traffic congestion, the noise, that people were concerned would impact their community, and patricia and john and jerry powell took on the task of creating a good neighbor agreement with pfe that set a new precedent for cooperation and partnering with their surrounding neighborhoods. Hundreds of hours were invested by the citizens to assure that the historic civic stadium, now the pge park, would be preserved for generations to come, and that the livability of the two neighborhoods would additionally be preserved. I cannot tell you that kind of work that they did for the city of Portland because somewhere in the middle of all of this, there was some conflict and tensions with other citizens in the community, and they work through those conflict and tensions and worked through the neighborhood associations, and for a minute, I thought that they were an extension of my staff. [laughter] So, I thank you, all of you from the bottom of our hearts that you have made this project possible and as

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you now pass the civic, you can see the product of your work. [applause] Patricia, come on, this is a special one for you. John bradley, as I said, was president of nwda. Jerry powell, thank you. Chair of the land use committee. Sharon paget, sharon? Thank you very much.

*****: Thank you.

Katz: And kent snyder.

*****: I just would like to thank everyone on behalf of the northwest district association and myself and I was also told before I came up here by my 9-year-old son, dylan, that I had to thank him, too. [laughter]

*****: Very briefly, very much would like to thank some other members who helped us get through that negotiating process, specifically keith, who was a trooper, and steve, who was also a trooper, and marshal, who we all got in there in the trenches and worked it out, and it is really going to be an asset to goose hollow so thank you very much for the addition. Thanks.

*****: The end product is that we were all looking for, and I think that it is something that we can all really -- the whole city can be very proud of.

*****: I would like to thank all of the city staff who put a heck of a lot of trust in a bunch of neighborhood volunteers to get this done. That, I am sure, wasn't easy for the council to swallow, but thank you very much. You did it.

*****: Really, these guys did all the heavy lifting, and we had -- sharon and I had the easy part at the beginning and then john and everybody else stuck in and had to do a lot of negotiating but it was a good project. We are all glad to see it is happening now, and in comparison to a lot of other awards being given here, I mean, I am really quite honor and had humbled about hearing that everybody else has been doing in the city, so glad to be here. [applause]

Katz: Before we say good night, we are having a little reception right outside the light corridor, in the light corridor outside of the chambers. Want to wish everybody a very happy holiday, and thank you forgiving us the gift, the most wonderful gift is the gift of caring and the gift of love to a community. That's the best holiday gift you can provide anybody. So, thank you again and we hope to see you next year. And we stand adjourned.

At 4:11 p.m., Council adjourned.